

DECEMBER 16, 1987

OLYMPIA, WASHINGTON

ISSUE 87-24



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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

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## CERTIFICATE

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

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of December 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 1987 pursuant to RCW 63.14.130(1)(a) is twelve and one-quarter percent (12¼%).

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# WASHINGTON STATE REGISTER

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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

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

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

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

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and are 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 MATERIAL

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 material is new material;
  - (ii) ~~deleted material 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's office. 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's office 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's office 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.

1987 – 1988

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Action Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
<i>For Inclusion in—</i>	<i>File no later than—</i>			<i>Count 20 days from—</i>	<i>For hearing/adoption on or after</i>
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87-19	Aug 26	Sep 9	Sep 23	Oct 7	Oct 27
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87-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
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<sup>1</sup>All 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.

<sup>2</sup>A 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.

<sup>3</sup>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 87-23-018**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed November 10, 1987]

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 Family independence program—Eligibility, new chapter 388-77 WAC;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, in the OB2 Auditorium, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 6, 1988.

The authority under which these rules are proposed is chapter 434, Laws of 1987.

The specific statute these rules are intended to implement is chapter 434, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
 Administrative Services  
 Department of Social and Health Services  
 Mailstop OB 39  
 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 December 22, 1987. The meeting site is in a location which is barrier free.

Dated: November 10, 1987  
 By: Leslie F. James, Director  
 Administrative Services

### STATEMENT OF PURPOSE

Re: Chapter 388-77 WAC.

Purpose of the Rule Change: To implement the family independence program (FIP).

Statutory Authority: ESHB 448, chapter 434, Laws of 1987.

Summary of the Rule Change: Would launch a five-year FIP demonstration as an alternative to public assistance through economic independence for employable adults.

Person Responsible for Drafting, Implementation and Enforcement of this Rule Change: Dave Andersen, Administrator, DIA, Office of Policy and Program Development, phone 234-4166, (206) 753-4166, mailstop OB-31C.

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

Chapter 388-77 WAC  
 FAMILY INDEPENDENT PROGRAM

### NEW SECTION

WAC 388-77-005 GENERAL PROVISIONS. (1) In 1987, the Washington state legislature established the family independence program (FIP) as a demonstration project subject to change and the availability of funding. FIP was developed to break the cycle of poverty and dependence on public assistance programs. FIP is designed to assist families in Washington state to achieve economic independence through training, education, and employment.

(2) The department shall implement the family independence program after February 29, 1988.

(3) The department shall implement the program on the day designated by the Washington state legislature.

(4) No applicant or recipient of the family independence program shall receive less financial assistance that they would otherwise have been entitled to receive under both the aid to families with dependent children and food stamp programs under the rules in effect January 1, 1988.

(5) The department shall implement FIP in two phases:

(a) Phase 1. The department shall determine eligibility based on FIP rules for all applicants. FIP rules apply to recipients at the time of the annual eligibility review. Other public assistance and food stamp rules apply until the eligibility review. OPPORTUNITIES participation shall be voluntary for all programs.

(b) Phase 2. The department may provide the following services on a phased-in basis:

(i) FIP incentive payments;

(ii) Child care;

(iii) Training;

(iv) Extended medical.

(6) The department may provide services in phase 2 under the direction of a case coordinator.

(7) All decisions related to eligibility and participation are subject to fair hearing rules according to chapter 388-08 WAC.

### NEW SECTION

WAC 388-77-010 DEFINITION. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter. When using the definition for child, parent, stepparent, etc., this can stand for either singular or plural.

(1) "Adequate consideration" means goods or services received that approximates a reasonable value in exchange for property being transferred.

(2) "Adequate notice" means a written statement of what action the department proposes to take, the facts relating to the decision, the policy supporting the action, the right to request a fair hearing, and the circumstances under which assistance is continued if a hearing is requested.

(3) "Advance notice" means the notice is mailed at least ten calendar days before the date of a proposed action. The advance notice period begins the day the notice is mailed.

(4) "Alien" means a person lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (including any alien who is lawfully present in the United States as a result of the application of the provisions of section 203(a)(7), section 207(c), section 208, or section 212(d)(5) of the Immigration and Nationality Act) except:

(a) An alien attaining temporary resident status (TRS) or permanent resident status (PRS) under the Immigration Reform and Control Act of 1986 (IRCA) is not eligible for FIP for five years from the date TRS was granted unless the alien is Cuban or Haitian; and

(b) Cuban and Haitian entrants attaining TRS or PRS under IRCA may immediately receive FIP if otherwise eligible.

(5) "Applicant" means any person or member of a family unit who requests FIP cash assistance.

(6) "Application" means completion of forms designated by the department to request FIP.

(7) "Benchmark standard" means the basic monthly level of cash benefits, established according to family size, which equals the state's shelter or supplied shelter payment standard under the aid to families with dependent children program, plus an amount not less than the full cash equivalent of food stamps for which any family of such size would otherwise be eligible.

(8) "Budget/report month" means the second calendar month preceding the payment month.

(9) "Canadian Indian" (a North American Indian born in Canada) is considered the same as a United States citizen when they have:

(a) At least 50 percent Indian blood; or

(b) Less than 50 percent Indian blood and entered the United States prior to December 24, 1952; and

(c) Maintained residence since entry.

(10) "Ceiling value" means the limit established by the department on the gross market value of nonexempt property.

(11) "Certification date" means the date the department certifies changes in a recipient's circumstances and authorizes an action affecting FIP cash assistance.

(12) "Change in circumstance" means any change affecting eligibility and/or continued payment of the FIP benefit previously authorized.

(13) "Child" means a person under 18 years of age, or a person 18 years of age and under 21 years of age who is a full-time student and expected to complete secondary or vocational training before age 21.

(14) "Client" means an applicant or recipient of financial, medical, or social services.

(15) "Compensatory award" means a one-time settlement or benefit received as a result of a personal injury or wrongful death or from victims of crime compensation or labor and industries, other than time-loss compensation.

(16) "Date of application" means the date the department receives a completed application.

(17) "Department" means the department of social and health services.

(18) "Dependent" means spouse, minor children or stepchildren, and/or disabled son or daughter of the applicant/recipient.

(19) "Earned income tax credit" means a refund of taxes allowed by IRS to low-income employed persons.

(20) "Effective date" means the date eligibility for FIP begins, changes, or ends.

(21) "Encumbrances" means any mortgage, claim, lien, charge, or other legally enforceable liability; e.g., past due taxes, attaching to and binding upon property.

(22) "Enrollee" means the head of household of a family eligible to receive financial assistance or other services under the family independence program.

(23) "Entitlement" means any form of benefit, such as compensation, insurance, pension retirement, military, bonus allotment, allowance payment in cash or its equivalent in which an applicant/recipient may have a claim or interest recognized by law.

(24) "Equity" means fair market value less legally enforceable encumbrances.

(25) "Exception to policy" means approval by the secretary's designee to waive a rule in Title 388 WAC for a specific client experiencing an undue hardship as a result of that rule. Such a waiver shall not be contrary to law.

(26) "Executive committee" or "committee" means the family independence program executive committee, authorized by and subject to the provisions of this chapter, to make policy recommendations to the legislature and develop procedure, program standards, data collection and information systems for family independence programs, including making budget allocations, setting incentive rates within appropriated funds, setting cost-sharing requirements for child care and medical services, and making related financial reports under chapter 43.88 RCW.

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

(28) "Fair market value" means the current market price as designated by an agency or individual who has knowledge for the value of the property.

(29) "Family" means all people residing in the same household who are related by blood, marriage, or adoption.

(30) "Family independence program services" includes job readiness programs, job development, employment, work programs, training, education, family planning services, development of a mentor programs, income and medical support, parent education, child care, and training in family responsibility and family management skills, including appropriate financial counseling and training on management of finances and use of credit.

(31) "Financial assistance" means a grant payment in the form of a warrant to an eligible recipient.

(32) "FIP cash assistance" means the portion of the assistance that the applicant/recipient receives in the form of a warrant payable to the applicant/recipient or to the protected payee.

(33) "FIP noncash assistance" means the portion of the assistance the applicant/recipient receives in the form of medical or social service payment.

(34) "FIP phase 1" means the first phase of FIP implementation effective no earlier than March 1, 1988, and shall include:

(a) Simplified eligibility,

(b) Consolidated grants, and

(c) Voluntary participation in the Washington employment opportunities program.

(35) "FIP phase 2" includes all elements of phase 1 and adds:

(a) Incentives,

(b) Child care by voucher,

(c) Training,

(d) Extended medical benefits,

(e) Extended child care payments, and

(f) Case coordinators services.

Phase 2 shall be phased in as directed by the FIP executive committee.

(36) "Food stamps" means the food purchase benefit available through the U.S. Department of Agriculture.

(37) "Full-time employment" means working 150 or more hours per month.

(38) "Good faith effort to sell" means listing property with a multiple listing agency, posting signs, advertising in local newspapers, and/or any reasonable attempts to sell property.

(39) "Gross income" means the total income of an enrollee from earnings before deductions, cash assistance, and incentive benefit payments.

(40) "Half-time employment" means working more than 75 and less than 150 hours per month.

(41) "Home" means real property owned and used by the applicant as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto, including property normally considered and used as a part of a home, such as:

(a) Yard and home garden space;

(b) Road to get to the home;

(c) Right of way to and land holding a water supply;

(d) Outbuildings and land on which they are located serving a normal and useful function of the home, such as garage, woodshed, chicken house, barn, pasture for cow, etc. In this connection, the use of necessary land and building to produce self-consumed products is considered as a reasonable part of the home property.

(42) "Incentive benefit payments" means those additional benefits payable to enrollees due to their participation in education, training, or work programs.

(43) "Income" means all income from whatever source and includes:

(a) "Earned income" includes income in cash earned as wages, salary, commissions, or profit from activities in which the individual is engaged as a self-employed person or as an employee.

(b) "Unearned Income" means cash benefits received by household members from sources other than employment or self-employment.

(44) "Initial grant" means the benefits received as a result of filing a FIP application.

(45) "Living in home of relative" means the child is an accepted member of a family unit and has a close, direct relationship with a specified relative who has assumed parental responsibility for the care, guidance, and control of the child.

(46) "Lump-sum payment" means a one-time nonrecurring payment such as an income tax refund, rebate, retroactive lump sum social security, SSI, PA, railroad retirement, or other payment, or lump sum insurance settlement, or refund of a security deposit on rental properties or utilities.

(47) "Maximum income levels" means those levels of income and cash benefits, both benchmark and incentive, the state establishes as the maximum level of total gross cash income for persons to continue to receive cash benefits.

(48) "Net income" means the gross amount less any deductions.

(49) "Newly acquired income" means any previously unreported or undiscovered income that has come into the possession or control, in whole or in part, of a recipient of FIP assistance, or of a recipient in suspended grant status.

(50) "Noncash benefits" means services received in lieu of a cash payment.

(51) "Nonrecurrent" means benefits received on an irregular basis.

(52) "Other income" means net income from any other nonexempt source shall be the gross amount less any cost of securing or maintaining the income.

(53) "Overpayment" means cash and/or medical benefits received by a FIP assistance unit that exceeds the amount for which they were eligible. An overpayment includes:

(a) "Intentional overpayment" means a willful or knowing intent of the recipient to receive or retain benefits they are not entitled to.

(b) "Unintentional overpayment" means an overpayment that is not attributed to the applicant's/recipient's willful intent to defraud the department.

(54) "Parent" means a natural parent, stepparent, or adoptive parent or a person acknowledging parentage and meeting the criteria in the Uniform Parentage Act (chapter 26.26 RCW) or a person whose parentage has been established by court order.

(55) "Payment month" means the calendar month for which payment is made.

(56) "Personal property" means any form of property which is not real property.

(57) "Process month" means the calendar month between the budget/report month and the payment month.

(58) "Prudent person" means a process the department uses to exercise sound judgment in practical matters.

(59) "Qualifying parent" means the parent (in a two parent household) that earned a greater amount of income in the last 24 month period.

(60) "Quick sale value" or "forced-sale value" means the value at which the property can be converted into cash almost immediately, and without waiting for the best offer.

(61) "Real property" means land, buildings thereon, and fixtures permanently attached to such buildings.

(62) "Reapplication" means an application is filed by an individual within a 90-day period after the individual's grant termination.

(63) "Reasonable value" means the quick sale value for property, goods, or services as of the date of transfer.

(64) "Relatives of specified degree" means:

(a) Maternal and paternal (when relationship has been established), including those of half blood;

(i) Immediate relatives: Mother, father, uncle, aunt, first cousin, nephew, or niece;

(ii) Relatives of preceding generations as denoted by the prefixes grand, great, or great-great.

(b) Sister, brother, stepmother, stepfather, stepsister, stepbrother;

(c) Persons (and their relatives) who legally adopt a child;

(d) Spouse of any person identified above even though the marriage is terminated by death or divorce.

(65) "Recurrent" means something predicted to occur at regular intervals.

(66) "Resident" means a person who:

(a) Is voluntarily residing in the state of Washington and intends to make Washington their home;

(b) Is voluntarily residing in the state and is not receiving assistance from another state;

(c) Temporary absences from Washington for specific purposes that do not involve an intent to change residence and include a plan for return at a future date.

(67) "Resource" means any asset owned by or available to an applicant/recipient that can be applied toward meeting financial need.

(a) "Exempt resource" means a resource the department does not use in computing FIP cash assistance.

(b) "Nonexempt resource" means a resource the department shall use to determine FIP cash assistance.

(68) "Self-employment" means working for oneself rather than an employer.

(69) "Sponsor" means any person or public or private organization executing an affidavit or affidavits of support or similar agreement on behalf of an alien, who is not the child of the sponsor or the sponsor's spouse, as a condition of the alien's entry into the United States.

(70) "Strike" means a slowdown, interruption, or stoppage of work by employees.

(71) "Subsidized employment" means employment for which FIP has provided the employer the financial resources, in whole or in part, to compensate an enrollee for the performance of work.

(72) "Suspension" means a temporary interruption of 30 days or more of FIP cash benefits.

(73) "Transfer of property" means a conveyance of title and/or interest in property from one person to another.

(74) "Underpayment" means an applicant or recipient received an amount less than they were entitled.

(75) "Unsubsidized employment" means employment for which FIP has not provided the employer the financial resources to compensate an enrollee for the performance of work.

(76) "Used and useful property" means property which currently serves a practical purpose for an applicant or recipient.

(77) "Visit" means absence of a recipient from their local office area of residence for not more than 90 days.

(78) "Warrant" means the state treasurer's warrant issued in payment of a grant.

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 388-77-015 APPLICATION—DEPARTMENT RESPONSIBILITY. (1) The department shall:

(a) Accept an application from anyone wishing to apply, and

(b) Act upon the application within 30 days.

(2) A person may apply in their own behalf or in behalf of their dependents.

(3) A legal guardian or person otherwise legally eligible for FIP may apply in behalf of minors or incompetent persons.

(4) Any other person acting in behalf of the applicant may apply when the individual cannot make application. The applicant's representative shall indicate the reason for initiating the application.

(5) The department shall:

(a) Give the applicant sufficient opportunity to make their pertinent needs known,

(b) Inform the applicant of available services,

(c) Inform the applicant of their legal rights and responsibilities,

(d) Determine eligibility or ineligibility on a factual and objective basis according to the rules and procedures of the department,

(e) Record pertinent facts so records may be audited,

(f) Notify the applicant of the decision on the application and reasons for the decision,

(g) Give the applicant the department's pamphlet on fair hearings and a brief explanation of rights and procedures in regard to fair hearings, and

(h) Provide the applicant with a written acknowledgement of receipt of the application at the time of application.

#### NEW SECTION

WAC 388-77-020 APPLICATION—RECORDING AND DOCUMENTING. (1) The department shall:

(a) Designate a form to permit the applicant to request FIP cash assistance and services;

(b) Designate a form for reapplication;

(c) Assist an applicant in the completion of the application forms if the applicant is unable to complete the application;

(d) Inform the applicant of the penalties of perjury at the time of the application;

(e) Require the signature of the applicant on the request for FIP. The applicant and spouse, if residing together, shall sign all other forms;

(f) Require the signature of two witnesses when the applicant's signature is by mark; and

(g) Require the applicant to initial and date any correction or deletions made on a signed application.

(2) The applicant shall:

(a) Apply in person at the local office in their area if possible. The department may take applications in the applicant's home if an applicant is unable to come to the office;

(b) Include all children in the application. This includes full, half, and step siblings, under 18 years of age residing in the home whether or not financial assistance is being requested for all the children; and

(c) Submit a completed application on forms designated by the department before the department will assess eligibility.

#### NEW SECTION

WAC 388-77-025 APPLICANT RESPONSIBILITY FOR PROVIDING INFORMATION. (1) The applicant shall:

(a) Complete and submit application forms; and

(b) Provide statements to support the application. The department shall allow the applicant not less than ten calendar days to provide statements in support of the application.

(2) The department shall extend the time for the applicant to provide support documents when:

(a) The applicant has provided some but not all of the requested information; or

(b) The department requests additional information after the initial interview. In such cases the department shall provide written notification of the specific additional information required and give no less than an additional ten calendar days to respond; or

(c) The applicant requests orally or in writing additional time to provide statements in support of the application.

(3) In cases where the applicant has not provided all the requested information, the department shall notify the applicant in writing what information is required and allow no less than ten additional calendar days to provide the requested information.

(4) When the applicant fails to provide requested statements within the initially specified or extended period, the department shall:

(a) Evaluate all available information, and

(b) Determine eligibility for financial assistance according to applicable rules.

#### NEW SECTION

WAC 388-77-030 TIME LIMIT FOR DISPOSAL. The department shall:

(1) Dispose of a FIP application within 30 days from the date of application excluding the day the application is made.

(2) Act upon the application as quickly as possible unless good cause exists. Good cause exists for delay in disposing of an application when:

(a) The applicant fails to provide requested verification within ten days of a written request; and

(b) The department notified the applicant in writing within 20 days of the date of application of each specific piece of information needed; or

(c) The department determined the need for additional information or action and notified the applicant in writing of the specific information or action needed within five working days of the date such need became known; and

(d) The department disposed of the application within five working days of the date the department received information necessary to determine eligibility; and

(e) The department documented good cause by the time the application is processed.

#### NEW SECTION

WAC 388-77-035 DISPOSITION OF APPLICATION. (1) The department shall dispose of a FIP application by:

(a) Approval when the applicant is eligible for assistance;

(b) Denial when the applicant is ineligible for assistance or there is not sufficient verifying information to establish eligibility;

(c) Withdrawal when:

(i) The applicant voluntarily requests orally or in writing that the application is not to be considered further; or

(ii) The applicant fails to report for a scheduled interview and has not contacted the department to reschedule an interview within 30 days from the date of application; or

(iii) Death occurred before determination of eligibility was completed.

(2) When denial is due to the applicant's failure to provide sufficient information to allow the department to establish eligibility, the department shall deny on the basis that eligibility cannot be established based on the information submitted by the applicant.

(3) If an applicant requests a fair hearing to contest the denial, the issue in such de novo hearing shall be whether the applicant can establish eligibility.

(4) Allow the applicant 30 days from the date of the denial notice to provide all specified information that was not provided.

(5) If the applicant provides the necessary information within the 30-day period, and the department has sufficient information to establish eligibility, the department shall:

(a) Establish eligibility, and

(b) Rescind the denial, and

(c) Approve assistance based upon the denied application.

(6) The department considers:

(a) An approved application disposed of as of the date a document authorizing assistance payment is correctly processed;

(b) A denied or withdrawn application disposed of as of the date the department gives or mails written notice to the applicant.

#### NEW SECTION

WAC 388-77-040 APPLICATION NOTICE. The department shall:

(1) Notify the applicant of the decision to authorize a grant for continuing assistance; and

(2) Notify the applicant of the denial or withdrawal action except for a withdrawal due to an applicant's death. The notice shall include the following information:

(a) The basis for the decision;

(b) The rules supporting such action;

(c) The specified information requested and not provided including the date of the request;

(d) That the information provided by the applicant was not sufficient to establish eligibility;

(e) That the department will redetermine eligibility within 30 days if:

(i) The applicant provides all specified information requested; and

(ii) The applicant's circumstances have not changed since the date of the denial notice.

(f) The date of the decision; and

(g) The right to a fair hearing. The letter need not include notice of right to a fair hearing when the applicant gives written notice of withdrawal including a statement to that effect on the application.

#### NEW SECTION

WAC 388-77-045 VERIFYING ELIGIBILITY AND RE-ELIGIBILITY. This section applies to the initial application for financial assistance, to reapplication, reinstatement, and redetermination of eligibility.

(1) The department shall respect the rights of individuals under the U.S. Constitution, the Social Security Act, Title VI of the Civil Rights Act of 1964, and all other relevant provisions of federal and state law.

(2) The department shall:

(a) Conduct a face-to-face interview with the applicant or, if direct contact with the applicant is impractical, with someone representing the applicant;

(b) Conduct a yearly face-to-face interview with the recipient for redetermination of eligibility;

(c) Verify the following factors:

(i) Name,

(ii) Social security number,

(iii) Alien status, and

(iv) Income.

(d) Use the applicant's statement of circumstances as the first source of information in determining eligibility;

(e) Inform the applicant of the obligation to secure necessary documentation whenever reasonably possible;

(f) Assist the applicant/recipient in obtaining sufficient information to determine eligibility whenever the applicant/recipient has difficulty in doing so;

(g) Request the applicant to provide verification documents based upon the availability of such documents. Documents that are readily available shall be requested first if the documents would be sufficient to determine eligibility;

(h) Inform the applicant that the department intends to obtain substantiating evidence from other sources;

(i) Obtain substantiating evidence from other sources, such as statements from persons other than the applicant, attested to under penalty of perjury, when the applicant is unable to provide verification necessary to establish eligibility; and

(j) Determine eligibility for assistance based upon the prudent person concept and all available evidence when verification for one or more factors is not obtained. If eligibility cannot be reasonably established, the department shall deny assistance.

(3) The department shall not:

(a) Require the applicant/recipient to provide a specific type of verification if the information available is sufficient;

(b) Require reverification of stable factors that have been previously verified;

(c) Require a verification document for which a fee is charged unless the department authorizes payment for such fee;

(d) Deny or delay an application because of an applicant's failure to provide a specific type or form of verification. The department shall accept and consider all alternative verification for an eligibility factor in determining eligibility.

#### NEW SECTION

**WAC 388-77-055 EXPEDITED SERVICES.** (1) When FIP cash assistance cannot be determined within the required expedited service time frames, the department shall follow the nonassistance food stamp expedited services criteria in chapter 388-49 WAC.

(2) At the time the initial FIP cash assistance is issued, the department shall provide any additional food stamp benefits that the applicant would be eligible for under FIP.

#### NEW SECTION

**WAC 388-77-060 APPLICANT RESIDING IN ANOTHER STATE.** (1) A person applying to Washington for FIP while residing in another state or country may meet the residence requirement if the applicant:

- (a) Offers convincing proof that Washington residence has been maintained since leaving it; or
- (b) Once resided and acquired residence in this state and the absence is:
  - (i) Enforced and beyond their control; or
  - (ii) Essential to their welfare; and
  - (iii) The applicant intends to maintain their residence in the state of Washington and plans to return to the state.

(2) The department shall arrange to have a local office take and process the FIP application in accordance with Washington rules.

#### NEW SECTION

**WAC 388-77-065 PROGRAM PREFERENCES.** An individual who is eligible for FIP benefits and who also is eligible for SSI benefits has the right to elect which program benefits they wish to claim. An individual may not receive FIP and SSI cash assistance concurrently.

#### NEW SECTION

**WAC 388-77-200 FAMILY INDEPENDENCE PROGRAM (FIP)—SUMMARY OF ELIGIBILITY CONDITIONS.** (1) The department shall provide FIP cash assistance in behalf of a needy child who is:

- (a) Under 18 years of age;
- (b) A resident of the state of Washington, or who resides with a parent or other relative who is a resident of the state of Washington;
- (c) Residing in the home of a relative of specified degree;
- (d) A United States citizen;
- (e) A Canadian Indian as defined in WAC 388-77-010;
- (f) An alien lawfully admitted for permanent residence in the United States as defined in WAC 388-77-010; or
- (g) In financial need as defined in WAC 388-77-010.

(2) The department may grant FIP cash assistance to:

- (a) A single, separated, or divorced pregnant woman with no other children;
- (b) A married couple residing together when the woman is in her third trimester of pregnancy.
- (3) The department shall continue to provide FIP cash assistance through the month the child reaches the maximum age.
- (4) The department may grant FIP cash assistance to a child 18 to 21 years of age:
  - (a) Who is a full-time high school student;
  - (b) Who is in a full-time vocational or technical training program;
  - (c) An unmarried parent between 18 and 20 years of age who resides in the home of their parent.

(5) For persons to be included in the FIP assistance unit, see WAC 388-77-210.

(6) The department shall provide FIP cash assistance to a child with two parents in the home when one parent:

- (i) Is incapacitated; or
- (ii) Is the qualifying parent as defined in WAC 388-77-240.

(7) The department shall not provide FIP cash assistance to a child or relative of specified degree who receives assistance from another state.

#### NEW SECTION

**WAC 388-77-210 FAMILY INDEPENDENCE PROGRAM—ASSISTANCE UNIT.** The department shall pay FIP cash assistance on an assistance unit basis.

(1) The department shall include the following individuals in an assistance unit when they reside together:

- (a) The child and the child's:
  - (i) Parent;
  - (ii) Natural, adoptive, or half siblings; and
  - (iii) Stepsiblings when one or more of the stepsibling's natural, adoptive, or half sibling is in the assistance unit.

(2) The department shall include the following individuals in an assistance unit when the child is a minor parent who is not legally married or whose marriage has been annulled:

- (a) The minor parent,
- (b) The minor parent's child, and
- (c) The minor parent's parent when the minor parent's parent requests assistance for the minor parent or the minor parent's full, half, or adoptive siblings.

(3) The department shall establish a single assistance unit for:

(a) Only the eligible child, including siblings and half-siblings, when:

- (i) The child's parent is not eligible;
- (ii) The child resides with a nonneedy relative of specified degree not legally responsible for the support of the child;
- (iii) The child resides with a needy relative of specified degree receiving SSI; or
- (iv) The child is a recipient of foster care.

(b) The eligible parent, or needy caretaker relative of specified degree, when the only child, or all the children, has been deleted from the grant because they receive SSI;

(c) Both parents when the woman is pregnant and has no other child;

(d) A legally married minor parent or a married minor parent whose marriage has been dissolved due to litigation other than annulment;

(e) The minor parent and the minor parent's child and the minor parent's spouse if the spouse resides in the home.

(4) The department shall establish two assistance units when:

(a) The responsible relative must temporarily reside apart from the family to secure training in accordance with an approved plan; or

(b) The child resides with a nonresponsible relative of specified degree who is a member of another assistance unit;

(c) Two or more persons not married to each other each has their own child, and no child in common.

(5) When a relative of specified degree is eligible to receive assistance for two or more children for whom they are not legally responsible:

(a) Establish one assistance unit for each group of children who are siblings; and

(b) Establish a separate assistance unit for each of the other nonsibling children. The exception is if a nonsibling child is the child of a minor parent and the minor parent resides in the home, such child shall be included in an assistance unit as specified in subsection (1) of this section.

(6) At the option of the family, the department may include the following individuals in a single assistance unit with the eligible child if that individual resides in the family home:

(a) One needy relative caretaker of specified degree whose eligibility depends solely on caring for the child, if a parent does not reside in the family home;

(b) The stepbrothers or stepsisters of a child included in the assistance unit; except a stepbrother or stepsister must be included in the assistance unit as specified in subsection (1) of this section if the assistance unit includes such stepchild's natural or adoptive full or half brother or half sister.

(7) The department shall not include the following individuals in the assistance unit:

- (a) Recipients of SSI benefits;
- (b) Aliens not meeting the citizenship and alienage requirements;
- (c) Individuals under sanction for noncooperation with child support enforcement as provided in WAC 388-77-275 and 388-77-280;
- (d) Individuals under sanction for noncooperation with FIP assessment activities; and
- (e) Individuals on strike at the time of application.

NEW SECTION

WAC 388-77-215 PROVISION OF SOCIAL SECURITY NUMBERS. (1) As a condition of eligibility, each applicant/recipient shall be required to:

- (a) Furnish a social security number for all persons whose needs are considered in determining the amount of assistance, or
- (b) Apply for social security numbers when the numbers are unknown or have not been issued.
- (c) Report promptly and accurately any new social security number within 20 days of its receipt.
- (2) The department shall not deny, delay, or terminate assistance pending issuance of social security numbers if the applicant/recipient provides verification they have applied for a social security number.
- (3) The department shall exclude from the assistance unit the person for whom a social security number is not available or for whom an application for a social security number has not been made.
- (4) The department shall assist the applicant to obtain a social security number by referring the applicant to the nearest social security office and giving to the applicant any verification from the department's records which may assist the social security administration.

NEW SECTION

WAC 388-77-240 FIP—ELIGIBILITY FOR QUALIFYING A PARENT. A child residing with two parents, when neither is incapacitated, shall be eligible for FIP under the following conditions:

- (1) The department shall designate a qualifying parent.
- (2) The department shall consider the earnings of both parents in determining the qualifying parent.
- (3) The designated qualifying parent remains the qualifying parent for each consecutive month the family remains on assistance.
- (4) The local office shall designate the qualifying parent if both parents earned an identical amount of income.
- (5) The qualifying parent:
  - (a) Shall be employed less than 100 hours a month;
  - (b) May work more than one hundred hours for a particular month if their work is intermittent and the excess is of a temporary nature; or
  - (c) Shall have been unemployed for at least 30 days prior to the date FIP is authorized.

When FIP is terminated due to full-time employment of the unemployed parent, no additional waiting period is required if the full-time employment ends within 30 days of termination and the individual re-applies and is found otherwise eligible for FIP.

- (6) The qualifying parent shall not have:
  - (a) Refused a bona fide offer of employment or training for employment; or
  - (b) Voluntarily left a job without good cause during the same 30-day period.
- (7) The department shall consider the following conditions good cause for refusal of an offer of employment or refusal to continue employment:
  - (a) Physical, mental, or emotional inability of the qualifying parent to satisfactorily perform the work required;
  - (b) Inability of the qualifying parent to get to and from the job without undue cost or hardships to them;
  - (c) The nature of the work would be hazardous to the qualifying parent;
  - (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; and
  - (f) Adequate child care is not available.
- (8) The qualifying parent, if eligible for unemployment compensation, shall not have refused to apply for or accept such compensation.
- (9) The child shall be residing with both parents except that one may be temporarily absent for up to 90 days to search for employment with the expectation of continuing to reside with the family. The absent parent shall meet the requirements in WAC 388-77-245.
- (10) When the qualifying parent participates in institutional and work experience training or in public service employment and training programs.

NEW SECTION

WAC 388-77-245 ELIGIBILITY CONDITIONS APPLICABLE TO FIP—RESIDING IN HOME OF RELATIVE OF SPECIFIED DEGREE. To be eligible for FIP:

(1) The dependent child shall be residing with one or more of the relatives of specified degree as defined in WAC 388-77-010.

(2) The department shall identify or verify the relationship of the caretaker relative to the child and parents to each other.

(3) Consider a child as residing in the home of a relative of specified degree when:

- (a) The child is temporarily separated from the parent for any reason, including:
  - (i) Separations where the child or the responsible relative is being cared for in a hospital or public or private institution when the illness is such that a return to the family can be expected and parental responsibility continues. If the temporary care exceeds 90 days, the monthly FIP cash assistance shall be as specified in WAC 388-77-615.
  - (ii) Attendance of the child in school when the purpose is primarily for obtaining an education or vocational training. The responsible relative retains full responsibility for the child and the child returns home during a year's period, at least for summer vacation. The monthly FIP cash assistance for a child attending school away from home shall be as specified in WAC 388-77-625. However, even temporary absence of the child from home for this purpose makes the child ineligible for FIP unless the attendance at the school is due to:
    - (A) Need for specialized education and training not available in the child's home community, and such specialized education is recommended by local school authorities, or
    - (B) Isolation of the child's home makes it necessary for them to be away from home to attend school.
    - (C) Enrollment on or after September 1, 1981, in an Indian boarding school administered through the bureau of Indian affairs (BIA).

(b) The child or responsible relative visits away from home for 90 days or less;

(c) A responsible relative must reside temporarily apart from his or her family to secure approved vocational training and plan to return to the home upon completion of training; and

(d) The child is temporarily placed in foster care while the parent is temporarily receiving care in a residential treatment facility, where such absences do not exceed 30 days.

(4) The department may make a FIP payment for a child who is a ward of the juvenile court, or other agency to whom the court has delegated authority, if all other eligibility factors have been met and the relative of specified degree actually carries out the everyday care, control, and supervision of the child.

(5) The department shall not make a FIP payment if the court, or other agency to whom the court has delegated authority, has physical custody of the child and carries out the actual day-to-day care, control, and supervision of the child.

(6) The department may make a FIP payment to the caretaker relative on behalf of a child even if the child is in foster care. The caretaker relative may apply for and receive FIP for themselves and the child for 30 days, even though the child is not physically in the custody of the relative if:

- (a) The caretaker relative is otherwise eligible;
- (b) The child is returned to the relative's home before the end of the 30-day assistance period; and
- (c) The department is not making FIP payments for the child, either in another relative's home or through foster care, in the same 30-day period.

NEW SECTION

WAC 388-77-255 FIP—EMPLOYMENT AND TRAINING REQUIREMENTS. (1) The department shall require all enrollees to participate in assessment activities to evaluate education, training, or work options unless the person is:

(a) A new enrollee who is on FIP assistance for the first time. The department shall not require such a person to participate in employment, training, or work activities until they have been on FIP assistance for six months;

(b) A person under 16 years of age or over 64 years of age;

(c) A person over 16 years of age who is in high school;

(d) A person who is incapacitated, temporarily ill, or is needed at home to care for an impaired person; and

(e) A person who is in the third trimester of pregnancy.

(2) The department shall impose the following sanctions on a person who fails to comply with assessment activities without good cause:

(a) The person shall be ineligible for three months for the first refusal to cooperate; and

(b) The person shall be ineligible for six months for the second and each subsequent refusal.

(3) When an enrollee refuses or fails to participate in assessment activities, the department shall verify the following conditions to establish good cause:

(a) Physical, mental, or emotional inability to perform the required activity;

(b) Court-ordered appearance or temporary incarceration;

(c) Family or individual emergency or crisis;

(d) Breakdown in transportation arrangements, with no readily accessible alternate transportation;

(e) Inclement weather which prevents the individual and others similarly situated from traveling to or participating in the prescribed activity;

(f) Breakdown in child care arrangements, or child care not available to the single-parent FIP household;

(g) The nature of the required activity would be hazardous to the participant;

(h) The wages of the employment do not meet minimum wage standards or are not customary for such work in the community;

(i) The job is available because of a labor dispute;

(j) The employment referral was not for a specific job vacancy;

(k) Refusal to accept major medical treatment, e.g., major surgery, needed for employability; and

(l) Refusal by a qualifying parent to accept employment of one hundred hours or more per month, the wages for which, less mandatory payroll deductions and necessary work-related expenses, would not equal or exceed the family's benefits.

#### NEW SECTION

WAC 388-77-270 ELIGIBILITY CONDITIONS APPLICABLE TO FIP—ASSIGNMENT OF RIGHTS TO SUPPORT. (1) The department shall require the applicant/recipient to assign to the office of support enforcement any and all right, title, and interest in any support obligation the applicant/recipient may have in their own behalf or on the behalf of any family member for whom application is being made. Such assignment shall:

(a) Include rights in support payments accrued prior to the time assignment is made; and

(b) Require that the applicant/recipient remit to the office of support enforcement within eight days any payments received directly from the person legally responsible to pay support. Payment of FIP assistance to the applicant shall constitute an agreement to the assignment of rights to support by the applicant, as provided under RCW 74.20.330.

(2) The department shall not provide FIP cash assistance to the caretaker relative who fails or refuses to comply with the requirement in subsection (1) of this section.

(a) The caretaker relative shall be ineligible to receive assistance and the department shall provide any assistance for which the child may be eligible by protective payment.

(b) The department shall compute the child's requirements without regard to the requirements of the caretaker relative.

#### NEW SECTION

WAC 388-77-275 ELIGIBILITY CONDITIONS APPLICABLE TO FIP—COOPERATION IN OBTAINING SUPPORT FROM AN ABSENT PARENT. The department shall require an applicant/recipient of FIP to cooperate as specified in WAC 388-14-200 except as specified in WAC 388-77-270.

#### NEW SECTION

WAC 388-77-280 GOOD CAUSE FOR FAILURE TO COOPERATE WITH SUPPORT ENFORCEMENT. (1) The department shall:

(a) Waive the requirement for cooperation of the applicant/recipient in WAC 388-77-275, if the department determines such cooperation would not be in the best interest of the child for whom assignment has been made.

(b) Inform the applicant/recipient of:

(i) The benefits the child may receive from establishing paternity; and

(ii) Their right to claim good cause for refusing to cooperate as specified in WAC 388-14-200(2) and 388-77-275.

(2) The applicant/recipient who claims to have good cause for refusing to cooperate shall provide sufficient information to permit an investigation to determine if good cause exists.

(3) The department shall determine good cause exists when:

(a) The evidence supplied by the applicant/recipient establishes cooperation would be against the best interest of the child; or

(b) Investigation of the circumstances of the case confirms the applicant/recipient's claim that cooperation would be against the best interest of the child.

(4) The department shall determine that good cause does or does not exist:

(a) Within 30 days from claim, unless exceptional circumstances occur and a longer period of time is required; and

(b) Notify the applicant/recipient, in writing, of the findings and basis for determination.

(5) The department shall determine that cooperation in establishing paternity and/or securing support is against the best interest of the child if:

(a) The applicant/recipient's cooperation is anticipated to result in physical harm or emotional harm to:

(i) The child for whom support is to be sought; or

(ii) The caretaker relative.

(b) At least one of the following circumstances exists:

(i) The child for whom support is sought was conceived as a result of incest or forcible rape; or

(ii) Legal proceedings for the adoption of the child are pending before a superior court; or

(iii) The applicant/recipient is currently being assisted by a public or licensed child-placing agency to resolve the issue of whether to keep the child or relinquish it for adoption, and discussions have not gone on for more than three months.

(6) Acceptable evidence upon which the local office shall base a determination of good cause, without further investigation, is limited to the following documents:

(a) Birth certificates, medical or law enforcement records that indicate the child was conceived as the result of incest or forcible rape;

(b) Court documents or other records that indicate that legal proceedings for adoption are pending before a superior court;

(c) Court, medical, criminal, child protective services, social services, psychological, or law enforcement records that indicate the putative father or absent parent might inflict physical or emotional harm on the child or parent or caretaker relative; and

(d) Medical records from a mental health professional that indicate cooperation by the parent or caretaker relative would not be in the best interest of the child, based upon the emotional health history and present emotional health status the parent or caretaker relative of the child;

(7) The department shall, upon request, assist the applicant/recipient in obtaining the required evidence.

(8) The department shall not contact the absent parent or alleged father from whom support would be sought unless such contact is determined to be necessary to establish the good cause claim, and prior to making such necessary contact, shall notify the applicant/recipient and give them the opportunity to:

(a) Present additional evidence or information so that contact with the absent parent or putative father becomes unnecessary;

(b) Withdraw the application for assistance; or

(c) Request a fair hearing.

(9) The department shall:

(a) Afford the office of support enforcement the opportunity to review and comment on all findings and basis for proposed good cause determinations;

(b) Consider any recommendation from the office of support enforcement; and

(c) Provide the office of support enforcement the opportunity to participate in any hearing that results from an applicant/recipient's appeal of any determination based on a good cause claim.

(10) The department shall not deny, delay, or discontinue assistance pending a determination of good cause for refusal to cooperate if the:

(a) Applicant/recipient has complied with the requirements to furnish information; and

(b) Applicant/recipient is otherwise eligible.

(11) If the local office staff determines there is good cause, the department shall not attempt to establish paternity or secure support.

(12) Department staff shall periodically review all cases in which a finding of good cause for refusal to cooperate has been made. If good



cause no longer exists, the department shall rescind its decision and require cooperation by the applicant/recipient.

(13) If department staff determines good cause does not exist, they shall notify the applicant/recipient and afford them the opportunity to cooperate, withdraw their application for assistance, have the case closed, or request a fair hearing.

(14) Continued refusal to cooperate shall result in the loss of FIP eligibility for the caretaker relative.

(16) The department shall maintain records concerning its activities under this section.

(17) The local office shall promptly report to the office of support enforcement:

(a) All cases in which good cause has been claimed and a determination is pending;

(b) All cases in which it has been determined that there is good cause for refusal to cooperate;

(c) All cases in which it has been determined that there is not good cause for refusal to cooperate;

(d) All cases in which a fair hearing has been requested; and

(e) Results of subsequent eligibility reviews in cases previously determined to have good cause.

**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 388-77-285 ASSISTANCE TO MINOR CHILD. (1) The department shall be responsible, as defined under state law (chapter 74.13 RCW, child welfare services), for the protection and care of a homeless, dependent, or neglected child or a child in danger of becoming delinquent.

(2) If the minor applies for assistance for themselves, the department shall determine eligibility according to WAC 388-77-200 through 388-77-280. If an unmarried pregnant minor is requesting an abortion, parental consent is not required. The decision to proceed with an abortion rests solely with the minor. Involvement and/or consultation with the parent in reaching this decision should be a matter of individual case judgment.

(3) The department shall not establish the financial eligibility of a minor without determining the parent's ability to give financial support and their willingness to contribute. See WAC 388-83-130 for responsibility for medical care. Parental contact is not required when the minor applicant:

(a) Is married;

(b) Is in the military service;

(c) Has been declared emancipated by a court of competent jurisdiction prior to the application for assistance; and

(d) Is applying for medical assistance related to pregnancy.

(4) The department shall inform the minor applicant there will be communication with the parent or parents during the period of determination of eligibility.

(5) If a minor parent and the child reside with the minor's parent, the department establishes the assistance unit of the minor parent according to WAC 388-77-210. If the minor parent's parent is not included in the assistance unit of the minor parent, consider the income of such parent available to meet the needs of the minor parent as specified in WAC 388-77-210.

(6) If a minor parent's legal guardian has a court-ordered responsibility for the support of such minor parent, the department shall treat the legal guardian's income, with respect to determining the availability of such income to meet the needs of the minor parent, the same as the income of a minor parent's parent.

#### NEW SECTION

WAC 388-77-300 FINANCIAL NEED—RULES AND PROCEDURES. To be eligible for FIP cash benefits, an applicant shall be in financial need.

#### NEW SECTION

WAC 388-77-310 STEPPARENT RESPONSIBILITY. (1) The department considers the income and resources of a stepparent to be

available to meet the requirements of the stepchild and its parent in the same manner as the income and resources of the natural or adoptive parent. See WAC 388-77-575.

(2) The stepparent's responsibility for support ceases when the marriage is terminated by death or divorce.

(3) The natural parent of such child is not relieved of a legal obligation to support the child by this provision.

#### NEW SECTION

WAC 388-77-315 NONRELATED ADULT IN HOUSEHOLD. When a dependent child resides with one parent and another person not legally married to the parent, the department shall consider only the income and resources from the nonrelated adult, that are stipulated by the parent to be actually available on a regular basis to meet the needs of the parent and child, in determining the income available to the parent and child.

#### NEW SECTION

WAC 388-77-320 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—COMMUNITY PROPERTY. (1) The department considers community income and property as available to the assistance unit. The department shall determine the eligibility on the basis of an assistance unit and on the basis of the total community property holdings and income, regardless of whether one or both are applicants.

(2) Any income received by either the husband or wife is community income unless they are legally separated.

#### NEW SECTION

WAC 388-77-325 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—SEPARATE PROPERTY. The department considers property to be separate property when it has been established it was acquired (and paid for):

(1) By either spouse before marriage;

(2) As a result of gift or inheritance; or

(3) Entirely out of income from separate property. Commingling of community income and income from separate property in the purchase or improvement of property probably destroys the status of separate property.

#### NEW SECTION

WAC 388-77-330 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—FURTHER CONSIDERATIONS FOR DETERMINING PROPERTY OF HUSBAND AND WIFE. (1) The department presumes the separate resources or income of a husband or wife is available to meet the requirements of the other spouse except when:

(a) One spouse will not contribute toward the other spouse's requirements out of such separate property or income; and

(b) The husband and wife are:

(i) Not residing together; or

(ii) Are residing together, but under situations such as the following:

(A) One spouse has publicly repudiated responsibility for the debts or support of the other spouse, or

(B) Other evidence substantiates statements of the spouse that income and property are not available.

(2) When it has been established that property or income is the separate property of the spouse of an applicant, the department shall not declare a spouse ineligible on the basis that the market value of the other spouse's separate property would disqualify the other spouse if that spouse was applying, but the department shall not include the other spouse in the grant.

#### NEW SECTION

WAC 388-77-335 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—PROPERTY JOINTLY OWNED (NOT COMMUNITY). When an applicant has less than full title to property (title is shared with some person other than the spouse and other than the contract vendor, mortgage or lien holder), the department shall determine eligibility upon the basis of the applicant's equity in their fractional interest in the value of the property.



NEW SECTION

WAC 388-77-340 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—PROPERTY OWNERSHIP—VERIFICATION. In the absence of definite evidence to the contrary produced by the applicant, the department presumes legal documents that specify the applicant as owner, or as carrying the obligation attendant upon ownership, establish the ownership of such resource by the applicant.

NEW SECTION

WAC 388-77-345 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—SOCIAL INSURANCES AND RELATED ENTITLEMENTS. (1) The local office shall discuss with the applicant any potential entitlements and assist them in obtaining such benefits.

(2) Men who are eligible to receive reduced social security or railroad retirement (RSI) benefits at 62 years of age and women who are eligible to do so at 60 years of age are ineligible for FIP. The department shall consider the amount of the RSI benefit that could be claimed in computing their financial need.

NEW SECTION

WAC 388-77-350 COMMUNITY, SEPARATE, AND JOINTLY OWNED PROPERTY—TIME-LOSS COMPENSATION—LIEN. (1) The department of social and health services (the department) is authorized to file a lien upon the time-loss compensation payable to a recipient of FIP.

Provisions of this section do not apply to persons when the person's eligibility for time-loss benefits is based upon an injury or illness that occurred prior to July 1, 1972.

(2) The department presumes a person who accepts FIP cash assistance has subrogated to the department the right to recover time-loss compensation. The department shall compute the department's claim for subrogation up to 100 percent of the lesser amount of either the FIP cash assistance or time-loss compensation paid, for the periods when both FIP cash assistance and time-loss are paid to the injured worker.

(a) When the FIP assistance unit is composed of several adults not married to each other, and the adults' dependents, the department shall make the claims for subrogation as if the injured worker and the worker's dependents were on a separate assistance grant.

(i) If the unmarried adults on a FIP assistance grant have a common child, the department shall count that child as one of the injured worker's dependents.

(ii) If an injured worker or one of the worker's dependents receives other income that is budgeted against the FIP cash assistance grant, the department shall make claim for subrogation as if that other income were budgeted against continuing assistance for the injured worker and the worker's dependents in the household.

(b) When the period of duplicated benefits from FIP cash assistance and time-loss compensation terminates, or if continuing assistance is paid to supplement time-loss compensation to bring the injured worker's income up to the grant payment standard, the department shall make no further claim under this lien against the time-loss compensation.

(c) In computing the amounts of claims for subrogation, the department shall compute the payments for time-loss and FIP cash assistance paid for less than a full month on the actual number of days paid.

(3) The department shall mail a copy of the statement of lien and notice to withhold and deliver time-loss compensation to the department to a recipient no later than the next business day after such statement has been sent to the department of labor and industries or the self-insurer.

(4) The department shall advise an applicant/recipient of the provisions of this section when it is known such individual may be eligible for time-loss compensation from labor and industries or the self-insurer.

(5) Any person feeling aggrieved by the action of the department in impounding time-loss compensation has the right to a fair hearing as provided in chapter 388-08 WAC.

NEW SECTION

WAC 388-77-355 EFFECT OF RESOURCES ON FINANCIAL NEED—SUMMARY OF BASIC POLICIES. (1) The department shall consider property to be a resource only when the applicant

has title and control and the property is actually at hand for current use and/or disposition.

(2) The department shall evaluate the status and resource potentials of all real or personal property held by or subject to the disposition or control of an applicant and their spouse and members of the assistance unit.

(3) When the value or ownership of any resource is in question, the department shall allow the applicant a reasonable time, but not to exceed 45 days from the date of application, to clarify the questionable value or ownership. The applicant is not eligible for continuing assistance during this period.

(4) The local office shall assist applicants who have difficulty clarifying their eligibility.

(5) If the applicant produces evidence supporting their eligibility but the local office doubts the evidence's reliability or conclusiveness, the local office shall attempt to obtain conclusive evidence directly.

(6) An applicant shall proceed to realize the potential of any resource that will reduce need.

(7) When an applicant has taken, without success, reasonable required action to make a resource potential available, current eligibility is not affected. Continued eligibility is conditional. The department shall review eligibility at a later time.

NEW SECTION

WAC 388-77-360 EFFECT OF RESOURCES ON FINANCIAL NEED—EXEMPT AND NONEXEMPT RESOURCES. When the department has determined an applicant possesses a resource in accordance with the considerations in WAC 388-77-355, it shall classify such resources as exempt or nonexempt in accordance with WAC 388-77-365 through 388-77-397.

NEW SECTION

WAC 388-77-365 EFFECT OF RESOURCES ON FINANCIAL NEED—EXEMPT RESOURCES. An applicant may possess and retain exempt resources and be eligible for FIP assistance. While the fact of ownership does not make an applicant ineligible, the use of such properties to produce income (such as rental of a room in the home) does affect financial need.

NEW SECTION

WAC 388-77-370 EFFECT OF RESOURCES ON FINANCIAL NEED—REAL PROPERTY—HOME. (1) The applicant's home is an exempt resource without ceiling values when used as a place of residence by the applicant and/or dependents.

(2) Real property used in a self-employment enterprise is treated according to WAC 388-77-390.

(3) An applicant absent from home for temporary visits is considered as continuing to reside at home unless the applicant expresses intent to abandon the home as a residence.

(4) When absence from the home is over 90 days, and there is cause to believe applicants will be unable to return home and the home is not occupied by the applicant's dependents, the department shall presume the home is a nonexempt resource under the following conditions:

(a) The individual specifies in writing the intent not to return to the home and use the home as a place of residence; or

(b) A physician signs a statement attesting the person will be unable to return home;

(5) If the physician indicates the individual will be able to return home during the remainder of the individual's lifetime, the department shall consider the home as exempt property. The department shall pay the physician participating in the review an amount not to exceed ten dollars per case.

(6) When absences result from natural disaster, the local office administrator shall determine whether the residence is accessible and inhabitable. The department shall presume the home to be a nonexempt resource if the local office administrator determines it could be made accessible and inhabitable with reasonable expense and effort to the applicant/recipient.

NEW SECTION

WAC 388-77-375 EFFECT OF RESOURCES ON FINANCIAL NEED—REAL PROPERTY OTHER THAN HOME. An applicant, who owns real property with net equity value in excess of the resource maximum, may receive assistance provided the applicant is making a good-faith effort to sell the property at fair market value.

NEW SECTION

WAC 388-77-380 EFFECT OF RESOURCES ON FINANCIAL NEED—PERSONAL PROPERTY EXEMPTIONS—CEILING VALUES—FIP. (1) Household furnishings and personal clothing essential for daily living are exempt resources without ceiling value.

(2) The total value of cash, marketable securities, cash discount value of real estate or chattel mortgages, sales contracts, excess value of vehicles, value of nonexempt property, and any other resources not specifically exempted shall not exceed two thousand dollars regardless of family size. The department shall budget resources in excess of the maximum but less than the benchmark standard plus additional requirements and incentive payments against the first month's grant at application and at each eligibility review.

(3) Term or burial insurance is exempt.

(4) Life insurance is exempt.

(5) One cemetery plot for each member of the assistance household is exempt. The department considers any additional plots as a resource with other resources up to the ceiling maximum of two thousand dollars.

(6) One used and useful vehicle with a fair market value of four thousand five hundred dollars or less is an exempt resource.

(7) A second vehicle is exempt if:

(a) It is used to produce 50 percent of the family's income;

(b) It is used to transport a disabled person; or

(c) It is used as the family home.

(8) Excess fair market value of a used and useful vehicle and the equity value of other vehicles shall apply toward the limit in subsection (2) of this section.

(9) The department considers an income tax refund or a compensatory award to be a resource in the month received and counts it with the resources in subsection (2) of this section.

NEW SECTION

WAC 388-77-385 EFFECT OF RESOURCES ON FINANCIAL NEED—PERSONAL PROPERTY EXEMPTIONS. (1) The department shall not consider funds within the ceiling values in determining financial need or in computing grants.

(2) The department shall consider all cash savings held by the applicant or held jointly with any other person as available to the applicant. Any funds on deposit, in hand, or in any place from which cash may be drawn by the applicant, is a cash fund. A cash fund includes a bank account, savings, funds held in trust for future use (when applicant can make withdrawals), savings bonds, advance insurance premium payments, interest, etc.

(3) A joint account, an account held for another, or funds held for others shall be considered the property of the applicant/recipient since the entire amount is at their disposal, except when the applicant/recipient can show that all or a portion of the funds is derived from funds exclusively the other holder's and held and/or utilized solely for the benefit of that holder. The department shall not consider all funds so verified actually available to the applicant/recipient.

(4) The equity value in the cash discount value of a chattel mortgage or sales contract represents the value of the resource.

(5) The department considers any payments on mortgages or contracts received by an applicant/recipient as income as specified in WAC 388-77-010.

(6) In determining the resource value of automobiles, the department shall use the national automobile dealers association official used car guide. For automobiles listed in this guide, the department shall presume "average loan" value in the current edition to be the resource value.

(7) In determining the resource value of recreational vehicles, the department shall use the wholesale value in the current edition of the Kelley Bluebook R.V. Guide.

(8) For vehicles not listed in these guides, the department shall document the method of determining the resource value in the case report.

(9) The values listed in these guides may be overcome by positive evidence to the contrary.

(10) The department shall phase in the changes to resource limits for federally funded programs by applying them when case actions are taken and/or when eligibility is determined or redetermined.

NEW SECTION

WAC 388-77-390 EFFECT OF RESOURCES ON NEED—PROPERTY USED IN SELF-EMPLOYMENT. (1) The department

may declare real, personal property, and inventory, when used in a self-employment enterprise, to be an exempt resource when the property:

(a) Produces income reducing the applicant/recipient's need for FIP assistance; or

(b) Aids in rehabilitating the applicant or the applicant's dependents by providing self-employment experience that can reasonably be expected to lead to full or partial self-support.

(2) If stock, raw materials, or inventory of a business is exempted, the department shall examine any increase in value to determine whether the increase is necessary to the health of the enterprise. Recipients shall not use such increase as a means of diverting funds that might reasonably constitute income to the recipient.

(3) In the absence of a self-sufficiency plan, the department shall consider the business assets of a self-employment enterprise to be non-exempt resources available to the owner in the amount of the sale value minus encumbrances, unless the resources are generally exempt under the provisions of WAC 388-77-370 and 388-77-380.

(4) The department considers accounts receivable to be exempt resources under a self-sufficiency plan as long as diligent effort is being made to collect. If efforts to collect are unsuccessful, then the department shall require the accounts be turned over to a collection agency. Failure to do so will cause the department to consider the accounts to be a nonexempt resource. When payment is received, it is treated as income pursuant to WAC 388-77-545.

NEW SECTION

WAC 388-77-395 ACCUMULATION AND DEPLETION OF ALLOWABLE CASH RESOURCE RESERVES. (1) Recipients may spend their cash reserves and rebuild them with:

(a) Succeeding FIP assistance grants;

(b) Funds from other exempt sources; or

(c) Other income that has been considered in computing financial need.

(2) Cash on hand may exceed the specified limits for a maximum of thirty days if it has already been considered in computing financial need.

(3) Cash reserves may be accumulated from nonrecurrent cash lump-sum sources.

(4) If a lump sum, when added to existing reserves, causes the resources to exceed allowable limits, the department shall treat the excess as a newly acquired income in accordance with WAC 388-77-525.

(5) Recipients may not use the following types of one-time payments to accumulate resource reserves:

(a) Earnings accrued over a period of time and received in one payment.

(b) Payments representing accumulated periodic benefits. Examples are social security retirement and disability benefits, railroad retirement benefits, unemployment insurance benefits, and veterans' benefits.

(6) If a lump sum is placed in trust for a recipient and is not under the recipient's control, the following rules apply:

(a) Funds kept in trust do not affect FIP assistance need.

(b) The trustee may release to the recipient an amount up to the allowable resource limit for the assistance unit less any amount of existing cash and marketable securities as of the date the lump sum was received. Such disbursement, if made within 30 days of the date the lump sum was received, is used to accumulate allowable reserves and does not affect FIP assistance need. This may be done once for each lump sum placed in trust.

NEW SECTION

WAC 388-77-397 NONEXEMPT RESOURCES—EFFECT ON FINANCIAL NEED. The possession of a nonexempt resource by an applicant affects the financial need to the extent the value of the resource decreases the need for FIP assistance.

(1) For all programs, the value assigned to such resources shall be the fair market value minus legal encumbrances.

(2) For FIP, the department shall deduct the value of such resource from the cost of applicant's requirements for one month at time of application and at each succeeding eligibility review. If the value of non-exempt resources exceeds one month's appropriate benchmark level plus additional requirements and incentive payments, the applicant is ineligible.

**NEW SECTION**

WAC 388-77-450 REPLACEMENT OF EXEMPT PROPERTY. (1) A recipient may, within 60 days of receipt:

- (a) Reinvest in other exempt property funds acquired from a settlement covering destroyed or stolen exempt property; and
- (b) Pay medical bills for which the settlement was intended.

(2) A FIP recipient may retain cash from the settlement up to the amount of the difference between current resource values and the appropriate resource ceiling for the assistance unit.

(3) The department shall consider any remaining portion of the settlement, after applying subsections (1) and (2) of this section, to be newly acquired nonexempt income.

**NEW SECTION**

WAC 388-77-499 EARNED INCOME DISREGARDS IN FIP PHASE I. The department shall compute benefits for employed persons in FIP Phase I using the disregards and allowances in WAC 388-28-570.

**NEW SECTION**

WAC 388-77-500 USE OF INCOME AND INCOME POTENTIALS. (1) The department shall use the following income to compute financial need:

- (a) Real or personal property,
- (b) Support from parent, stepparent, other nonrelated adult,
- (c) Stocks and bonds,
- (d) Wages,
- (e) Interest in an estate,
- (f) Income from farming,
- (g) Benefits and entitlements from private and public agencies, and
- (h) Marketable securities.

(2) The department shall consider nonexempt resource values in determining financial need.

(3) The department shall determine if need exists and the amount of the FIP cash assistance by comparing the total nonexempt resource values and nonexempt net income values with the appropriate benchmark level plus authorized additional requirements and incentive payments.

**NEW SECTION**

WAC 388-77-505 USE OF INCOME AND INCOME POTENTIALS—TYPES OF INCOME—EFFECT ON NEED. (1) An applicant/recipient is not eligible for FIP cash assistance if nonexempt net monthly income exceeds the monthly benchmark standard plus authorized additional requirements and incentives.

(2) Treatment of income.

(a) The department shall determine the grant amount for the month the application is approved by subtracting all net income, received or reasonably expected to be received during the calendar month, from the benchmark standard plus authorized additional requirements and incentives. The department shall prorate the remainder for the number of days after grant authorization. This prorated figure is the grant amount for the first month of eligibility.

(b) The department shall determine the grant amount for the month following the month of initial eligibility by subtracting all nonexempt income, received or reasonably expected to be received during the calendar month, from the benchmark standard plus authorized additional requirements and incentives. The remainder is the grant amount for the second month of eligibility.

(c) The department shall base the grant amount for the third month of assistance and subsequent months upon income received in the budget/report month. WAC 388-77-520(3) is an exception to this rule.

(3) The department shall treat nonrecurring income, including cash gifts, as a lump sum. When the addition of the lump sum to existing reserves cause the resources to exceed allowable limits, the excess is newly acquired income to be treated in accordance with WAC 388-77-515.

(4) The department shall consider earned income credit (EIC) payments exempt income during the month received.

(5) When there is a written agreement with a repayment plan, the department shall not count as income any contractually agreed loan acquired by an applicant or recipient. The department shall not include

the property used as collateral for the loan in determining property reserves. The department shall consider equity accumulated in the specified property toward the resource ceiling.

(6) The department shall not count as income repayments to a recipient of money previously loaned by the recipient to another party. The department shall verify the facts of the loan and consider any interest paid on the loan as newly acquired income.

(7) The department shall not consider as income or a resource the following gifts in-kind supplied on condition the gift in-kind be used only in a manner or for a purpose specified in writing by the donor:

(a) Real or personal property, excluding cash and marketable securities, exempted for an applicant and within the ceiling values. Example: A home or a new furnace.

(b) Any item in the department's standards for additional requirements that is not a requirement for the recipient of such a gift. Example: Telephone service.

(c) Needed goods or services not currently included as additional requirements in the department's standards. Example: Repair of house or of household equipment.

**NEW SECTION**

WAC 388-77-510 NONEXEMPT RESOURCES AND INCOME KNOWN AT TIME OF APPLICATION. In determining eligibility for payment, the department shall count net recurrent or non-recurrent nonexempt income and nonexempt resource values, in cash or kind, known to the local office at the time of application, as specified in WAC 388-77-355 through 388-77-595. The department shall follow WAC 388-77-510 through 388-77-525 when determining the continuing grant amount of the recipient. If a FIP assistance recipient retains a nonexempt resource used to compute the grant amount at the time of application, the department shall apply the policy in WAC 388-77-380(2) to compute eligibility for payment.

**NEW SECTION**

WAC 388-77-515 EFFECT OF NEWLY ACQUIRED INCOME AND PROPERTY ON CONTINUING NEED. (1) Whenever a recipient shall come into the possession or control of any income, except as modified in subsections (3), (4), and (5) of this section, the department shall deduct such income from the benchmark standard plus authorized additional requirements and incentive amounts to determine grant amount beginning with the effective date specified in WAC 388-77-520. The department shall deduct an amount equal to the following:

(a) The net amount of the income, if in cash or its equivalent; and

(b) At least the equity in the quick sale value of property other than cash.

(2) When the property is only potentially available for use in meeting the recipient's requirements, the department shall apply WAC 388-77-355(7).

(3) A recipient may obtain and retain the following property without having the fact of possession or its sale value affect eligibility or need:

(a) A home used as a residence – see WAC 388-77-370;

(b) Useful and needed clothing, household equipment, food, fuel, and other items included in the requirement standards;

(c) An automobile within the ceiling values in WAC 388-77-380(6);

(d) An income tax refund within the resource ceiling values in WAC 388-77-380. The department considers the portion of the refund that is an earned income tax credit to be exempt income; and

(e) A compensatory award within the ceiling values in WAC 388-77-380.

(4) The rule in subsection (1) of this section is modified as follows for a recipient of FIP who has income:

(a) The department shall exempt earned income of a child who is at least a half-time student;

(b) The department shall treat income from the Economic Opportunity Act, Title I of the Elementary and Secondary Education Act, and from JTPA according to WAC 388-77-540 and 388-77-580 through 388-77-590;

(c) Interest income on exempt savings, dividends from exempt stocks, livestock births, etc., affect eligibility only to the extent that the amount causes the total value of the resource possessed to exceed the ceiling values of the resource. The department considers the excess to be available;

(d) The survivors of a deceased FIP recipient may use any income or resources, except the home, to pay for funeral expenses of the deceased recipient;

(e) The department considers funds received by an applicant or recipient for another person's or family's share of household costs exempt as income provided such payments do not represent legally obligated child support except the first fifty dollars per month of the current monthly child support is exempt.

(5) A recipient always has the right to use cash reserves and replace the amount spent from a succeeding grant.

#### NEW SECTION

##### WAC 388-77-520 RETROSPECTIVE BUDGETING, PROSPECTIVE BUDGETING, AND PROSPECTIVE ELIGIBILITY.

(1) The department shall determine eligibility and the amount of FIP cash assistance payment based on the best estimate of income and circumstances that will exist in the month for which the assistance payment is made.

(2) For the first two weeks of initial eligibility, the department shall budget all income prospectively, including income of an individual who is added to an existing assistance unit. (See subsection (3) of this section for exceptions.)

(a) The department shall not establish an overpayment if the income is underestimated.

(b) The department shall issue a corrective payment if the income is overestimated.

(3) The department shall use retrospective budgeting for the first two months of initial eligibility when:

- (a) There has been less than one month's break in assistance;
- (b) Assistance was suspended due to an extra paycheck for the month prior to the month of application;
- (c) A case is reopened as terminated in error;
- (d) An individual whose income was deemed to an assistance unit is added to that assistance unit; or
- (e) Assistance was suspended for the payment month due to ineligibility in the budget month.

(4) After the first two months of initial eligibility, the department shall budget all income that existed in the second month preceding the month for which the payment is made.

(5) All income received during the calendar month of application approval shall be considered for retrospective budgeting purposes.

(6) Noncontinuous income budgeted prospectively during the first two months of eligibility shall not be budgeted for the first and second payment month for which retrospective budgeting is used.

(7) See WAC 388-77-720 for effective date of increase or decrease of the grant. See WAC 388-77-720 for effective dates of ineligibility.

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 388-77-525 TREATMENT OF NEWLY ACQUIRED NONEXEMPT INCOME AND RESOURCES. (1) When the value of the income is taken into account in the FIP cash assistance as specified in WAC 388-77-520, the following rules apply:

(a) If the total income amounts to less than the benchmark standard plus authorized additional requirements and incentive payments, the department shall continue assistance in the amount of the difference;

(b) When the assistance unit's lump-sum income in excess of the resource standard in WAC 388-77-380, plus other income, after applicable disregards exceeds the benchmark standard, plus authorized additional requirements and incentive payments, the unit shall be ineligible for assistance. Ineligibility shall exist until the resources are reduced to the maximum exempt level.

(c) The department shall suspend a FIP assistance grant when an assistance unit's nonrecurrent income equals or exceeds one month's benchmark standard plus authorized additional requirements and incentive payments, but is less than two months' benchmark standard plus authorized additional requirements and incentive payments minus other income.

(i) FIP cash assistance is suspended beginning the second month after the income is received.

(ii) The suspense period is determined exactly; that is, up to the date of the absorption of the income.

(d) If the gross income is recurrent and equal to or in excess of one month's FIP cash assistance plus authorized additional requirements minus other income, the recipient is ineligible beginning the second month after the income is received and the grant is terminated, except:

(i) For persons in institutions other than nursing homes as provided in chapter 388-34 WAC; and

(ii) When the gross income is in the form of earnings or increased child support payments, the department shall suspend the grant for up to 12 months.

(e) If the gross income is nonrecurrent and its value is in excess of two months' benchmark standard plus authorized additional requirements and incentive payments minus other income, the recipient is ineligible beginning the second month after the income is received and the grant is terminated.

(3) If income is not taken into account in assistance payments but is subsequently discovered, the department shall establish an overpayment according to WAC 388-77-900 through 388-77-975.

(4) The department shall treat a person acquiring income during suspended status as a recipient, not as an applicant, for eligibility purposes.

(5) Follow rules and procedures in WAC 388-77-900 through 388-77-975 in respect to overpayment.

#### NEW SECTION

WAC 388-77-530 USE OF INCOME AND INCOME POTENTIALS—PARENTAL INCOME AND SUPPORT. (1) Support payments made by or in behalf of an absent parent are income to the child and are to be treated in accordance with WAC 388-14-200.

(2) When the custodial parent is not included in the assistance unit because of noncompliance with WAC 388-77-270 and 388-77-275:

(a) The department shall allocate the income of such parents according to WAC 388-77-575(2); and

(b) The department shall count support payments paid directly to the parent and not forwarded to the office of support enforcement as income to the child to be taken into account in determining the need of the assistance unit.

#### NEW SECTION

WAC 388-77-535 USE OF INCOME AND INCOME POTENTIALS—COMPUTING AND ALLOCATING INCOME. (1) Except as provided in this subsection, the nonexempt net income of a person in their own home shall be attributed to the assistance unit of which they are a member.

(a) The department shall divide total nonexempt net community income of a family having two or more eligible assistance units equally between the assistance units.

(b) Applicant with a nonapplying independent spouse.

(i) If all income is from community property or from community earnings other than wages, the department shall consider not less than one-half the total income available to a FIP applicant residing with a nonapplying spouse.

(ii) The department shall consider net income from wages or from the separate property of the nonapplying spouse available to the applicant only to the extent the net income exceeds the amount of the nonapplying spouse's appropriate one-person benchmark standard.

(iii) The department shall consider wages or income from separate property of the applicant as provided in WAC 388-77-325 and 388-77-330.

(iv) When income includes both community income and income from the separate property or from wages of the nonapplying spouse, the department shall consider at least half of the community income available to the applicant, plus any residue of the separate income or wages exceeding the amount of the appropriate one-person benchmark standard of the nonapplying spouse.

(v) The department shall treat retirement benefits as wages.

(c) The department shall not count exempt income in computing the need of any assistance unit.

(d) For rules on nonrelated adults in the household, see WAC 388-77-315.

(2) If the person legally responsible for a minor parent resides in the same household as a minor parent, the department shall consider the parent's income to be available to the assistance unit of such minor parent and such minor's child to the extent such income exceeds applicable disregards. This subsection applies to minor parents who meet the criteria in WAC 388-77-285. In counting such income, the department shall disregard the following:

(a) For each employed parent or legal guardian, the department shall disregard seventy-five dollars of gross income for work expenses;

(b) An amount equal to the public assistance need standard as specified in chapter 388-29 WAC for a group with the following members:

(i) The parent or legal guardian residing at the home; and

(ii) Any other individuals residing at the home but not in the assistance unit, who are or could be claimed by the parent or legal guardian as dependents for purposes of determining federal income tax liability.

(c) The amount paid by the parent or legal guardian to support individuals outside the home who could be claimed by them as dependents for the purpose of determining federal income tax liability; and

(d) Payments by the parent or legal guardian of child support or alimony to individuals outside the home.

(3) When a person in a medical institution is to receive a FIP assistance grant, the department shall allocate family income first to the appropriate benchmark standard of legal dependents computed according to standards in WAC 388-77-605 and then to the maintenance needs of the individual computed according to WAC 388-34-045, 388-34-085, 388-34-110, 388-34-120, or 388-34-378.

(4) The department shall apply the income of a person with other living arrangements first to the grant requirements of the applicant and their dependents; and shall allocate any remaining income for medical needs.

#### NEW SECTION

WAC 388-77-540 NET CASH INCOME—DETERMINATION—EMPLOYMENT OR TRAINING EXPENSES. FIP transportation and related expense (TRE) payments are training incentive payments. The department shall disregard them for FIP purposes.

#### NEW SECTION

WAC 388-77-545 INCOME FROM SELF-EMPLOYMENT.

(1) The department shall compute earned income from self-employment by deducting business expenses from gross business income. The department shall also deduct the applicable program earnings exemptions, and work expense allowances, from self-employment earned income to determine the net amount available to meet need.

(a) In order to establish eligibility for FIP assistance, a self-employed person shall maintain and make available to the department a record clearly documenting all claimed business expenses and income.

(b) Personal work expenses in the form of self-employment taxes (FICA), income taxes, and transportation to and from the place of business are included in the 115 and 135 percent incentive payments in WAC 388-77-605.

(2) The department shall deduct the following items as business expenses in a self-employment enterprise:

(a) Rental of business equipment or property;

(b) Utilities;

(c) Postage;

(d) Telephone;

(e) Office supplies;

(f) Advertising;

(g) Insurance;

(h) Legal, accounting, and other professional fees;

(i) The cost of goods sold, including wages paid to employees producing salable goods, raw materials, stock, and replacement or reasonable accumulation of inventory, provided inventory has been declared exempt on the basis of an agreed plan pursuant to WAC 388-77-095;

(j) Interest on business indebtedness;

(k) Wages and salaries paid to employees not producing salable goods;

(l) Commissions paid to agents and independent contractors;

(m) Transportation essential to the business according to the actual documented work-related cost of operating the vehicle:

(i) The department shall limit the total operating cost allowed for a vehicle to gas, oil, and fluids; necessary services and repairs; replacement of worn items such as tires; registration and licensing fees; and interest on automobile loans;

(ii) When the client chooses, the department shall allow eight cents per mile to cover the work-related costs of gas, oil, and fluids;

(iii) The department shall deduct the cost of tolls and parking related to the business as a business expense; and

(iv) If a vehicle is needed for both business and private purposes, the recipient shall document the mileage and expenses attributable to the business in a daily log. The department may verify the information in the log.

(n) Nonpersonal taxes on the business and business property, including the employer's share of federal social security taxes on business employees and state and federal unemployment insurance contributions, if any. The self-employed person's personal income taxes and self-employment taxes (FICA) are not business deductions, but are treated separately according to WAC 388-77-545 (1)(b);

(o) Repairs to business equipment and property, excluding vehicles. The department shall deduct an expenditure to maintain property in its usual working condition as a repair; and

(p) Other expenditures reasonable and necessary to the efficient and profitable operation of the self-employment enterprise.

(3) Expenses for the following items are not deductible business expenses in a self-employment enterprise:

(a) Capital expenditures. Capital expenditures are those made to acquire or increase the value of fixed assets. Fixed assets are items normally in use for one year or longer, such as land, buildings, vehicles, boats, machinery, tools, office equipment, furniture, and fixtures;

(b) Payments on the principal of loans to the business;

(c) Amounts claimed as depreciation;

(d) Any amount claimed as a net loss sustained in any prior period; and

(e) Entertainment expenses.

#### NEW SECTION

WAC 388-77-550 NET CASH INCOME—BOARD, ROOM RENTAL, BOARD AND ROOM. The department shall compute the net earned income from operating a rooming, boarding, or boarding and rooming home as follows:

(1) Boarder – The board payment received minus the current thrifty food plan for a one-person household,

(2) Roomer – The room rental received minus seven dollars and fifty cents, and

(3) Boarder and roomer – The board and room payment received minus the thrifty food plan for a one-person household plus seven dollars and fifty cents.

#### NEW SECTION

WAC 388-77-555 NET CASH INCOME—FOSTER HOME FOR CHILDREN AND ADULT FAMILY HOME. When payment is received by a recipient of or an applicant for FIP assistance who is operating a foster home for children or a family home for adults, the department shall consider the portion of payment that exceeds the department's approved rate for such care as net income available to the operator.

#### NEW SECTION

WAC 388-77-560 EARNED INCOME REPORTING. (1) Employed recipients shall report the amount of their gross earnings and hours worked on a form supplied by the department. This section does not apply to a child who is at least a half-time student.

(2) Approved applicants who are employed shall begin to report the month following the month of opening.

(3) Newly employed recipients shall complete an earned income report the month following the month the department becomes aware of the earnings.

(4) Employed recipients shall complete a report for three months following termination of employment.

(5) The department shall:

(a) Issue advance and adequate notice of suspension to a recipient who fails to return a completed monthly report by the 10th of the month;

(b) Suspend FIP cash assistance for 20 days if a completed report is not received during the advance notice period;

(c) Reinstate, suspend, or terminate FIP assistance as appropriate when a report is received during the period of advance notice or suspension and give advance notice of the action taken; and

(d) Issue advance notice of termination when no report is received during the period of advance notice and suspension.

#### NEW SECTION

WAC 388-77-565 NET CASH INCOME—DETERMINATION—DEDUCTIONS FROM GROSS INCOME—INCOME OF CHILD. (1) When determining eligibility and payment amount, the department shall disregard all earned income of a child who is at least a half-time student.

(2) A student enrolled during the school term just completed and who plans to return to school when school reopens shall retain student status during the summer vacation.

(3) The department considers a child earning income by working in a sheltered workshop or other training facility for handicapped children as being at least a half-time student for purposes of income exemption.

(4) To be employed full-time, a child shall be working 150 hours a month or the number of hours considered full-time by the industry for which they work, whichever is less.

(5) The department shall not consider summer employment of a student as full-time employment even though the hours worked may exceed 150 hours per month.

(6) In determining the amount of a nonstudent child's earned income available to meet the current needs of the assistance unit, the department shall compute net income according to WAC 388-77-580.

(7) A child may receive income paid in their behalf to the parent or other needy caretaker relative. Such income includes earned income, allotments, retirement, survivors and disability insurance, veterans' benefits, court-ordered support payments, trust fund payments, or other income legally designated for the benefit of an individual child. The department shall consider such income of a child ineligible to be included as a member of the assistance unit as follows:

(a) If the child is ineligible due to noncooperation with child support enforcement and if the child is a minor parent, the department shall consider such child's income available to meet the need of the assistance unit; and

(b) If the child is ineligible due to any other factor of eligibility, the department shall not consider any of the child's income available to meet the need of the assistance unit.

(8) A stepchild may receive income as specified in subsection (7) of this section. According to WAC 388-77-210, the family shall have the option to:

(a) Include the stepchild as a member of the assistance unit with all stepchild's income considered as available to the assistance unit; or

(b) Exclude the stepchild from the assistance unit, with none of the stepchild's income considered as available to the assistance unit.

(9) If the income of an ineligible child or stepchild, including a stepchild excluded from the assistance unit as specified in subsection (8) of this section, contains a portion for such child's caretaker relative, the department shall consider that portion as available to the assistance unit.

#### NEW SECTION

WAC 388-77-570 NET CASH INCOME—GUARDIANSHIP COSTS—RETIRED, DISABLED AND SURVIVORS INSURANCE BENEFITS—VETERANS BENEFITS. When the social security administration or the veterans' administration requires the appointment of a legal guardian as a condition for receipt of a benefit from either agency, the department shall deduct the necessary costs of securing a guardian from the benefit received to determine the individual's net income.

#### NEW SECTION

WAC 388-77-575 NET CASH INCOME—INCOME FOR SUPPORT OF LEGAL DEPENDENTS. The department shall allocate the income of a parent or stepparent as follows:

(1) If parents or stepparents are part of the assistance unit:

(a) Exempt court or administratively ordered support for any legal dependent not residing in the parent or stepparent's home up to the amount of a one-person need standard in chapter 388-29 WAC for each legal dependent.

(b) Allocate income to meet the requirements of those needy members of the family who are not eligible for FIP and for whom the parent or stepparent is legally responsible. Compute the requirements according to appropriate benchmark standard.

(c) Allocate income to meet the needs of members of the FIP assistance unit for whom the parents are legally responsible.

(2) If the parents are not in the assistance unit but are in the household:

(a) Allocate the income of ineligible parents whose income is deemed to the assistance unit according to the rules in subsections (1)(a), (b), and (c) of this section; and

(b) Deem to the assistance unit the gross income of a parent or stepparent who is in sanction status or who is required to be in the assistance unit and has failed to cooperate.

#### NEW SECTION

WAC 388-77-580 NET CASH INCOME—EXEMPT EARNED INCOME. (1) For a FIP 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 on-the-job training, and wages paid under the Job Training Partnership Act (JTPA). See WAC 388-77-565 for treatment of a child excluded from the grant.

(2) When payment of income earned over a period of more than one month is delayed, the department shall apply the exemption to the period during which the income was earned.

#### NEW SECTION

WAC 388-77-585 DISREGARD OF INCOME AND RESOURCES. In determining need and the amount of the assistance payment in FIP, the department shall disregard the following as income and resources:

(1) Any grant or loan to any undergraduate student for educational purposes made or insured under any programs administered by U.S. Department of Education. The department shall disregard the entire amount of such loan or grant, irrespective of the use to which the funds are put;

(2) All public or private student financial aid, to the extent the student has educational expenses other than room or board, as determined by the financial aid administrator of the training institution;

(3) Any funds paid directly to an institution on behalf of an enrollee for the cost of tuition and books;

(4) Any per capita judgment funds paid under P.L. 92-254 to members of the Blackfoot Tribe of the Blackfoot Indian Reservation, Montana, and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana;

(5) Any Indian claim settlement funds distributed per capita or held in trust as authorized in section 7 of P.L. 93-134 or section 6 of P.L. 94-114;

(6) The income and resources of an individual receiving benefits under supplemental security income for the period such benefits are received;

(7) Any payments received by Alaska natives under the Alaska Native Claims Settlement Act, to the extent such payments are exempt from taxation under section 21(a) of that act;

(8) Retroactive FIP cash assistance resulting from a court order modifying a department policy;

(9) HUD community development block grant funds obtained and used under conditions precluding use for current living costs;

(10) The first fifty dollars per month of the current monthly support obligation of any child support collected on the family's behalf or received by the family;

(11) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(12) Any compensation provided to volunteers in ACTION programs established by Titles I, II, and III of P.L. 93-113, the Domestic Volunteer Service Act of 1973;

(13) Any benefits received under the women, infants, and children program (WIC) of the Child Nutrition Act of 1966, as amended, and the special food service program for children under the National School Lunch Act, as amended;

(14) Payments made under the Community Services Administration's Emergency Energy Conservation Program of 1979; and

(15) Energy assistance payments.

#### NEW SECTION

WAC 388-77-590 ALIEN SPONSORSHIP—DEEMING OF INCOME AND RESOURCES—OVERPAYMENTS. (1) The following rules shall apply to an alien applying for FIP and to the alien's sponsor.

(2) Any alien whose sponsor is a public or private agency or organization is ineligible for assistance for three years from the date of entry into the United States, unless the agency or organization is either no longer in existence or has become unable to meet the alien's needs.

(3) An individually sponsored alien shall provide the state agency with any information and documentation necessary to determine if any income and resources of the sponsor can be deemed available to the alien, and obtain any cooperation necessary from the sponsor for a period of three years following entry into the United States.

(4) For all subsections in this section, the department deems the income and resources of an individual sponsor (and the sponsor's spouse if residing with the sponsor) to be the unearned income and resources of an alien for three years following the alien's entry into the United States.

(5) Monthly income deemed available to the alien from the individual sponsor or the sponsor's spouse not receiving FIP or SSI shall be:

(a) The sponsor's total monthly unearned income, added to the sponsor's total monthly earned income reduced by 20 percent (not to exceed \$175.00) of the total of any amounts received by the sponsor in the month as wages or salary or as net earnings from self-employment, plus the full amount of any costs incurred in producing self-employment income in the month.

(b) The amount described in subsection (5)(a) of this section reduced by:

(i) The need standard according to chapter 388-29 WAC for a family of the same size and composition as the sponsor and those other people residing in the same household as the sponsor who are not FIP recipients and who are claimed by the sponsor as dependents for federal income tax purposes;

(ii) Any amounts actually paid by the sponsor to people not living in the household who are claimed by the sponsor as dependents for federal income tax purposes; and

(iii) Actual payments of alimony or child support to individuals not residing in the sponsor's household.

(6) Monthly resources deemed available to the alien from the sponsor shall be the total amount of the resources of the sponsor determined as if the sponsor was applying for FIP, less two thousand dollars.

(7) In any case where a person is the sponsor of two or more aliens, the department shall deem the income and resources of the sponsor, to the extent they would be deemed the income and resources of any one of the aliens, equally between the aliens.

(8) The department shall not consider income and resources that are deemed to a sponsored alien shall not be considered in determining the need of other unsponsored members of the alien's family, except to the extent the income or resources are actually available.

(9) The provisions of this section shall not apply to any alien who:

(a) Meets the definition of refugee in WAC 388-55-010; or

(b) Is the dependent child of the sponsor or sponsor's spouse.

(10) Any sponsor of an alien and the alien shall be jointly and individually liable for any overpayment of assistance made to the alien during the three years after the alien's entry into the United States as a result of the sponsor's failure to provide correct information, except where such sponsors were without fault or where good cause existed.

(a) When a sponsor is found to have good cause or be without fault for not providing information to the agency, the department shall not hold the sponsor liable for the overpayment and shall not recover the overpayment.

(b) Good cause and no fault shall be defined as any circumstance beyond the control of the sponsor.

**NEW SECTION**

WAC 388-77-595 GUARDIANSHIPS AND TRUSTS—INDIANS. (1) When the superintendent of an Indian agency determines Indians under the superintendent's jurisdiction need help in managing their affairs, the superintendent has the authority, under Title 25, Code of Federal Regulations, Part 104, to control disbursement of the Indian's trust funds. When such authority has been exercised, and the Indian is an applicant for or a recipient of FIP cash assistance, the following rules apply:

(a) The superintendent shall provide to the department a written statement that the superintendent is maintaining control of the Indian's trust funds according to the provisions of 25 C.F.R. 104;

(b) The Indian or their representative shall discuss with the superintendent the availability of trust funds to meet public assistance need, and the superintendent shall indicate to the department whether or not funds will be released for this purpose;

(c) The department shall consider any trust funds in excess of exempt resource levels, disbursed directly to the Indian and under the Indian's control, as available to meet need. See WAC 388-77-395;

(d) The department shall not consider funds held in trust by the superintendent and not disbursed as available to meet need;

(e) The department shall consider funds disbursed by the superintendent to third parties, in payment for goods or services that are not under the Indian's control, as available to meet need, depending on the nature of the disbursement:

(i) The department shall consider disbursements to third parties for items duplicating basic requirements, as defined in WAC 388-22-030 (57)(b), as available to meet need; and

(ii) The department shall consider disbursements to third parties for items not duplicating basic requirements as not available to meet need. However, the department shall evaluate such items with regard to the resource limitations of WAC 388-77-380.

(f) The department shall review disbursements from the individual Indian's trust account annually.

(2) Real property held in trust for an individual Indian is not an available resource.

(3) Property which has lost its trust status is an available resource.

**NEW SECTION**

WAC 388-77-600 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The benchmark standards apply to persons in their own homes.

(2) The standards for additional requirements apply to persons with circumstances specified in this chapter.

(3) The department shall provide individuals eligible for FIP cash assistance the benchmark standard in WAC 388-77-605.

(4) The benchmark standard and maximums thereto, if in effect, are based upon the number of recipients in the assistance unit.

(5) When a person is in a medical institution, the department shall pay for the basic requirements of food, shelter, and household maintenance as a medical care cost, not as part of a grant.

(6) When two or more assistance units share a common dwelling, the benchmark standard for each is based upon the number of members in that assistance unit.

**NEW SECTION**

WAC 388-77-605 STANDARDS OF ASSISTANCE—BENCHMARK STANDARD. The statewide benchmark standard for FIP assistance units shall be the following:

(1) Households with supplied shelter shall receive:

Recipients in Household	Assistance Payment Standard	80% of Thrifty Food Plan	Benchmark Standard
1	\$ 186	+ \$ 70	\$ 256
2	235	+ 127	362
3	290	+ 182	472
4	342	+ 232	574
5	393	+ 275	668
6	446	+ 330	776
7	515	+ 366	881
8	570	+ 418	988
9	626	+ 470	1,096
10 or more	680	+ 522	1,202

(2) Households with shelter costs shall receive:

Recipients in Household	Assistance Payment Standard	80% of Thrifty Food Plan	Benchmark Standard
1	\$ 314	+ \$ 70	\$ 384
2	397	+ 127	524
3	492	+ 182	674
4	578	+ 232	810
5	666	+ 275	941
6	756	+ 330	1,086
7	873	+ 366	1,239
*8 or more	966	+ 418	1,384
9	966	+ 470	1,436
10	966	+ 522	1,488

(3) For households over ten, each additional member is eligible for an additional fifty-two dollars in food stamp cash-out benefits.

(4) The maximum assistance payment standard shall be nine hundred sixty-six dollars.

(5) The department shall allow persons enrolled in FIP phase II a maximum benefit of:

(a) One hundred five percent of the benchmark standard when they are in training or work experience.

(b) One hundred fifteen percent of the benchmark standard when they are working seventy-five to one hundred fifty hours per month.



NEW SECTION

WAC 388-77-610 CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM (CEAP). The statewide standards for the consolidated emergency assistance program shall be those standards contained in WAC 388-29-112.

NEW SECTION

WAC 388-77-615 STANDARDS OF ASSISTANCE—PERSONS IN MEDICAL INSTITUTIONS. The monthly standard for clothing, personal maintenance, and necessary incidentals for an eligible person in a skilled nursing home, a public nursing home, a general or tuberculosis hospital, or an intermediate care facility shall be thirty-six dollars and sixty-two cents.

NEW SECTION

WAC 388-77-620 STANDARDS OF ASSISTANCE—PERSONS IN CONGREGATE CARE FACILITIES. (1) The monthly standard for clothing, personal maintenance, and necessary incidentals for a person in a congregate care facility shall be thirty-seven dollars and thirty-five cents.

NEW SECTION

WAC 388-77-625 STANDARDS OF ASSISTANCE—FIP—CHILD IN NEED OF SPECIALIZED EDUCATION OR TRAINING. (1) A child attending school under temporary absence provisions according to WAC 388-77-245 is eligible for clothing, personal maintenance, and necessary incidentals only.

(2) The monthly standard shall be thirty-six dollars and sixty-two cents.

(3) The child shall not be included as a member of the household in computing the requirements for the household.

NEW SECTION

WAC 388-77-630 STANDARDS OF ASSISTANCE—ADDITIONAL REQUIREMENTS. The department shall provide essential additional requirements under the following circumstances and limitations:

(1) Restaurant meals at one hundred sixty-eight dollars per month as an additional requirement when:

(a) The individual is physically or mentally unable to prepare any of their meals; and

(b) Board, or board and room, is not available or the use of such facilities is not feasible for an individual.

(2) The department shall establish the monthly standard for home-delivered meals when a plan for this service is approved based on the following criteria:

(a) The recipient requires help in preparation of some meals and would benefit nutritionally or otherwise from home-delivered meals;

(b) Such help is not reasonably available without cost to the recipient; and

(c) Board (or board and room) is not available, feasible, or is more costly.

(3) Food for a guide dog at the monthly standard of thirty-three dollars when an applicant/recipient has a guide dog assigned to the applicant/recipient by an accredited guide dog organization.

(4) Telephone service at the minimum residential rate of the service area when the lack of a telephone would endanger life or make a more expensive type of care necessary. The department shall not provide for telephone service when the function of a telephone may be performed by other means, including the help of neighbors, relatives, or other community service.

(5) Laundry at ten dollars per month when:

(a) The applicant/recipient is physically unable to do their laundry, and

(b) There is no one able to perform this service for them.

NEW SECTION

WAC 388-77-635 STANDARDS OF ASSISTANCE—WINTERIZATION. (1) The department shall provide funds for repairs to homes owned or being purchased by FIP recipients when:

(a) The primary purpose of the repairs is to minimize heat loss or otherwise increase the efficiency of the home heating system;

(b) The repairs are necessary to render the home habitable;

(c) The lack of repairs would require the assistance unit to move to rental quarters;

(d) The rental costs expended by the assistance unit over a period of two years would exceed the costs, including repairs, attributable to continued occupancy of the home; and

(e) No expenditures for repair of the home have been made previously under the policies outlined in subsection (1)(a) through (d) of this section.

(2) The department shall provide for all expenditures for repairs by vendor payments when there is sufficient recorded evidence that the home repair was performed.

(3) The maximum allowance for winterizing a home shall be five hundred dollars.

NEW SECTION

WAC 388-77-640 ADDITIONAL REQUIREMENTS FOR EMERGENT SITUATIONS—FIP. (1) The department shall allow additional requirements in the following emergent situations in which, for good cause, a recipient does not have adequate 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. The department shall provide only the 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 when the recipient is legally responsible for the repairs and winterization funds are not available. The department shall limit the provision of funds 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 recipient has received a notice of impending shutoff or it is otherwise verified by the department that the recipient is without necessary fuel for heating or cooking. The department shall provide only the amount needed to meet the emergent need;

(f) Obtain new housing for needs caused by an abusive spouse. The department shall limit payments to:

(i) Established fees paid to shelters especially for abused spouses, or

(ii) The amount necessary to obtain new housing.

(g) Obtain food, when no other resource is available.

(2) Good cause is established when the department determines funds ordinarily available to meet need are no longer available because of:

(a) Stolen proceeds from a cashed warrant; and

(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.

(3) Payments under this section shall not exceed one month's payment standard as set in WAC 388-77-605 for renting, owning, or buying.

NEW SECTION

WAC 388-77-700 PAYMENT OF FIP CASH ASSISTANCE. The department shall:

(1) Authorize FIP cash assistance for each eligible assistance unit.

(2) Base FIP cash assistance upon the department's standards of assistance and on the recipient's circumstances.

(3) Authorize FIP cash assistance of less than the amount for which an applicant/recipient qualifies if requested, in writing, by the eligible person.

(4) Round down FIP cash assistance to the next whole dollar amount unless it is already an even dollar amount.

NEW SECTION

WAC 388-77-710 EFFECTIVE DATES—AUTHORIZATION—APPLICANT, REAPPLICANT, AND REINSTATED RECIPIENT. The department shall:

(1) Establish the effective date of eligibility for FIP cash assistance as the date of application.



(2) Prorate the initial month's FIP cash assistance from the date of application to the end of the month.

(3) Continue FIP cash assistance in the amount authorized unless and until a change of circumstances requires:

- (a) A change in the amount; or
- (b) Suspension; or
- (c) Termination.

(4) Establish the effective date of eligibility for a person receiving continuing assistance from another program and applying for FIP as:

(a) The date of the first regular warrant roll for which the household is eligible; and

(b) The date the department terminates the grant under the old program.

(5) Establish the effective date for an applicant applying for FIP, prior to the occurrence of an event that makes the person eligible, as the date the event occurs.

(6) Reauthorize FIP cash assistance when assistance was terminated because of department error effective the first of the month in which payment was discontinued.

#### NEW SECTION

WAC 388-77-715 NOTIFICATION OF FIP CASH ASSISTANCE APPROVAL. The department shall notify a FIP applicant/recipient when payment of the first FIP cash assistance is authorized or when there is a change in the cash assistance amount.

#### NEW SECTION

WAC 388-77-720 EFFECTIVE DATES—CHANGES IN ELIGIBILITY AND/OR CIRCUMSTANCES. (1) The effective date of a change in circumstance causing:

(a) Ineligibility is the first of the second month following the month the change occurred;

(b) A reduction in FIP cash assistance is the first of the second month following the month in which the change occurred; and

(c) An increase in FIP cash assistance is the date the circumstance changed.

(2) The effective date of a change in circumstances shall never precede the date the circumstances actually changed.

(3) The effective date of a change in law or department rule shall be specified by the department.

#### NEW SECTION

WAC 388-77-725 EFFECTIVE DATES—FAIR HEARING DECISIONS—OVERPAYMENTS. (1) The effective date of a fair hearing or court decision shall be:

- (a) The date specified in the fair hearing record or court decision; or
- (b) The date an incorrect action was taken; or
- (c) An earlier date as provided by department rules when:

(i) The initial or final hearing decision is favorable to the appellant, or

(ii) The department decides in favor of the appellant prior to the hearing.

(2) The effective date for the monthly deduction of an overpayment shall be:

- (a) The first regular warrant following the advance notice period; or
- (b) The date specified in the fair hearing record if the recipient requests a fair hearing during the required ten day period.

(3) The effective date of a deduction shall be the first regular warrant following the advance notice period if the claimant withdraws the request for a fair hearing in writing or the hearing is abandoned.

(4) The department shall certify discontinuance of a monthly deduction as soon as restitution is completed;

(5) The department shall authorize a one-time grant to compensate a recipient for an underpayment due to an erroneous monthly deduction.

#### NEW SECTION

WAC 388-77-730 CORRECTIVE PAYMENTS—UNDERPAYMENT. (1) The department shall make a corrective payment when a recipient receives less than the correct amount of FIP cash assistance due to departmental error or client error.

(2) The department shall not consider corrective payments as income or as a resource in the month paid nor in the next following month.

#### NEW SECTION

WAC 388-77-735 SUSPENSION OF FIP CASH ASSISTANCE. (1) The department shall suspend FIP cash assistance:

(a) When the recipient receives an extra paycheck in a month that makes the recipient ineligible; or

(b) When the department has knowledge of, or reason to believe a recipient is ineligible because of, a change in income or circumstance in the report month; or

(c) For a period of up to 12 months to provide FIP noncash assistance when a FIP enrollee has earned income or increased child support that makes them ineligible for FIP cash assistance.

(2) The department shall reinstate a suspended FIP cash assistance when the conditions that caused the recipient to be ineligible cease to exist.

#### NEW SECTION

WAC 388-77-740 TERMINATION—FIP CASH ASSISTANCE AND SUSPENDED FIP CASH ASSISTANCE. (1) The department shall terminate FIP cash assistance when the recipient does not meet one or more of the conditions required for continued eligibility.

(2) The department shall terminate suspended FIP cash assistance when:

(a) The individual dies while the grant is suspended; or

(b) A period of temporary ineligibility has ended and the individual is ineligible for some other reason.

#### NEW SECTION

WAC 388-77-745 ADVANCE AND ADEQUATE NOTICE.

(1) The department shall give a recipient advance and adequate notice, except as provided in WAC 388-77-760, in cases of planned actions to terminate, suspend, or reduce FIP cash assistance.

(2) The department shall give notice, including the specific change in law, when changes in either state or federal law require automatic FIP cash assistance adjustments for classes of recipients.

#### NEW SECTION

WAC 388-77-750 FIP CASH ASSISTANCE CONTINUATION PENDING FAIR HEARING. The department shall follow WAC 388-33-377 when recipients request a fair hearing according to chapter 388-08 WAC.

#### NEW SECTION

WAC 388-77-755 NOTIFICATION OF SUSPENSION OR TERMINATION OR REDUCTION OF FIP CASH ASSISTANCE. The department shall continue FIP cash assistance unchanged until the end of the advance notice period when a proposed action cannot be effected on the date specified by rules on eligibility and grant changes. The department shall prorate the monthly FIP cash assistance for the number of days needed.

#### NEW SECTION

WAC 388-77-760 DISPENSING WITH ADVANCE NOTICE. The department is not required to provide advance notice of action to terminate, suspend, or reduce FIP cash assistance when:

(1) The recipient payee dies and no other relative is available to serve as payee.

(2) A recipient is admitted or committed to an institution and is therefore ineligible.

(3) The recipient's whereabouts are unknown and departmental mail has been returned indicating no known forwarding address.

(4) A recipient has been accepted for assistance in another state.

(5) The only eligible child is removed from the home as a result of a judicial determination or voluntarily placed in foster care by their legal guardian.

(6) Eligibility for assistance or an additional requirement is for a specific limited period of time and the recipient has been advised.

(7) The recipient stated they no longer wish assistance. The department shall send adequate notice to confirm the verbal or written request for termination.

(8) The department receives a clear statement from the recipient giving information requiring termination, suspension, or reduction of FIP cash assistance. The department shall require a written statement

from the recipient that the recipient understands the consequence of supplying such information. The department shall provide adequate notice of the adverse action.

(9) The department takes action because of information the recipient reported on the earned income report.

#### NEW SECTION

**WAC 388-77-765 NOTIFICATION OF EXCEPTION TO POLICY REQUEST AND DECISION.** The department shall notify an applicant/recipient in writing within ten days of a request for an exception to policy when:

- (1) An exception to policy has been requested according to chapter 388-20 WAC;
- (2) The department decides not to initiate an exception to policy; or
- (3) The department has approved or denied an exception to policy.

#### NEW SECTION

**WAC 388-77-780 PAYEE.** (1) The department shall:

- (a) Provide FIP cash assistance in behalf of a child to a relative of specified degree;
- (b) Provide temporary FIP cash assistance to persons other than a relative of specified degree when:
  - (i) An emergency deprives a child receiving FIP of the care and supervision of a relative;
  - (ii) The child is residing with the nonrelative;
  - (iii) The payee assumes the care and supervision of the child; and
  - (iv) A temporary period is required to make and carry out new plans for the child's continuing care, support, and the transfer of responsibility.
- (2) The department shall not include the emergency payee in the FIP assistance unit.
- (3) The department shall secure a guardian or a protective payee when the department is unable to make FIP cash assistance directly to a recipient or relative of specified degree.

#### NEW SECTION

**WAC 388-77-785 WARRANT ENDORSEMENT.** (1) The department shall:

- (a) Require the payee to endorse each warrant personally;
- (b) Permit no other person to endorse and cash the recipient's warrant unless the person has power of attorney; and
- (c) Require the recipient to mark or thumbprint the warrant if the recipient is unable to sign their name. Have two persons who have given their names and addresses witness the recipient's action.
- (2) If the warrant is endorsed by payee name only, the department may not stop payment if someone other than the payee cashes the warrant.
- (3) A person having power of attorney may legally endorse a warrant only when:
  - (a) The payee (recipient) has granted power of attorney on a properly prepared and legally sufficient document;
  - (b) The document is recorded in the office of the county auditor; and
  - (c) Two copies of the recorded document certified by the county auditor are on file in the department.

#### NEW SECTION

**WAC 388-77-790 DELIVERY OF WARRANT.** The department shall provide warrants to eligible recipients without interruption until the FIP cash assistance is suspended or terminated.

#### NEW SECTION

**WAC 388-77-795 LOSS, THEFT, OR DESTRUCTION OF WARRANT PAYABLE TO RECIPIENT.** (1) The department shall replace warrants in full on or before the 10th of the month in which the warrant was due or within five working days of the reported loss, whichever is later, when:

- (a) The recipient:
  - (i) Reports the loss, theft, destruction, or nondelivery of a warrant; and
  - (ii) Completes an affidavit or affidavits attesting to the loss, theft, or destruction; and
  - (iii) Reports the loss within 60 days of the date the warrant was due the recipient; and
  - (iv) Files a report for a lost or stolen warrant with the police.

(b) The department secures all facts surrounding the nonreceipt or loss and determines the recipient is entitled to replacement of the warrant.

(2) The department may inquire into the circumstances of the loss or nondelivery prior to authorization when the recipient reports the loss or nondelivery 60 days or more after the mailing date. Based on the results of the inquiry, the department may deny replacement.

(3) The department shall have the right to inquire into the circumstances and evaluate the ability of the recipient to manage FIP assistance funds when:

- (a) The recipient picks up the warrant at the local office; and
- (b) The recipient reports the unendorsed warrant as lost, stolen, or destroyed.

#### NEW SECTION

**WAC 388-77-805 CANCELLATION OF WARRANT.** (1) The department shall cancel a warrant when:

- (a) The payee died prior to endorsement of the warrant; or
- (b) The payee left the home and is not expected to return.
- (2) The department shall reissue the returned warrant if another payee is eligible.

#### NEW SECTION

**WAC 388-77-810 ONE-TIME FIP CASH ASSISTANCE.** (1) The department shall authorize one-time FIP cash assistance when the recipient is eligible to receive a one-time single payment.

(2) The one-time FIP cash assistance shall be for the period from the date of eligibility to the date the FIP cash assistance is adjusted.

(3) The department shall not issue a retroactive one-time FIP cash assistance for a period of more than 60 days prior to the date of authorization.

(4) The one-time FIP cash assistance shall be effective the date circumstances change.

(5) The one-time FIP cash assistance does not change the amount of the continuing grant currently authorized.

(6) The department shall send written notice to the recipient advising the recipient of the:

- (a) Approval of one-time FIP cash assistance;
- (b) Amount; and
- (c) Requirement or requirements for which it is intended.

#### NEW SECTION

**WAC 388-77-815 RESPONSIBILITY FOR ELIGIBILITY MAINTENANCE—RECIPIENT.** (1) Recipients shall report promptly and accurately, in writing, all changes in their circumstances that affect continuing eligibility for assistance.

(2) A recipient's failure to report such changes in circumstances to the department within 20 days shall be considered prima facie evidence of fraudulent intent.

(3) Recipients shall take any action that is reasonable for them to develop resources that will reduce or eliminate the need for FIP cash assistance.

#### NEW SECTION

**WAC 388-77-820 RESPONSIBILITY FOR ELIGIBILITY MAINTENANCE—DEPARTMENT.** The department shall:

(1) Inform recipients of all factors that may affect their continuing eligibility for FIP cash assistance;

(2) Act promptly and correctly on all known changes that affect the eligibility of recipients;

(3) Notify recipients when eligibility conditions are changed by law or rule; and

(4) Conduct a full periodic review if a sufficient number of factors have changed to make a full review practical.

#### NEW SECTION

**WAC 388-77-825 RECIPIENT'S WHEREABOUTS UNKNOWN OR FAILURE TO PROVIDE ELIGIBILITY DATA.** (1) The recipient shall be ineligible and the department shall terminate FIP cash assistance when:

- (a) The recipient cannot be located; and
- (b) The recipient fails to furnish a current address within ten days following the mailing by the department of a letter to the last known address; or

(c) The recipient fails to furnish information and/or requested verification about continued eligibility; or

(d) The recipient fails to take a specific action within 10 days following the mailing of a letter to the last known address specifically citing the required information or action. The letter shall include a statement that failure to provide the information may result in termination or reduction of FIP cash assistance.

(2) The department shall give advance and adequate notice when:

(a) A recipient provides information within the 10-day period that results in reduction, suspension, or termination of FIP cash assistance; and

(b) The recipient fails to supply requested information or verification within ten days or supplies insufficient information.

(3) The department shall accept the information or verification up to the effective date of the adverse action. If the department has already sent advance and adequate notice of termination, the department shall:

(a) Send the recipient a written notice that the department received the information needed to establish continuing eligibility; or

(b) Send an additional adequate notice if:

(i) The recipient's response is inadequate; or

(ii) The response results in termination, reduction, or suspension of FIP cash assistance.

#### NEW SECTION

WAC 388-77-830 REDIRECTION OF WARRANT. (1) The department may redirect a warrant when:

(a) An overpayment will occur; or

(b) The department has reason to believe the recipient will not receive the warrant.

(2) The department shall redirect a warrant to the local office when:

(a) The recipient's address is unknown;

(b) The recipient reported a change of address prior to scheduled receipt of the warrant;

(c) A change in payee is required;

(d) A reduction, suspension, or termination of FIP cash assistance is required;

(e) A recipient has entered an institution; and

(f) An eligibility review has not been completed.

(2) The department shall notify the recipient before action is taken to redirect a warrant for any reason other than death, unless the recipient has already been notified that a warrant change will be made.

(3) The department shall include in the notification:

(a) The reason for the redirect action; and

(b) The action the department will take.

(5) The department shall:

(a) Determine the recipient's eligibility or ineligibility for the redirected warrant no later than 30 days after the date of its issuance;

(b) Notify the recipient of the reason for the cancellation if the recipient is ineligible;

(c) Release the warrant if the recipient is eligible; and

(d) Authorize a warrant in the correct amount.

**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 388-77-835 PERIODIC REVIEW AND REDETERMINATION OF ELIGIBILITY. The department shall:

(1) Conduct an annual face-to-face interview to redetermine FIP continued eligibility;

(2) Designate the forms to use during the periodic eligibility review;

(3) Review the completed forms the recipient submitted to the department;

(4) Require one set of completed forms from each assistance unit;

(5) Review each eligibility factor that is subject to change;

(6) Assume that all matters of eligibility are brought into conformity with the rules of the department; and

(7) Notify the recipient of a change in amount of FIP cash assistance, suspension, termination, or overpayment.

#### NEW SECTION

WAC 388-77-850 FIP-CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM—CONDITIONS OF ELIGIBILITY. The department shall evaluate an applicant for FIP who is ineligible for

FIP cash grants and who is in emergent need for the CEAP program as per WAC 388-24-250.

#### NEW SECTION

WAC 388-77-870 FIP FOOD STAMP ELIGIBILITY. (1) FIP assistance units shall be categorically eligible for food stamp program benefits.

(2) A person residing in the same home as a FIP household, but ineligible for FIP may apply for nonassistance food stamps.

#### NEW SECTION

WAC 388-77-880 FIP FOOD STAMP BENEFIT LEVEL. (1) The department shall provide FIP assistance units the value of food stamps in cash.

(2) Monthly food stamp benefits shall be according to household income, size, and the thrifty food plan.

(3) Monthly food stamp benefits shall decrease proportionately for every dollar that net income exceeds the assistance payment standard plus incentive.

(4) The department shall prorate initial food stamp benefits for an applicant from the date of application to the end of the month.

(5) Refer to WAC 388-77-055 for food stamp expedited services.

#### NEW SECTION

WAC 388-77-900 OVERPAYMENT—RECOVERY. (1) Overpayments are debts due the state and are subject to recovery by the department.

(2) The office of financial recovery and the attorney general are responsible for the recovery of overpayments from former recipients and for the determination if the overpayments are collectible.

(3) The department may recover overpayments from:

(a) The assistance unit that was overpaid;

(b) Any assistance unit of which a member of the overpaid assistance unit subsequently becomes a member; or

(c) Any individual members of the overpaid assistance unit whether or not they are currently recipients.

(4) When an individual acts as a payee only:

(a) The department shall not establish a liability for overpayment to the payee when the payee derives no financial benefit from the payment of assistance; and

(b) The department shall establish the overpayment account receivable in the name of the person who received the financial benefit of the payment of assistance.

(5) Policies regarding food stamps received in excess of the amount the household was entitled to receive are outlined in chapter 388-49 WAC.

#### NEW SECTION

WAC 388-77-905 UNINTENTIONAL OVERPAYMENT. (1) The department shall not place liability upon individuals who incur unintentional overpayments when:

(a) The individual is not receiving a grant at the time the overpayment is discovered and/or computed; and

(b) The amount of the overpayment is less than 35 dollars.

(2) The department may forgive overpayments when:

(a) The department admitted or stated to the recipient or to the recipient's authorized representative that the recipient was entitled in whole or in part to the moneys or services overpaid, or acted in a manner which would reasonably lead those recipients to believe they were eligible to receive in whole or in part the moneys or services overpaid; and

(b) Recipients retained or accepted the moneys or services overpaid on the faith of such an admission, statement, act, or omission; upon which they had a right to rely.

#### NEW SECTION

WAC 388-77-910 PRESUMPTION OF INTENTIONAL OVERPAYMENT. (1) When the department finds an applicant/recipient has misstated or failed to reveal any material fact affecting eligibility or need, it shall presume such act was done intentionally. This presumption is rebuttable.

(2) See chapter 388-46 WAC for referral to county prosecutor for possible criminal action.

NEW SECTION

WAC 388-77-915 OVERPAYMENT—SUPPORT PAYMENTS NOT TREATED AS OVERPAYMENT. A parent or caretaker relative shall remit support payments they receive directly from the absent parent to the office of support enforcement. The department shall not treat such payments as a grant overpayment, but consider them as a debt to be collected by the office of support enforcement.

NEW SECTION

WAC 388-77-920 NOTIFICATION OF OVERPAYMENT. (1) The department shall send a letter to any recipient or payee when an overpayment has been established. The department shall include in the letter the following information:

- (a) The amount of the overpayment;
- (b) The circumstances that brought about the overpayment;
- (c) The dates the overpayment occurred;
- (d) An explanation of the method of repayment and the effect of the overpayment on future grant payments;
- (e) A determination that an intentional overpayment is or is not involved;
- (f) A statement that overpayments are debts due the state;
- (g) A computation of the amount due the state;
- (h) A statement that the financial recovery office is responsible for establishing repayment schedules when recoupment is not subject to a mandatory deduction from the current grant;
- (i) A statement of the right to a fair hearing;
- (j) A statement that property of the debtor is subject to collection action after the debtor terminates from FIP assistance;
- (k) A statement that property is subject to lien and foreclosure, distraint and seizure, and sale or order to withhold and deliver;
- (l) A statement that net proceeds of subsection (1)(j) and (k) of this section shall be applied to satisfy the overpayment debt; and
- (m) A statement that action to collect the debt as in subsections (1)(j) and (k) of this section is lawful after 90 days from the debtor's termination from FIP assistance or receipt of the notice of debt, whichever is later.

(2) The department shall notify a person who has incurred an overpayment of that debt by:

- (a) Personal service; or
  - (b) Certified mail, return receipt requested, addressee only.
- (3) Personal service may be made by:
- (a) An employee of DSHS; or
  - (b) The sheriff of the county where the recipient of FIP assistance resides. When service is made by the sheriff, the sheriff will routinely furnish an affidavit of service on the county's form; or
  - (c) Any other person 18 years of age or older who is competent to be a witness in the action.

(4) Personal service may be made by delivering a copy of the overpayment letter as follows:

- (a) If to a minor, to such minor personally, and also to the parent, guardian, or in their absence to any person having the care, custody, or control of such minor or who is the payee of the minor's grant; or with whom the minor resides or in whose service the minor is employed;
- (b) If to any person for whom a guardian has been appointed for any cause, then to such guardian;
- (c) If to a company or corporation, to the president or other head of the company or corporation, secretary, cashier, or managing agent thereof or the secretary, stenographer, or office assistant of the above;
- (d) In all other cases, to the debtor personally or by leaving a copy of the letter at the residence of the debtor's usual abode with some person of suitable age and discretion residing therein;
- (e) If joint liability exists, the department shall provide each debtor a copy;
- (f) Out-of-state service shall be the same as personal service within the state; and
- (g) Refusal of such notice by the debtor is proof of notice to the debtor of the debt owed.

(5) Nothing in this section precludes the department from recovering overpayments by deduction from subsequent assistance payments under FIP or any other program of assistance.

NEW SECTION

WAC 388-77-925 REPAYMENT OF OVERPAYMENT FROM CURRENT RECIPIENTS. (1) The individual or the overpaid assistance unit shall repay an overpayment:

- (a) From resources, and/or
- (b) By deductions from subsequent grants, and/or
- (c) As a result of civil or criminal action initiated by the department or the prosecutor, and/or
- (d) From an estate upon death.

(2) The department may recoup overpayments of pre-FIP AFDC and/or food stamp benefits by means of a deduction from the current FIP payment.

(3) Policies regarding food stamps received in excess of the amount the household was entitled to receive are outlined in chapter 388-49 WAC:

(a) The department shall deduct pre-FIP food stamp overpayments from the food stamp portion of the benchmark standard at the percentage established in chapter 388-49 WAC; and

(b) The department shall deduct pre-FIP AFDC overpayments from the assistance payment standard portion of the benchmark standard at the percentage established in chapter 388-44 WAC.

(4) The department may not reduce a FIP assistance money grant to recover overpayments of medical assistance.

(5) The recipient is required to pay all overpayments except those resulting from department error under WAC 388-77-930 and those forgiven under WAC 388-77-905. The department shall use a mandatory grant deduction of ten percent of the benchmark standard to liquidate FIP overpayment; except, unintentional overpayments, prior to January 1, 1982, are not subject to mandatory collection from a grant.

(6) If the recipient refuses to use cash, bank accounts, or marketable securities to repay an intentional overpayment, the department shall establish a monthly deduction of 100 percent of future grants until such a time as the grant amounts equal the value of cash, bank accounts, or marketable securities withheld.

(7) The department shall, by the end of the quarter following the quarter in which the overpayment is first identified:

- (a) Recover the overpayment; or
- (b) Execute a monthly recovery agreement from a current recipient's grant or income and resources, defined as follows:

(i) The department shall show the recipient the agency-proposed agreement as defined in WAC 388-77-920(1);

(ii) Recipients shall indicate they understand the options available (mandatory deductions or lump-sum payments); and

(iii) The department shall give the recipient an opportunity to respond to these payment options.

NEW SECTION

WAC 388-77-930 OVERPAYMENT RESULTING FROM DEPARTMENT ERROR. The department shall forgive FIP cash assistance overpayments resulting from department's failure to act on information received timely from recipients or the department's misapplication of the eligibility rules.

NEW SECTION

WAC 388-77-940 RECOVERY OF OVERPAYMENTS—FORMER RECIPIENTS. When the department determines it overpaid a former recipient, the department may:

- (1) File a lien against the property of the debtor;
- (2) Accept voluntary repayment agreements from the debtor;
- (3) Issue an order to withhold and deliver the debtor's wages, earnings, income property, and/or accounts;
- (4) Accept a statutory assignment of wages from the debtor; and/or
- (5) Pursue recovery in civil courts through the attorney general's office.

NEW SECTION

WAC 388-77-945 GIFTS, BEQUESTS BY WILL, CONTRIBUTIONS. (1) The department may accept gifts, bequests, or contributions in cash or otherwise from persons, associations, or corporations.

(2) The department shall not accept a gift or contribution from a person eligible for FIP assistance.

(3) The department shall advise a recipient of FIP assistance or any other person desiring information or assistance regarding the preparation of a will to contact an attorney of their choice or the local legal services society.

NEW SECTION

WAC 388-77-975 SUBROGATION. (1) If any payment of FIP assistance is made or increased for the benefit of any dependent child because of the failure of the responsible parents to provide adequate support, such parents are liable to the state in the amount of the assistance granted.

(2) The need of the child and of the caretaker relative shall be deemed met by the responsible parents only if support is provided in an amount equal to the lesser of the payment required by court order, or the amount of assistance paid by the department.

**WSR 87-24-001**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**  
 [Filed November 19, 1987]

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 Definition—Irrigation systems—Real—Personal, new section WAC 458-12-012;

that the agency will at 9:00 a.m., Friday, January 15, 1988, 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 January 25, 1988.

The authority under which these rules are proposed is section 8, chapter 319, Laws of 1987.

The specific statute these rules are intended to implement is section 8, chapter 319, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 15, 1988.

Dated: November 18, 1987

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 458-12-012 Definition—Irrigation systems—Real—Personal.

Purpose: To define which parts of irrigation systems are to be assessed as real property and which parts are personal property.

Statutory Authority: Section 8, chapter 319, Laws of 1987, requires the department to classify, by rule, the components of irrigation systems as real or personal property for purposes of property taxation.

Summary and Reasons for the Rule: Classifies which parts of irrigation systems are to be assessed, for property tax purposes, as real or personal property. This will ensure that all systems are treated equitably throughout the state.

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 these rules will have no impact on small business.

NEW SECTION

WAC 458-12-012 DEFINITION—IRRIGATION SYSTEMS—REAL—PERSONAL. (1) The following parts of irrigation systems shall be assessed as real property except as provided in subsection (3) of this section:

- (a) Penstocks and buried mainlines;
- (b) Sub-mains (underground);
- (c) River pumping stations;
- (d) Water distribution points;
- (e) Concrete head ditches;
- (f) Irrigation wells;
- (g) Electrical distribution stations;
- (h) Electrical booster stations;
- (i) Electrical distribution lines (underground); and
- (j) Buried solid set systems with risers or drip tubes.

(2) The following shall be assessed as personal property:

- (a) Hand lines;
- (b) Wheel lines;
- (c) Center pivots;
- (d) Motors;
- (e) Pumps;
- (f) Screens;
- (g) Electrical panels;
- (h) Mainlines (above ground); and
- (i) Laterals.

(3) All irrigations systems shall be assessed as personal property when it is located on publicly owned lands or the equipment is owned separately from the land, can be removed, and the parties to the lease agree there is no change in title.

**WSR 87-24-002**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**  
 [Filed November 19, 1987]

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:

- |     |                |  |
|-----|----------------|--|
| Amd | WAC 458-14-020 | Reconvening county boards of equalization—Contents of request. |
| Amd | WAC 458-14-040 | Limitations on reconvening.                                    |
| Amd | WAC 458-14-045 | Reconvening upon timely filed petition—Limitations;            |

that the agency will at 9:30 a.m., Friday, January 15, 1988, 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 January 25, 1988.

The authority under which these rules are proposed is RCW 84.08.070.

The specific statute these rules are intended to implement is RCW 84.08.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 15, 1988.

Dated: November 18, 1987

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 458-14-020 Reconvening county boards of equalization—Contents of request; 458-14-040 Limitations on reconvening; and 458-14-045 Reconvening upon timely filed petition—Limitations.

Purpose: To amend the procedures and reasons that the Department of Revenue will reconvene a county board of equalization.

Statutory Authority: RCW 84.08.070 provides for the department to adopt rules concerning its authority over county boards of equalization.

Summary and Reasons for the Rule: Prohibits the department from reconvening a board of equalization if there was a change of ownership after the last day of May of the assessment year and allows the county assessor to request a change of value based upon a decision of the State Board of Tax Appeals.

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 these rules will have no impact on small business.

### AMENDATORY SECTION (Amending Order PT 70-1, filed 4/8/70)

WAC 458-14-020 RECONVENING COUNTY BOARDS OF EQUALIZATION—CONTENTS OF REQUEST. The request shall designate the board to be reconvened, shall specifically set forth the matters such board is to consider, shall contain a brief, definite statement of the facts which demonstrate that action upon the matter so specified would be within the powers of the reconvened board, and shall briefly and definitely state sufficient facts to reasonably (~~support the allegations that the errors have occurred~~) demonstrate why the board should be reconvened.

### AMENDATORY SECTION (Amending Order PT 85-3, filed 8/12/85)

WAC 458-14-040 LIMITATIONS ON RECONVENING. (1) No order reconvening the July session of the county board of equalization shall be issued subsequent to the 30th day of April immediately following the time the board was in regular session, except where the request for the order alleges sufficient facts to substantiate:

(a) A prima facie showing that there was either actual fraud on the part of the taxpayer or taxing officers(;;); or

(b) That an error occurred because the taxing officers, acting with due diligence, did not have available all of the facts when performing their duties(~~or except where~~);

(2) In cases in which the department orders upon its own initiative the reconvening of a county board, the department has grounds to substantiate a prima facie showing that there was actual fraud on the part of the taxpayer or taxing officers or constructive fraud on the part of taxing officers; (~~nor will a~~)

(3) No board shall be reconvened to act upon or consider (~~an increase~~) a change in the valuation of real estate when a bona fide purchaser(~~or encumbrancer~~) or contract buyer of record has acquired an interest in such real property subsequent to the (~~first Monday in January next succeeding the date of levy of the taxes~~) last day of May of the assessment year.

### AMENDATORY SECTION (Amending Order PT 85-3, filed 8/12/85)

WAC 458-14-045 RECONVENING UPON TIMELY FILED PETITION—LIMITATIONS. (~~(+)~~) Notwithstanding the provisions of WAC 458-14-010 through 458-14-040(~~(;)~~) except for WAC 458-14-040(3):

(1) Any July session of the county board of equalization which has timely received a petition as required by WAC 458-14-120, and which has adjourned in accordance with WAC 458-14-075, shall reconvene upon a date set by the board to consider said timely filed petition.

(a) In addition, the board may reconvene to consider a subsequent year(s) value when an order of the county board or the state board of tax appeals adjusting a value is issued after the (~~convening~~) adjournment of the July board of the subsequent year(s) and no intervening change of value has occurred and a petition is filed with the board within thirty days of the order or a notice of a change sent by the assessor; or

(b) The county assessor may petition the county board of equalization to reconvene to consider the value of the property when the state board of tax appeals has upheld the value placed on the property by the assessor during an earlier year of the valuation cycle and the roll for the subsequent year has been closed.

(2) No July board shall reconvene later than three years after the adjournment of its regular session.

(3) No July session of the county board of equalization shall reconvene to consider any petition not timely filed except upon written order of the department of revenue or as provided in (~~subsection (1) of~~) this section.

### WSR 87-24-003

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 87-195—Filed November 19, 1987]

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

I, Joseph R. Blum, 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 harvestable surplus of salmon has been taken.

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 November 19, 1987.

By Edward P. Manary  
for Joseph R. Blum  
Director

NEW SECTION

WAC 220-36-02500B GRAYS HARBOR TRIBUTARIES—CLOSED AREA—CHEHALIS RIVER. Effective immediately until further notice it is unlawful for any fishermen, including Chehalis Indian tribal fishermen, to fish for or possess foodfish taken from those waters of the Chehalis River upstream from the Porter Bridge.

**WSR 87-24-004**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 87-196—Filed November 19, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, 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 adequate water conditions exist for escapement, except on the Soleduck River, where chinook protection needs continue.

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 November 19, 1987.

By Edward P. Manary  
for Joseph R. Blum  
Director

NEW SECTION

WAC 220-57-13000N BOGACHIEL RIVER. Notwithstanding the provisions of WAC 220-57-130, effective immediately through November 30, 1987, Bag Limit A in those waters downstream from the Highway 101 Bridge, except chinook salmon greater than 24 inches in length must be released immediately.

NEW SECTION

WAC 220-57-13500L CALAWAH RIVER. Notwithstanding the provisions of WAC 220-57-135, effective immediately through November 30, 1987, Bag Limit A in those waters downstream from the Highway 101 Bridge, except that chinook salmon greater than 24 inches in length must be released immediately.

NEW SECTION

WAC 220-57-20000E DICKEY RIVER. Notwithstanding the provisions of WAC 220-57-200 effective immediately through November 30, 1987, Bag Limit A in those waters downstream from the mouth of the East Fork of the Dickey River, including those waters within Olympic National Park, except that chinook salmon greater than 24 inches in length must be released immediately.

NEW SECTION

WAC 220-57-38500Q QUILLAYUTE RIVER. Notwithstanding the provisions of WAC 220-57-385, effective immediately through November 30, 1987, Bag Limit A in those waters downstream from the confluence of the Soleduck and Bogachiel Rivers, including those waters within Olympic National Park, except chinook salmon greater than 24 inches in length must be released immediately.

NEW SECTION

WAC 220-57-46000V SOLEDUCK RIVER. Notwithstanding the provisions of WAC 220-57-460, effective immediately through November 30 it is unlawful to fish for or possess salmon taken for personal use from those waters of the Soleduck River upstream from the lowermost Highway 101 Bridge, and in waters below the lowermost Highway 101 Bridge, Bag Limit A, except chinook salmon greater than 24 inches in length must be released immediately.

REPEALER

Effective immediately the following sections of the Washington Administrative Code are repealed:

WAC 220-57-38500P QUILLAYUTE RIVER. (87-183)

WAC 220-57-13000M BOGACHIEL RIVER. (87-183)

WAC 220-57-13500K CALAWAH RIVER. (87-183)

WAC 220-57-20000D DICKEY RIVER. (87-183)

WAC 220-57-46000U SOLEDUCK RIVER. (87-183)

**WSR 87-24-005****ADOPTED RULES****DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**(Division of Emergency Management)**

[Order 87-21—Filed November 19, 1987]

I, John Swannack, acting deputy director of the Department of Community Development, do promulgate and adopt at the Ninth and Columbia Building, Olympia, Washington, the annexed rules relating to disaster recovery program, chapter 118-33 WAC.

This action is taken pursuant to Notice No. WSR 87-18-068 filed with the code reviser on September 2, 1987. 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 38.52.030(9) 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 November 19, 1987.

By John Swannack  
Acting Deputy Director

### Chapter 118-33 WAC DISASTER RECOVERY PROGRAM

#### WAC

118-33-010	Intent.
118-33-020	Definitions.
118-33-030	Authorization of program.
118-33-040	Administrative procedures.
118-33-050	Grant eligibility.
118-33-060	Allocation of funds.
118-33-070	Expenditures and payments.
118-33-080	Organization and functions.
118-33-090	Administrative panel.
118-33-100	Reconsideration.
118-33-110	Appeal.
118-33-120	Administrative plan review.

#### NEW SECTION

WAC 118-33-010 INTENT. The intent of this plan is to set forth the administrative procedures and describe the organization for implementing the individual and family grant program subsequent to a major disaster declaration by the president. The governor of Washington has designated the state division of emergency management of the department of community development to administer the individual and family grant program in Washington. These rules shall be effective only upon declaration of a major disaster by the president of the United States.

#### NEW SECTION

WAC 118-33-020 DEFINITIONS. (1) "Act" shall mean chapter 38.52 RCW.

(2) "Administrative panel" means a group consisting of one or more representatives from the division of emergency management, agreed to and approved by the GCO, determining eligibility for a grant and grant amount.

(3) "Appeal" means a formal request for redetermination by the applicant to the assistant director (appeal authority) that protests the administrative panel's decision or reconsideration officer's review of the individual and family grant determination.

(4) "Assistance from other means" means assistance including monetary or in-kind contributions from other governmental programs, insurance, voluntary or charitable organizations, or from any sources other than those

of the individual or family. It does not include expendable items.

(5) "Division" shall mean the division of emergency management: Department of community development.

(6) "Assistant director" means the assistant director of the division of emergency management.

(7) "Expendable items" means consumables such as linens, clothes, and basic kitchenware.

(8) "Family" means a social unit living together and comprised of a husband and wife and dependents, or comprised of unmarried persons jointly forming a household unit (such as those who jointly own or share real estate and common household type personal property); or comprised of couples (and dependents of couples) who are joined in a common law marriage; or a household comprised of an unmarried person living with and supporting a dependent son, stepson, daughter, stepdaughter, or a dependent descendant of a son or daughter. Families may file only one IFG application.

(9) "Federal coordinating officer" (FCO) means the person appointed by the administrator, FEMA, to coordinate federal assistance in a major disaster.

(10) "FEMA" means the Federal Emergency Management Agency.

(11) "Flowage easement" means an area where the landowner has given the right to overflow, flood, or submerge the land to the government or other entity for a public purpose.

(12) "Grant coordinating officer" (GCO) means the person assigned the management responsibility for the IFGP by the assistant director.

(13) "Individual" means a person who is not a member of a family, as defined above. Renters who live together are individuals. When one individual owns real property, and another lives there in a tenant-type relationship (whether or not rent is charged), the owner may file one IFG application for home repair and the personal property of the owner; and the other individual may file an IFG application for his/her own property.

(14) "Major disaster" means any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of the United States which, in the determination of the president, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Disaster Relief Act of 1974, above and beyond emergency services by the federal government, to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

(15) "Necessary expense" means the cost of an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

(16) "Owner-occupied" means that the residence is occupied by the legal owner; a person who does not hold formal title to the residence but is responsible for payment of taxes, maintenance of the residence, and pays no rent; or a person who has lifetime occupancy rights in the residence with formal title vested in another. Those



who do not have documentation proving home ownership may prove such ownership by presenting an affidavit executed by a state, or local government attorney stating that the applicant is considered owner of the residence for legal purposes, and identifying the basis for this conclusion, and by presenting one form of proof of occupancy.

(17) "Reconsideration officer" means the state official appointed by the assistant director to review the administrative panel's eligibility decision when the applicant disagrees with that decision.

(18) "Serious need" means the requirement for an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

(19) "State coordinating officer" (SCO) means the individual appointed by the governor to coordinate state and local disaster assistance efforts with those of the federal government.

(20) "Governor's authorized representative" means the assistant director when appointed by the governor to utilize executive authority in a declared disaster.

#### NEW SECTION

WAC 118-33-030 AUTHORIZATION OF PROGRAM. The program is authorized by P.L. 93-288 (the Disaster Relief Act of 1974) and 44 CFR 205.54. Section 408 of P.L. 93-288 provides for grants up to five thousand dollars to individuals and families, who as a result of a presidentially declared major disaster, are unable to meet disaster-related "serious needs" or "necessary expenses." Chapter 38.52 RCW places responsibility for determining eligibility standards for grants to individuals and families with the department of social and health services.

#### NEW SECTION

WAC 118-33-040 ADMINISTRATIVE PROCEDURES. (1) The state division of emergency management has been designated by the governor as the responsible state agency to administer the provisions of 44 CFR 205.54. P.L. 93-288, Section 408 provides for grants to individuals and families up to five thousand dollars - seventy-five percent federal and twenty-five percent state funds.

(2) The division of emergency management as the state administrator of the IFG program shall arrange for the state share (twenty-five percent) of funding and secure the seventy-five percent federal matching.

(3) The division of emergency management shall be responsible for preparing the governor's request for an advance of the state's share of funds.

(4) The division of emergency management shall administer the individual and family grant program. The department of social and health services is responsible for establishing eligibility standards for applicants for assistance under the grant program.

(5) The division of emergency management shall receive the maximum allowance of three percent for administration of the program.

(6) Upon the declaration of a major disaster, the state coordinating officer, division of emergency management, and the department of social and health services, shall coordinate the necessary actions to place in operation the provisions and administrative policies and procedures for grants to individuals and families.

(7) The media shall be used to notify potential applicants of methods and procedures for application during and after the disasters; and appropriate outreach services shall be provided by the division of emergency management or welfare-related agencies, civic or church groups normally providing such services in the area.

(8) The program shall be administered in conformity with provisions of 44 CFR 205.54.

(9) Eligibility criteria shall conform to Section 44 CFR 205.54(d) and such requirements as the department of social and health services may require not inconsistent with the provisions in the cited sections of the CFR in this subsection.

(10) The SCO shall maintain close coordination with the FCO and provide reports as may be required.

(11) The GCO shall maintain close coordination with the SCO.

#### NEW SECTION

WAC 118-33-050 GRANT ELIGIBILITY. Eligibility for individual and family grants is the responsibility of the department of social and health services according to chapter 38.52 RCW. This rule is contained in chapter 388-53 WAC.

#### NEW SECTION

WAC 118-33-060 ALLOCATION OF FUNDS. The Federal share of a grant to an individual or a family under this section shall be equal to seventy-five percent of the actual cost of meeting such an expense or need and shall be made only on condition that the remaining twenty-five percent of such cost is paid to such individual or family from funds made available by a state. Where a state is unable immediately to pay its share, the president is authorized to advance to such state such twenty-five percent share, and any such advance is to be repaid to the United States on the date specified in the FEMA-STATE agreement entered into at the time of each declared disaster. No individuals and no family shall receive any grant or grants under this section aggregating more than five thousand dollars with respect to any one major disaster.

#### NEW SECTION

WAC 118-33-070 EXPENDITURES AND PAYMENTS. (1) Grant payments shall be processed by means of state Form A-19 (invoice voucher) appropriately coded to identify the charges to individual and family grant program. Each voucher shall be supported by attaching a copy of the approved grant award letter. The original approved grant application and a copy of the payment voucher shall be filed in the case record folder.

(2) Vouchers shall be transmitted to the administrative services division of the department of community

development daily through the usual transmittal procedures. Separate voucher transmittals shall be made for individual and family grant program payments in order to expedite priority processing of the payments.

#### NEW SECTION

**WAC 118-33-080 ORGANIZATION AND FUNCTIONS.** All state agencies charged with responsibilities under this plan will ensure compliance with 44 CFR 205.54.

(1) Notifying potential applicants. The assistant director of the division of emergency management shall publicize the availability of the IFG program to potential applicants by:

(a) Coordinating public information office activities with other agencies and the FCO;

(b) Providing news releases to local and state newspapers, radio, and television stations;

(c) Notifying local governments, private welfare and welfare related agencies, civic and church groups; and

(d) Establishing outreach programs.

(2) Disaster assistance centers (DAC).

(a) The FEMA shall provide staff for the purpose of taking IFG registration/applications, and flood plain map reading at DACs and the disaster field office (DFO). FEMA forms shall be used to take applications for the IFG program.

When the DFOs close, the state shall accept applications taken through the FEMA hotline (toll free telephone number) and at the office(s) designated by the assistant director for this purpose.

(b) Applications shall be taken for sixty days following a major disaster declaration from any disaster victim desiring to apply for grant assistance. The FEMA registrar shall explain the scope and purpose of the program to each applicant and will ensure each applicant identifies on his or her application the specific needs or expenses for which he or she is seeking assistance.

(3) The applicant's signature on the application form is acknowledgement of the certification/authorization statement verifying his/her understanding of the rules of the individual and family grant program.

(4) Verifying necessary expenses or serious needs.

(a) FEMA will provide most verification data to the state on individual and family grant applicants who were not required to first apply to the small business administration (SBA), and on those who were required to apply to SBA but also had expenses unrelated to SBA's disaster loan program. The FEMA regional director shall be responsible for performing most of the required verifications in the categories of housing (to include documentation of home ownership and primary residency); personal property; and transportation (to include documentation of vehicle ownership and/or registration, as appropriate to the state's administrative plan).

(b) The state will not be required to recover funds, and will not be issued a bill for collection (BFC), when it makes a grant based on incorrect verification information provided by FEMA. A grant based on this incorrect information will not be subject to the state's normal recovery of funds procedures.

(c) Certain verifications may be required to be performed by the state, such as for medical, dental, or funeral applications, or on delayed applications or reversifications, when FEMA and its contractors are no longer available.

(5) Eligibility determination functions shall be performed by the division of emergency management. The SBA will provide copies of verifications performed by SBA staff on housing and personal property (including vehicles) for those applicants who were first required to apply to SBA. This will enable the state administrative panel to make an eligibility determination on those applicants. When an applicant disagrees with the grant award, he/she may appeal to the state. The cost of any estimate provided by the applicant in support of his/her appeal is not eligible under the program.

#### NEW SECTION

**WAC 118-33-090 ADMINISTRATIVE PANEL.**

(1) The administrative panel, consisting of one or more representatives of the division of emergency management appointed by the GCO, shall review each application and determine eligibility and grant amounts.

(2) The administrative panel shall send each applicant written notice of their determination of the applicant's eligibility and, if eligible, grant amount.

#### NEW SECTION

**WAC 118-33-100 RECONSIDERATION.** (1)

Reconsideration is an informal process in which all available facts pertaining to an applicant's expressed dissatisfaction with the administrative panel's decision are reviewed. Additional information may be obtained and the reconsideration officer may make a decision affirming, modifying, or reversing the administrative panel's decision within ten days of the receipt of the complaint.

(2) The request for reconsideration, additional facts and the reconsideration officer's decision will be documented in the case record.

#### NEW SECTION

**WAC 118-33-110 APPEAL.** (1) An applicant dissatisfied with the administrative panel's or reconsideration officer's determination of his or her eligibility

and/or grant amount has the right to appeal. The appeal can be oral or in writing and must state the reasons for the appellant's dissatisfaction with the administrative panel's determination. The appellant must appeal as soon as possible not to exceed fifteen days from receipt of the administrative panel's determination.

(2) When an applicant has requested an appeal, the assistant director or designee shall examine the appellant's file and any additional information received or presented for review of the administrative panel's determination. The assistant director shall make a decision affirming, modifying, or reversing the administrative panel's decision and mail the written decision to the appellant within fifteen days of the assistant director's receipt of the appeal; this period may be extended if both

the appellant and assistant director agree. The decision of the assistant director is final.

463-36-080 Approval by governor.  
463-36-090 Council powers.

**NEW SECTION**

WAC 118-33-120 ADMINISTRATIVE PLAN REVIEW. The assistant director of the department of emergency management shall review, in coordination with the FEMA regional director, the state administrative plan for the individual and family grant program every January to ensure compliance with state and federal laws and regulations and other FEMA program guidance.

**NEW SECTION**

WAC 463-36-010 COUNCIL POLICY. The council may take such action as may be necessary to protect the public health, safety, and welfare.

**NEW SECTION**

WAC 463-36-020 TERMINATION. Termination of a site certification agreement (SCA), except pursuant to its own terms, is an amendment of the agreement.

**NEW SECTION**

WAC 463-36-030 REQUEST FOR AMENDMENT. A request for amendment of an agreement shall be made in writing by a certificate holder to the council. The council will consider the request at the next feasible council meeting. The council will then refer the question to committee for recommendation, determine a schedule for action, or take action upon the request. The council may, if appropriate and required for full understanding and review of the proposal, secure the assistance of a consultant or take other action at the expense of the certificate holder. The council shall hold one or more public hearing sessions upon the request for amendment at times and places determined by the council.

**NEW SECTION**

WAC 463-36-040 AMENDMENT REVIEW. In reviewing any proposed amendment, the council shall consider whether the proposal is consistent with:  
(1) The intention of the original SCA;  
(2) Applicable laws and rules; and  
(3) The public health, safety, and welfare.

**NEW SECTION**

WAC 463-36-050 ENVIRONMENTAL IMPACT—ALTERNATIVES. In reviewing whether a proposed amendment is consistent with the public health, safety, and welfare, the council shall consider the short-term and long-term environmental impacts of the proposal. Reasonable alternative means by which the purpose of the proposal might be achieved shall be considered as shall the availability of funding to implement the proposal.

**NEW SECTION**

WAC 463-36-060 COUNCIL DETERMINATIONS. The council in acting upon a requested amendment may accept the amendment; reject the amendment; or reject the amendment, and state conditions or terms under which the amendment will be reconsidered.

**NEW SECTION**

WAC 463-36-070 APPROVAL BY RESOLUTION. An amendment which changes a technical provision or requirement within the terms of the SCA, and constitutes no substantial alteration of any provisions of

**WSR 87-24-006**

**ADOPTED RULES**

**ENERGY FACILITY SITE EVALUATION COUNCIL**

[Order 87-2—Filed November 19, 1987]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Lacey, Washington, that it does adopt the annexed rules relating to:

- New WAC 463-36-010 Council policy.
- New WAC 463-36-020 Termination.
- New WAC 463-36-030 Request for amendment.
- New WAC 463-36-040 Amendment review.
- New WAC 463-36-050 Environmental impact—Alternatives.
- New WAC 463-36-060 Council determinations.
- New WAC 463-36-070 Approval by resolution.
- New WAC 463-36-080 Approval by governor.
- New WAC 463-36-090 Council powers.

This action is taken pursuant to Notice No. WSR 87-19-140 filed with the code reviser on September 23, 1987. 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 November 9, 1987.  
By William L. Fitch  
Executive Secretary

Chapter 463-36 WAC  
**PROCEDURE—AMENDING OR TERMINATING  
A SITE CERTIFICATION AGREEMENT**

- WAC 463-36-010 Council policy.
- 463-36-020 Termination.
- 463-36-030 Request for amendment.
- 463-36-040 Amendment review.
- 463-36-050 Environmental impact—Alternatives.
- 463-36-060 Council determinations.
- 463-36-070 Approval by resolution.

the SCA, and is determined to have no detrimental effect upon the environment, shall be effective upon adoption of a council resolution.

#### NEW SECTION

WAC 463-36-080 APPROVAL BY GOVERNOR. An amendment which substantially alters the substance of any provision of the SCA or which is determined to have a significant detrimental effect upon the environment shall be effective upon the signed approval of the governor of Washington state.

#### NEW SECTION

WAC 463-36-090 COUNCIL POWERS. The council has power to initiate proceedings leading to the SCA amendment where it perceives that a certificate may be abandoned or when it deems such action to be appropriate.

#### **WSR 87-24-007**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF LABOR AND INDUSTRIES  
(Apprenticeship and Training Council)  
[Memorandum—November 16, 1987]**

On October 15, 1987, the Washington State Apprenticeship and Training Council set a schedule for their meetings in 1988. Listed below are the dates, places and times for these meetings:

January 21, 1988	Blaine	9:00 a.m.
April 21, 1988	Wenatchee	9:00 a.m.
July 21, 1988	Silverdale	9:00 a.m.
October 20, 1988	Yakima	9:00 a.m.

#### **WSR 87-24-008**

**NOTICE OF PUBLIC MEETINGS  
BOARD FOR VOCATIONAL EDUCATION  
[Memorandum—November 19, 1987]**

**PUBLIC HEARING AND MEETING NOTICE  
DECEMBER 14, 1987  
SEATTLE SCHOOL DISTRICT OFFICE  
AUDITORIUM  
ADMINISTRATIVE AND SERVICE CENTER  
815 4th AVENUE NORTH  
SEATTLE, WASHINGTON**

Regular Meeting - 1:30 p.m. - 3:30 p.m. The Washington State Board for Vocational Education will meet on Monday, December 14, from 1:30 to 3:30 p.m. The major agenda item will be the consideration of job skills program grant applications.

Public Hearing - 4:00 p.m. - 7:00 p.m. Following the business meeting, the State Board for Vocational Education will hold a public hearing to provide an opportunity for citizens to present their visions for vocational education in the future — identifying needs and suggesting program direction. The public hearing is scheduled from 4:00 p.m. to 7:00 p.m.

The meeting site is barrier free. Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the State Board for Vocational Education by December 2, 1987.

#### **WSR 87-24-009**

##### **ADOPTED RULES**

##### **DEPARTMENT OF AGRICULTURE**

[Order 1959—Filed November 20, 1987—Eff. January 1, 1988]

I, C. Alan Pettibone, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to horticultural district boundaries, chapter 16-458 WAC.

This action is taken pursuant to Notice No. WSR 87-20-049 filed with the code reviser on October 2, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

This rule is promulgated pursuant to chapter 15.17 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 November 20, 1987.

By Michael V. Schwisow  
Deputy Director

#### AMENDATORY SECTION (Amending Order 1471, filed 7/2/76)

WAC 16-458-080 DISTRICT THREE. All counties located west of the Cascade Mountains, Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla and Whitman counties, and that portion of Benton County lying south and east of the Sellards Road, from its junction with Yakima County on the west thence east to the center line of Range 27E, thence north to the Columbia River; this excludes the Benton City, Kiona and Prosser areas.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-458-070 DISTRICT ONE.

#### **WSR 87-24-010**

##### **EMERGENCY RULES**

##### **HOSPITAL COMMISSION**

[Order 87-04, Resolution No. 87-04—Filed November 20, 1987]

Be it resolved by the Washington State Hospital Commission, acting at the West Coast Sea-Tac Hotel, Seattle, Washington, that it does adopt the annexed rules relating to methodology and criteria for approval,

modification, or disapproval of annual budget submittal and rates, rate schedules, other charges, and changes therein, WAC 261-40-150.

We, the Washington State Hospital 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 rules need to be in effect prior to commission's hearings on 1988 budgets scheduled for December 3, 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 70.39 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 19, 1987.

By Maurice A. Click  
Executive Director

**Reviser's note:** The material contained in this filing will appear in the 88-01 issue of the Register as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

#### WSR 87-24-011

##### ADOPTED RULES

#### HOSPITAL COMMISSION

[Order 87-05, Resolution No. 87-05—Filed November 20, 1987]

Be it resolved by the Washington State Hospital Commission, acting at the West Coast Sea-Tac Hotel, Seattle, Washington, that it does adopt the annexed rules relating to methodology and criteria for approval, modification, or disapproval of annual budget submittal and rates, rate schedules, other charges, and changes therein, WAC 261-40-150.

This action is taken pursuant to Notice Nos. WSR 87-20-100 and 87-22-004 filed with the code reviser on October 7, 1987, and October 23, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 70.39 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 19, 1987.

By Maurice A. Click  
Executive Director

**Reviser's note:** The material contained in this filing will appear in the 88-01 issue of the Register as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

#### WSR 87-24-012

##### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 87-197—Filed November 20, 1987]

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

I, Joseph R. Blum, 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 openings in Areas 7B and 8A provide opportunity to harvest non-Indian allocation of chum. Openings in Area 8A after 4:00 p.m. November 27, and before 5:00 a.m. November 30, 1987, are necessary to prevent wastage. All other 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 November 20, 1987.

By Judith Merchant  
for Joseph R. Blum  
Director

#### NEW SECTION

*WAC 220-47-826 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective November 20 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

*\*Area 7B - Closed except gill nets using 6-inch minimum mesh may fish from 4:00 PM to 8:00 PM Monday November 23 and purse seines may fish from 12:00 noon to 4:00 PM Monday November 23. Fishery exclusion zones applicable to Area 7B commercial fisheries are described in WAC 220-47-307.*

*\*Area 8A (excluding those waters north of a line projected due west from Tulare Point) -*

*Closed except gill nets using 6-inch minimum mesh may fish from 3:00 PM to 9:00 AM nightly, effective Sunday November 22 through the morning of November 30 and purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM daily, effective Sunday November 22 through Monday November 30. Those waters north of a line projected due west from Tulare Point remain closed to all commercial fishing. Fishery exclusion zones applicable to Area 8A commercial fisheries are described in WAC 220-47-307.*

*Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 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 November 20, 1987.*

*WAC 220-47-825 PUGET SOUND COMMERCIAL SALMON FISHING RESTRICTIONS Order No. 87-193*

### **WSR 87-24-013**

#### **NOTICE OF PUBLIC MEETINGS INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

[Memorandum—November 19, 1987]

There will be a special meeting of the Interagency Committee for Outdoor Recreation on January 8, 1988, at the Sea-Tac Office Center, Suite 410, 18000 Pacific Highway South, Seattle, Washington, beginning at 9:00 a.m.

The committee will discuss legislative proposals, funding alternatives, and state and federal legislation.

### **WSR 87-24-014**

#### **NOTICE OF PUBLIC MEETINGS URBAN ARTERIAL BOARD**

[Memorandum—November 20, 1987]

The following meeting schedule is for Urban Arterial Board regular meetings in 1988:

January 15, 1988  
April 15, 1988  
July 15, 1988  
October 21, 1988

These meetings are scheduled in accordance with WAC 479-01-020, "time and place of Urban Arterial Board meetings."

### **WSR 87-24-015**

#### **NOTICE OF PUBLIC MEETINGS DEPARTMENT OF NATURAL RESOURCES (Board of Natural Resources)** [Memorandum—November 20, 1987]

The regular meeting of the Board of Natural Resources, Department of Natural Resources, scheduled for December 1, 1987, has been rescheduled to be held on Friday, December 11, 1987, House Hearing Room B, House Office Building, Olympia, Washington, at 9:00 a.m.

### **WSR 87-24-016**

#### **ADOPTED RULES GAMBLING COMMISSION** [Order 173—Filed November 23, 1987]

Be it resolved by the Washington State Gambling Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to new section WAC 230-30-055 and amendatory section WAC 230-30-106.

This action is taken pursuant to Notice No. WSR 87-19-055 filed with the code reviser on September 14, 1987. 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 9.46.070 (11) and (14) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 23, 1987.  
By Frank L. Miller  
Deputy Director

### NEW SECTION

WAC 230-30-055 STANDARDS FOR CONSTRUCTION OF PUNCHBOARDS. All punchboards sold for use in the State of Washington must comply with the following standards:

(1) PATTERNS: The punchboard shall be manufactured with special care so as to eliminate any patterns between punchboards, or portions of punchboards, from which the location or approximate location of winning punches may be determined. Manufacturers shall employ at least the following steps to insure that no pattern exists.

(a) The form or permanent number sheets shall be mixed prior to cutting;

(b) After the strips (straws) have been crimped, all strips shall be thoroughly mixed prior to insertion in punchboards;

(c) When filling punchboards, workers shall alter the procedures for filling sets of punchboards; and

(d) No more than eight (8) punchboards from any one set of boards shall be included in any case of punchboards for shipment to Washington.

(2) SERIAL NUMBERS: Effective July 1, 1988, serial numbers set forth on the form or permanent number sheets shall be nonsequential so as to ensure that no pattern is created which would permit the tracking of boards through the serial number.

(3) GUARANTEED NUMBERS: All numbers or symbols designated as winners on the flare must be guaranteed by the manufacturer as being present in the board. The manufacturer may at their option place a sticker or equivalent on the back of each punchboard setting forth additional numbers or symbols that are guaranteed to be in the board. The additional numbers or symbols on the back of the board shall not exceed 5% of the total punches in the board without the written permission of the commission.

(4) SECURITY: All punchboards must be sealed so it is impossible to determine the number or symbol of any punch prior to being punched out of the board by any method or device including but not limited to the use of markings or light.

(5) STEP-UP BOARDS: (a) All cards, straws, or punches that contain the winners in the step-up portion of any punchboard shall be completely sealed so as to prevent premature winner identification and such items shall be thoroughly mixed so as to ensure that no pattern of winners exists.

(b) Step-up boards that contain winners covered by seals must have at least twenty-five different face sheets for use on that specific step-up board. Face sheets shall be utilized in such a manner so as to ensure random distribution during the manufacturing process.

AMENDATORY SECTION (Amending Order 91, filed 8/14/79)

WAC 230-30-106 STANDARDS FOR FLARES, MADE BY MANUFACTURERS; DISTRIBUTORS; OPERATORS. (1) Except as set forth in paragraph (2) below, ((F)) the flare advertising prizes available from the operation of any punchboard, or any series of pull tabs shall be made by the manufacturer only, winning numbers or symbols shall not be altered by any operator or distributor, and shall:

(((1))) (a) Be placed only upon the upper face, or on the top, of any such punchboard or any device used to dispense the pull tabs; and

(((2))) (b) Clearly set out each of the prizes available and the number or symbol which wins prizes; and

(((3))) (c) Set out the winning numbers or symbols for prizes of five dollars or more in cash, or merchandise worth five dollars or more at retail, in such a manner that each may be easily and clearly deleted or marked off as each prize is won and awarded. For the purposes of this subsection the retail value of a merchandise prize shall be the amount actually paid therefore by the licensed operator plus 50 percent of that actual cost.

(2) Distributors and operators that make merchandise packages and merchandise-cash combination packages

may make and use substitute flares in accordance with WAC 230-30-015 as long as the following conditions are satisfied:

(a) The substitute flare complies with the requirements of 1(a), (b), and (c) of this section;

(b) The winning numbers or symbols on the substitute flare are selected from the winning numbers or symbols on the flare made by the manufacturer, or from the optional numbers placed on the back of the board by the manufacturer; and

(c) The substitute flare is stapled to the manufacturer's flare.

(3) Spindle-type pull tab series when played in the manner set out in WAC 230-30-070(8) are exempt from this section.

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 87-24-017

#### PROPOSED RULES

#### GAMBLING COMMISSION

[Filed November 23, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning amendatory section WAC 230-20-380;

that the agency will at 10:00 a.m., Friday, January 8, 1988, in the Sea-Tac Red Lion 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 chapter 9.46 RCW.

This notice is connected to and continues the matter in Notice Nos. WSR 87-11-011, 87-15-051 and 87-21-035 filed with the code reviser's office on May 12, 1987, July 14, 1987, and October 13, 1987.

Dated: November 23, 1987

By: Frank L. Miller  
Deputy Director

### WSR 87-24-018

#### NOTICE OF PUBLIC MEETINGS

#### PUGET SOUND

#### WATER QUALITY AUTHORITY

[Memorandum—November 20, 1987]

Listed below are the schedule and locations for the meetings of the Puget Sound Water Quality Authority for December 1987 and calendar year 1988. For those which only a city location is listed, specific locations will be provided in later memoranda.

All meetings listed begin at 9:30 a.m.

December 16, 1987  
 Vashon-Maury Grange  
 Upper Parking Lot  
 North End Ferry Dock  
 Vashon Island

January 20, 1988  
 City Council Chambers  
 Oak Harbor City Hall  
 3075 300 Avenue West  
 Oak Harbor

February 17, 1988  
 Lakeridge Professional Plaza Building  
 Room 203  
 921 Lakeridge Drive  
 Olympia

March 16, 1988  
 Silverdale

April 20, 1988  
 Mt. Vernon

May 18 and 19, 1988  
 Seattle

June 15, 1988  
 Orcas Island

July 20, 1988  
 Edmonds

August 23 and 24, 1988  
 Olympia

September 21, 1988  
 Seattle

October 19, 1988  
 Renton

November 16, 1988  
 Tacoma

December 21, 1988  
 Shelton

**WSR 87-24-019**  
**PROPOSED RULES**  
**THE EVERGREEN STATE COLLEGE**  
 [Filed November 23, 1987]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning:

New ch. 174-120 WAC Code of rights and responsibilities.  
 Rep ch. 174-107 WAC Governance and decision making;

that the institution will at 1:30 p.m., Wednesday, January 6, 1988, in The Evergreen State College, Library, Room 3112, 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.40.120(12).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before January 6, 1988.

Dated: November 18, 1987  
 By: Shawn Newman  
 College Legal Counsel

**STATEMENT OF PURPOSE**

Title, Description of the Rules, Purpose and any Other Information Which may be of Assistance in Identifying the Rule or its Purpose: Chapter 174-120 WAC, Code of rights and responsibilities.

Statutory Authority and Specific Statute the Rule is Intended to Implement: RCW 28B.40.120(12), as amended by section 95, chapter 370, Laws of 1985.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Shawn Newman, College Legal Counsel, The Evergreen State College, Lib 3103, Olympia, WA 98505, 866-6000 x6106.

Name of the Person or Organization, Whether Private, Public, or Governmental Proposing the Rule: Shawn Newman.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: The proposed code is intended to supplement the social contract by providing a clear and unambiguous statement of rights and responsibilities.

Whether the Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Not applicable.

Small Business Economic Impact Statement: Not applicable.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

(1) Ch. 174-107 WAC: GOVERNANCE AND DECISION MAKING.

NEW SECTION

WAC 174-120-010 DEFINITIONS: (1) COLLEGE COMMUNITY: All individuals who are enrolled in classes and/or employed by the college.

(2) COLLEGE FACILITIES/PREMISES: Property owned, leased, operated, controlled, or supervised by the college.

(3) COMMUNITY HEARING BOARD (CHB): Five community members appointed by and from the different sectors of the college community (e.g. 1 administrator; 1 faculty; 1 staff; 2 students). Until each sector decides how to select its members, the Vice-President shall be responsible for appointing CHB members and their alternates. The CHB members will select a chairperson who, with the assistance of the Vice-President's Office, is responsible for providing notice to the parties. The College Legal Counsel or, in cases of conflict, the attorney general or an administrative law judge, shall serve as a non-voting advisor to the CHB.

(4) PREPONDERANCE OF THE EVIDENCE: The greater weight of evidence or evidence more convincing to the mind than not.

(5) SPONSORED EVENT OR ACTIVITY: Activities scheduled by the college and supervised and controlled by college employees.

(6) STUDENT ORGANIZATION: Any group composed of students which is formally recognized and registered with the College.

(7) TRIER OF FACT: The Campus Adjudicator, Campus Mediator, Community Hearing Board, or administrative law judge designated by



the vice-president and responsible for determining the facts relevant to decide a controversy.

(8) **VICE-PRESIDENT:** The Vice-President for Student Affairs or his/her designee.

#### NEW SECTION

**WAC 174-120-020 THE SOCIAL CONTRACT-COLLEGE PHILOSOPHY (1) GENERALLY:** Evergreen is an institution and a community that continues to organize itself so that it can clear away obstacles to learning. In order that both creative and routine work can be focused on education, and so that the mutual and reciprocal roles of community members can best reflect the goals and purposes of the College, a system of governance and decision-making consonant with those goals and purposes is required. Evergreen can thrive only if members respect the rights of others while enjoying their own rights. Civility should be present in all interactions. Students, faculty, administrators, and staff may differ widely in their specific interests, in the degree and kinds of experiences they bring to Evergreen, and in the functions which they have agreed to perform. All should share alike in prizing academic and interpersonal honesty, in responsibly obtaining and in providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration. The College community should support experimentation with new and better ways to achieve Evergreen's goals. Specifically, it should attempt to emphasize the sense of community and require members to play multiple, reciprocal, and reinforcing roles in teaching, learning and governance.

#### (2) **INTELLECTUAL FREEDOM AND HONESTY:**

(a) **FREE INQUIRY:** Community members live under a special set of rights and responsibilities, foremost among which is that of enjoying the freedom to explore ideas and to discuss their explorations in both speech and print. Both institutional and individual censorship are at variance with this basic freedom.

(b) **FREEDOM OF EXPRESSION:** An essential condition for learning is the freedom and right on the part of an individual or group to express minority, unpopular, or controversial points of view. Only if minority and unpopular points of view are listened to, and are given opportunity for expression, will Evergreen provide bona fide opportunities for significant learning.

(c) **HONESTY:** Honesty is an essential condition of learning, teaching or working. It includes the presentation of one's own work in one's own name, the necessity to claim only those honors earned, and the recognition of one's own biases and prejudices.

#### (3) **INDIVIDUAL RIGHTS:**

(a) **GENERALLY:** Each community member has the same fundamental rights as members of the general public, including, but not limited to: privacy; freedom of speech; freedom of peaceful assembly and association; freedom of belief; freedom from discrimination; and freedom to petition the government. Community members should exercise the rights accorded them to voice their opinions with respect to basic matters of policy and other issues. Evergreen supports the right of its members, individually or in groups, to express ideas, judgments, and opinions in speech or writing. Community members, however, are obligated to make statements in their own names and shall not make expressions on behalf of the college. Evergreen does not stand in loco parentis for its members.

(b) **OPEN FORUM:** All community members enjoy the right to hold and to participate in public meetings, to post notices on the campus, and to engage in peaceful demonstrations. Reasonable and impartially applied rules may be set with respect to time, place and use of Evergreen facilities in these activities.

#### (4) **INSTITUTIONAL RIGHTS:**

(a) **PROTECT CAMPUS COMMUNITY AND PROPERTY:** The college reserves the right to take necessary and appropriate action to protect the safety and well-being of the college community and its property from damage and unauthorized use.

(b) **DEMAND IDENTIFICATION:** College administrators, security, and others authorized by the vice-president, may demand that any person on college facilities produce evidence of college community membership (e.g. student ID). Refusal to produce identification may result in disciplinary action.

(5) **PROHIBITION AGAINST DISCRIMINATION:** There shall be no discrimination at Evergreen with respect to race, sex, age, handicap, sexual orientation, religious or political belief, or national origin in considering individuals' admission, employment or promotion.

#### NEW SECTION

**WAC 174-120-030 PROHIBITED CONDUCT:** Disciplinary regulations are set forth in writing in order to give community members general notice of prohibited conduct. Community members may be accountable to both civil/criminal authorities and the college for acts which constitute violations of law and of these rules. The college may consider a community member's off-campus conduct in determining what discipline is warranted for on-campus conduct. These rules should be read broadly and are intended to cover individuals who aid or abet prohibited conduct. They are not designed to define misconduct in exhaustive terms.

(1) **ACADEMIC DISHONESTY/CHEATING:** All forms of academic dishonesty, including cheating, fabrication, facilitating academic dishonesty and plagiarism. Cheating is defined as intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise. Plagiarism is defined as intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise.

(2) **DESTROYING OR DAMAGING PROPERTY:** Intentionally or recklessly destroying or damaging the property of others on college premises or at college-sponsored events.

(3) **DISRUPTING COLLEGE FUNCTIONS:** Material disruption of educational and/or administrative processes, including, but not limited to, studying, teaching, research, college administration, fire, police, campus security or emergency services. There is no right to protest within a college building in such a way that any college activity is disrupted. The administration, however, may permit some symbolic dissent within a building but outside the meeting room, for example, a single picket or a distributor of handbills.

(4) **DRUGS:** Use, possession or distribution of any controlled substance or illegal drug on college premises or at college sponsored activities and/or appearance on campus or at any college-sponsored event while under the influence of such drug.

(5) **FALSE EMERGENCY:** Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency, on campus premises or at a campus-sponsored activity.

(6) **FIREWORKS:** Unauthorized use or possession of fireworks on college premises or at college-sponsored activities.

(7) **FORGERY OR ALTERATION:** Forgery, unauthorized alteration, or unauthorized use of any college document or instrument of identification.

(8) **HARASSMENT:** Intentionally threatening, intimidating or harassing another causing physical injury or, by words or conduct, placing another person in reasonable fear of harm to body or property. Provided, it shall not constitute harassment for a person to speak or act in a critical, insulting, or deprecatory way, so long as his or her words or actions do not constitute a threat of harm to the body or property of another person.

(9) **INTERFERING WITH FREE EXPRESSION:** Intentionally and substantially interfering with the freedom of expression of others on campus premises or at a campus-sponsored events. Active forms of protest may be tolerated such as briefly booing, clapping hands or heckling. Provided, that any disruptive activity must stop and not be repeated when the chair or an appropriate college official requests silence.

(10) **LIQUOR:** Use, possession or distribution of liquor, as defined by law, on college property or appearance on campus or any college-sponsored event while under the influence of alcohol. Use or possession of liquor at any college event shall be by approved permit and restricted to persons of legal age.

(11) **PHYSICAL HARM:** Intentionally or recklessly causing physical harm to any person on college premises or at any college sponsored activity, or intentionally or recklessly causing reasonable apprehension of such harm.

(12) **RULES VIOLATION:** Violation of college rules or policies, including, but not limited to, campus regulations concerning: residence hall contracts; smoking; student organizations; use of college facilities; and the terms of any disciplinary sanction imposed in accordance with these rules.

(13) **THEFT:** Theft of property or of services, including computer services, on college premises or at college sponsored activities; knowing possession of stolen property on college premises or at college sponsored activities.

(14) **TRESPASS:** Knowingly entering or remaining unlawfully in college premises, facilities or property. Access to or remaining in the premises is conditioned upon compliance with state law and these rules. Individuals engaged in behavior constituting an immediate threat to persons or property will be issued a criminal trespass warning and

asked to leave the campus or facility immediately or face immediate arrest. Individuals issued criminal trespass warnings are entitled to a hearing, as provided for by these rules.

(15) **UNAUTHORIZED USE OF SUPPLIES; EQUIPMENT; COLLEGE NAME, SEAL AND/OR SYMBOL:** Unauthorized use of college supplies, equipment and/or the college name, seal or symbol.

(16) **WEAPONS, FIREARMS, EXPLOSIVES AND DANGEROUS CHEMICALS:** Unauthorized use, possession or storage of any weapon, explosives, dangerous chemicals, substances or instruments or other weapons, as defined by law, which may be used to inflict bodily harm on another individual or damage upon college premises or college-sponsored event.

(17) **VIOLATIONS OF LAW:** Any other illegal act committed on college facilities/premises or at a college sponsored event.

**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 174-120-040 DISCIPLINARY SANCTIONS:** The primary purpose for imposing discipline is to protect the college community. The college has broad discretion in determining appropriate sanctions for engaging in prohibited conduct and may impose one or more of the following sanctions. Notification of disciplinary action shall be in writing, indicating the terms of any suspension or termination and any special conditions which must be met before readmission. Refunds of fees shall be in accord with the college's refund policy.

(1) **EXPULSION:** Permanent separation from the college and termination of community membership. The individual may also be barred from college premises and/or college sponsored events.

(2) **REPRIMAND:** Warning(s) that further misconduct may result in more severe sanctions.

(3) **RESTITUTION:** Payment to the college or to other persons, groups, or organizations for damages incurred as a result of prohibited conduct.

(4) **SUMMARY SUSPENSION:** Individuals presenting imminent danger to themselves, others, college property and/or the educational process may be immediately suspended from the college for a period of time not to exceed ten (10) days. At the time of the suspension, the individual shall be orally notified of the circumstances constituting prohibited conduct and of their right to petition for a formal hearing.

(5) **SUSPENSION:** Temporary dismissal from the college and temporary termination of community membership for a stated or for an indefinite period of time. The individual shall not participate in any college-sponsored activity and may be barred from college premises. Suspension implies that the individual may eventually return if evidence or other assurances are presented that prohibited conduct will not be repeated.

(6) **OTHER SANCTIONS:** Other sanctions may be imposed instead of or in addition to those specified above. For example, community members may be placed on disciplinary probation subject to reasonable restrictions or conditions (e.g. extracurricular activities; use or registration of motor vehicles). Students may also be removed from college housing for prohibited conduct. Work or research projects may also be assigned.

**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 174-120-050 PREHEARING PROCEDURES:** (1) **PETITION:** In order for a community member to exercise his/her right to a hearing, a written petition must be filed with the vice-president's office within twenty (20) days of receipt of notice of the adverse action or the summary suspension. Failure to do so waives the right to a hearing. The written petition must be dated, identify the petitioners (names, addresses and telephone numbers), charges or issues for review, remedy sought, and attach copies of relevant correspondence.

(2) **NOTICE:** Notice of the hearing, including a statement of the particular rules involved and matters asserted, shall be provided at least ten days before any hearing, as called for by RCW 28B.19.120(1), as amended. Both parties may be asked to submit brief written position

statements. Parties petitioning for a formal hearing shall also be notified of:

(a) The right to question witnesses; have someone appear on their behalf to defend them; and that they may have a maximum of three character (3) witnesses appear on their behalf. The parties shall inform each other of their witnesses and representatives at least three days before the hearing.

(b) The right to have subpoena(s) issued by the vice-president and/or trier of fact, subject to a convincing showing of the general relevance and reasonable scope of the evidence sought;

(c) That failure to appear will result in a default judgment against the community member. Failure to provide a list of witnesses or/and the name(s) of their representatives at least three days before the hearing will result in disqualification of those witnesses and/or representatives.

#### NEW SECTION

**WAC 174-120-060 INFORMAL PROCEDURES:** (1) **GENERAL:** Community members who come into conflict with one another should make a determined effort to resolve problems peacefully and constructively between themselves before recourse to mediation/arbitration procedures.

(2) **MEDIATION:** Either party may petition the campus mediator for assistance. The mediator, or his/her designee, will provide notice of any meeting and ask the petitioners for a statement of the particular matters asserted. If one party is charged with prohibited conduct potentially punishable by suspension or termination, the mediator shall recommend that the vice-president initiate formal hearing procedures. The mediator has authority over the procedure used for resolving disputes. If an agreement cannot be reached within thirty (30) days after being petitioned, the mediator will issue written findings to each party.

(3) **APPEAL:** There is no right to appeal unless the college charges a party with prohibited conduct potentially punishable by suspension or termination. If that occurs, the party must submit, within twenty (20) days from receipt of the mediator's written decision or notice of the formal charges, whichever is less, another petition for a formal hearing to the vice president.

#### NEW SECTION

**WAC 174-120-070 FORMAL PROCEDURES:** (1) **GENERAL:** Community members have a right to a fair and impartial hearing on any charge of prohibited conduct potentially punishable by suspension or termination. Pursuant to state law, the college president authorizes the vice president to determine the trier of fact. Unless the vice president determines otherwise, the formal hearing shall be conducted by the campus adjudicator. Any such hearing shall be conducted pursuant to state law, RCW 28B.19.110-150, as amended.

(2) **CHALLENGES:** Any party may challenge any trier of fact based on personal bias. The CHB advisor may also challenge a CHB committee member. CHB members may be disqualified upon majority vote of the remaining members of the board, conducted by secret ballot. The trier of fact should not discuss the case outside of the hearing, and shall base their decision upon the evidence presented at the hearing.

(3) **BURDEN OF PROOF:** The burden of proof shall be on the college which must establish guilt of the petitioner by a preponderance of the evidence.

(4) **FORMAL RULES OF EVIDENCE DO NOT APPLY:** Formal rules of evidence shall not be applicable nor shall deviations from prescribed procedures necessarily invalidate a decision or proceeding, unless significant prejudice to the petitioner or the college would result. The trier of fact shall recognize rules of confidentiality and privilege, but shall otherwise admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Undue repetitious or irrelevant evidence may be excluded.

(5) **FINAL DECISION:** The trier of fact shall reach a final decision within 30 days of receipt of the petition or within 10 days of the close of the hearing, whichever is greater. Final decisions of the CHB shall be by majority vote of the members present and voting. The trier of fact's written findings and conclusions shall be delivered to the petitioner by hand or certified mail to his/her last known address.

(6) **STATUS PENDING FINAL ACTION:** Except in cases of summary suspension or criminal trespass, the individual's status shall not be altered pending final decision by the trier of fact.

NEW SECTION

WAC 174-120-080 ACADEMIC APPEALS: Academic issues relating to credit, the content of evaluations, and academic dishonesty are appealed to the Academic Deans who have authority to make final determinations.

**WSR 87-24-020**

**NOTICE OF PUBLIC MEETINGS  
TRANSPORTATION COMMISSION**

[Memorandum—November 23, 1987]

The January 1988, regular meeting of the Washington State Transportation Commission has been changed from January 21, 1988, to January 14, 1988, beginning at 9:30 a.m., in Room 1D2, Transportation Building, Olympia, Washington.

**WSR 87-24-021**

**PROPOSED RULES  
DEPARTMENT OF PERSONNEL  
(Personnel Board)**

[Filed November 24, 1987]

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 resignation, amending WAC 356-05-360;

that the agency will at 10:00, Thursday, January 14, 1988, in the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is 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 12, 1988.

Dated: November 18, 1987

By: Leonard Nord  
Secretary

**STATEMENT OF PURPOSE**

Amend WAC 356-05-360, Resignation.

Purpose: To define resignation, the means by which employees may voluntarily leave state service.

Statutory Authority: RCW 41.06.150(1).

Summary and Reasons: The word "state" is proposed to be added. Some confusion occurs when an employee tenders a resignation to accept a transfer, promotion, or demotion. In terms of the merit system rules, resignation is intended to mean voluntary separation from state service not separation for any one position.

Responsibility for Drafting: John Boesenberg, Department of Personnel, 5th and Pear, Mailstop EY-11, Olympia, WA, phone 586-1769; Implementation and Enforcement: Department of Personnel.

Agency or Organization Submitting Proposal: Department of Personnel, governmental agency.

This rule is not a result of federal law or federal or state court action.

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-05-360 RESIGNATION. A voluntary separation from state employment.

**WSR 87-24-022**

**PROPOSED RULES  
DEPARTMENT OF PERSONNEL  
(Personnel Board)**

[Filed November 24, 1987]

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:

Rep	WAC 356-05-450	Union shop.
Rep	WAC 356-05-455	Union shop fee.
Rep	WAC 356-05-460	Union shop representative.
New	WAC 356-05-451	Agency shop.
New	WAC 356-05-452	Agency shop representative.
New	WAC 356-05-456	Agency shop nonassociation fee.
New	WAC 356-05-461	Agency shop representation fee.
Amd	WAC 356-42-010	Membership in employee organization.
Amd	WAC 356-42-043	Union shop requirements.
Amd	WAC 356-42-045	Union shop elections.
Amd	WAC 356-42-047	Union shop decertification.
Amd	WAC 356-42-050	Contents of written agreements.
Amd	WAC 356-42-060	Unfair labor practices for management.
Amd	WAC 356-42-070	Unfair labor practices for employee organizations;

that the agency will at 10:00 a.m., Thursday, January 14, 1988, in the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is 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 12, 1988.

This notice is connected to and continues the matter in Notice No. WSR 87-19-041 filed with the code reviser's office on September 14, 1987.

Dated: November 17, 1987

By: Leonard Nord  
Secretary

**WSR 87-24-023**  
**PROPOSED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**

[Filed November 24, 1987]

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 356-42-020	Determination of bargaining unit.
New	WAC 356-42-042	Election provision—General.
Amd	WAC 356-42-043	Union shop requirements.
Amd	WAC 356-42-045	Union shop elections.
New	WAC 356-42-049	Disclaimer of interest petition—Decertification of exclusive representative.
Amd	WAC 356-42-055	Arbitration—Grievance—Procedure.
Amd	WAC 356-42-082	Filing unfair labor practice charge.
Amd	WAC 356-42-084	Answer to complaint—Unfair labor practice.
New	WAC 356-42-105	Requests for mediation and arbitration.
Amd	WAC 356-42-020	Determination of bargaining unit.
Amd	WAC 356-42-082	Filing unfair labor practice charge.
Amd	WAC 356-42-084	Answer to complaint—Unfair labor practice;

that the agency will at 10:00 a.m., Thursday, January 14, 1988, in the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is 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 12, 1988.

This notice is connected to and continues the matter in Notice No. WSR 87-19-049 filed with the code reviser's office on September 14, 1987.

Dated: November 17, 1987

By: Leonard Nord  
 Secretary

**WSR 87-24-024**  
**ADOPTED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**

[Order 283—Filed November 24, 1987—Eff. January 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to:

Amd	WAC 356-30-180	Transfer—Domiciliary movement.
Amd	WAC 356-30-190	Transfer—Within class—Agency—Permitted—Report.
Amd	WAC 356-30-230	Demotion—Voluntary.

This action is taken pursuant to Notice No. WSR 87-19-048 filed with the code reviser on September 14, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

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 November 12, 1987.

By Leonard Nord  
 Secretary

**AMENDATORY SECTION** (Amending Order 11 [112], filed 11/7/77)

**WAC 356-30-180 TRANSFER REQUIRING RELOCATION OF POSITION WITH INCUMBENT—DOMICILIARY MOVEMENT.** (1) All transfers of permanent employees from one ((established)) position to another ((established)) position ((which)) in a different geographic area that will require an incumbent to move his/her domicile ((to another geographic area)) to be within reasonable commuting distance of the new position will be made with the voluntary concurrence of the incumbent. Such actions shall be reported to the director.

(2) Relocation of positions occupied by incumbents from one geographic area to another geographic area because of a reduction of work, lack of work, lack of funds, or good faith reorganization for efficiency purposes shall be made in accordance with the reduction in force rules and employee rights therein.

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

**AMENDATORY SECTION** (Amending Order 36, filed 7/1/71, effective 8/1/71)

**WAC 356-30-190 TRANSFER—WITHIN CLASS—AGENCY—PERMITTED—REPORT.** A transfer of a permanent employee ((from a)) to another position in the same class within ((a subdivision or in one organizational subdivision of an agency to a position in the same class in another organizational subdivision of)) the same agency may be made at any time by the appointing authority ((concerned)) provided ((employees who have been separated due to a reduction in force and employees who have been notified they are scheduled for reduction in force, first within the layoff unit, and secondly within the department, have been offered the transfers in accordance with their seniority. Such transfers shall be reported to the director)) such transfers are offered first to employees on the reduction in force registers and employees in the layoff unit who have been notified they are scheduled for reduction in force. However, transfers within the employee's own layoff unit may be made ((prior to)) without consulting the reduction in force registers. Transfers made in accordance with this rule shall be reported to the director.

AMENDATORY SECTION (Amending Order 202, filed 5/2/84)

WAC 356-30-230 DEMOTION—VOLUNTARY. (1) ~~((A))~~ Permanent employees, or ~~((am))~~ employees separated within the last year by reduction in force, ~~((or an employee who has been notified that he/she is scheduled for reduction in force may voluntarily take a position, which is by definition a demotion, when the position is in a class which is the same or a related class for which the person qualified, as determined by the director))~~ may accept a voluntary demotion to a class for which they qualify, as determined by the director of personnel or designee provided such positions are offered in order of seniority first to employees on the agency and service-wide reduction in force registers and to employees within the layoff unit who have been notified in writing that they are scheduled for reduction in force. ~~((When such voluntary demotions are granted as an option to fill vacancies, they shall be done according to seniority and offered first, within the employee's layoff unit, then within the department, and then service-wide. No further examination will be required.))~~ The employee will not serve a trial service period unless referred from the promotional or voluntary demotion register to a class not previously held.

(2) Voluntary demotions to a class in which the employee has not held permanent status may require examination as determined by the director of personnel or designee.

~~((2))~~ (3) A proposed demotion shall be approved by the director of personnel or designee prior to the effective date of the action.

~~((3))~~ (4) ~~((A))~~ Permanent employees may ~~((also qualify or))~~ compete promotionally for classes or positions in other series which by definition are demotions ~~((; by completing an application form and taking the appropriate examination))~~.

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

**WSR 87-24-025**  
**ADOPTED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**

[Order 284—Filed November 24, 1987—Eff. January 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to Certification—General methods, WAC 356-26-060.

This action is taken pursuant to Notice No. WSR 87-19-047 filed with the code reviser on September 14, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

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 November 12, 1987.

By Leonard Nord  
 Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

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

(1) One name will constitute a complete certification when referrals are made from the agency reduction in force register, the service-wide reduction in force register, or the dual agency reversion register. When an appointing authority requests a selective certification for specialized qualifications, the eligible candidate must meet the selective criteria in order to be referred to the position, provided:

(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) It has been determined that the position involves new duties that would warrant future selective certification. Such selective criteria shall not be applied for certification purposes until six months after the department of personnel approves the selective criteria for the position.

(d) In the case of (a), (b), or (c) of this subsection, the director of personnel or designee must determine that the specialized qualifications are still required for successful job performance and cannot be learned within a reasonable length of time.

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

(3) When more than one candidate has the same examination rating and when necessary to limit the number of names to four more than the number of vacancies, ties shall be broken by lot upon each instance of certification.

(4) An unranked register may be used to complete a certification. In such cases, all names appearing on that register shall be certified. Subsequent unranked registers shall not be used until the certification is again incomplete.

(5) The director of personnel, upon request and after consultation with the employing agency and employee

representatives, may declare positions, groups of positions or classes of positions as in-training positions. The in-training designation is normally at the second level of a series. Such positions may be filled from the register for the ~~((next lower))~~ entry level class in the series. The employee shall automatically advance to the higher level after completion of one year of service in the ~~((lower))~~ entry level class. When the classification specifications require completion of a formal training plan to advance, such positions may be filled from a register of any lower level class in the series; the employee shall automatically advance to the next higher level in the series after completion of the training period designated in the specification.

(6) When the vacancy to be filled is identified as part of an agency's affirmative action goals as established by their approved affirmative action plan, the director of personnel may, except where there are employees on the reduction in force register, refer up to three additional names per vacancy of individuals who are on existing registers and who are members of the protected groups. This action may be taken when necessary to comply with the best standards of personnel administration as contemplated by chapter 41.06 RCW.

Prior to the utilization of this subsection, the agency shall determine if there are protected group members on the existing registers. If there are fewer than three protected group members on the register, the agency shall:

(a) Appoint one of the eligibles from the register; or  
 (b) Request assistance from the department of personnel in completing the certification. The department of personnel and the agency will then initiate targeted recruitment.

(7) When one or more of the following conditions exist, the director of personnel or designee may certify a sufficient number of names to assure that the requesting agency has not less than five names available for consideration:

(a) The position is in an isolated or undesirable location.  
 (b) The position has undesirable working conditions.  
 (c) The agency needs to fill several positions in the class.  
 (d) One or more agencies have had difficulty filling positions in the class.  
 (e) The director of personnel or designee determines that such certification is necessary to provide the requesting agency with efficient service.

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

(8) Permanent employees certified from a ranked register for consideration of appointment shall be notified by the agency at the time of the referral. Upon appointment the agency shall advise those employees certified but not appointed of the action taken.

## WSR 87-24-026

## ADOPTED RULES

## DEPARTMENT OF PERSONNEL

## (Personnel Board)

[Order 285—Filed November 24, 1987—Eff. January 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to:

Amd WAC 356-15-090 Schedule change and compensation.  
 Amd WAC 356-15-030 Overtime provisions and compensation.

This action is taken pursuant to Notice No. WSR 87-19-045 filed with the code reviser on September 14, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

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 November 12, 1987.

By Leonard Nord  
 Secretary

AMENDATORY SECTION (Amending Order 282, filed 9/16/87, effective 11/1/87)

WAC 356-15-030 OVERTIME PROVISIONS AND COMPENSATION. (1) The following conditions constitute overtime:

(a) For full-time employees, work in excess of the workshift within the work day.

(b) Work in excess of forty ~~((working))~~ non-overtime hours in one workweek or eighty ~~((working))~~ non-overtime hours in a scheduled fourteen consecutive day period as authorized under WAC 356-15-020 (2)(a)(ii).

(c) Work on a holiday (except Sunday when it is within the ~~((assigned))~~ scheduled workshift). Scheduled work performed on a Sunday which is coincidental with some other State holiday is overtime work.

(d) Work on a scheduled day off.

(e) Time worked in excess of the 28-day work period by law enforcement positions.

(2) Scheduled work period employees shall receive overtime compensation for work which meets subsection (1)(a) through (d) of this section.

(3) Nonscheduled work period employees shall receive overtime compensation for work which meets subsection (1)(b) through (d) of this section and may be paid overtime compensation for work which meets subsection (1)(a) of this section.

(4) Law enforcement positions have a one hundred sixty-hour, twenty-eight-day work period, rather than a forty-hour workweek.

(a) When the combination of credited work hours (vacation, sick leave, holidays, or compensatory time) and actual work hours exceeds one hundred sixty hours,

the employee shall be compensated at time and one-half rates in cash or compensatory time at the option of the agency.

(b) Overtime compensation for actual work in excess of one hundred seventy-one hours in a work period may be in the form of compensatory time off if the employee and the agency agree.

(c) Assigned, actual work on a holiday shall be considered as work in excess of one hundred sixty hours.

(d) For the positions receiving assignment pay for an extended work period, the following special provisions apply:

(i) These law enforcement classes or positions have a one hundred seventy-one-hour, twenty-eight-day work period, for which they receive four ranges (approximately ten percent) above the base salary range.

(ii) When the combination of credited work hours and actual work hours exceeds one hundred seventy-one hours, the employee shall be compensated at time and one-half rates. Compensation may be in the form of compensatory time off if the employee and the agency agree.

(iii) Assigned, actual work on a holiday shall be considered as work in excess of one hundred seventy-one hours.

(5) Exceptions work period employees are not required to be compensation beyond their regular monthly rate of pay for work which meets subsection (1)(a) through (d) of this section. However, they may be compensated or granted exchange time for any of those conditions if their appointing authority deems it appropriate.

(a) If overtime compensation is authorized, the appointing authority may fix the rate, not to exceed the overtime rate (WAC 356-05-231). As indicated in subsection (5) of this section, the agency and the employee may agree to use compensatory time off in lieu of cash; in that event, the rules covering liquidation of compensatory time apply.

(b) Exchange time may be authorized for any number of hours worked beyond the exceptions work period employee's normal hours of work. For those hours authorized, the rate shall be equal hours off for those worked. Exchange time can be accrued to a limit determined by each agency, not to exceed one hundred seventy-four hours. The exchange time accrual for incumbents in the class of youth development and conservation corps camp supervisor only may be increased to four hundred eighty hours by the employing agency.

(c) Employees must be allowed, and may be required, to use all exchange time in excess of eighty hours prior to each April 1 and October 1, or other semiannual dates fixed by an agency and made known to its employees and the director of personnel by that agency's director. As an exception to the above, the director of personnel may establish a single annual date based on the special needs of the requesting agency. Employees must exhaust their exchange time before using compensatory time or vacation leave unless this would result in a loss of accumulated leave.

(d) Employee absence on approved exchange time shall be considered as time worked for payroll purposes.

(e) Exchange time has no cash liquidation value. However, employees voluntarily terminating from state service or transferring to another agency must be offered the opportunity to postpone their cessation of employment by the granting agency until their accumulated, authorized exchange time has been used. Employees who were separated due to a reduction in force or disability separation are entitled to reinstatement of accumulated exchange time if they are rehired on a permanent basis by the granting agency within three years of separation.

(6) Overtime shall be compensated in accord with the provisions of WAC 356-14-230 through 356-14-265.

(7)(a) Part-time employees whose positions are in job classes designated as scheduled, nonscheduled, or law enforcement shall receive overtime compensation for work which meets subsection (1)(b) or (c) of this section.

(b) Hourly paid employees whose positions are in job classes designated as exceptions are not exempt from the overtime provisions of the Fair Labor Standards Act. For these employees, an agency must determine and notify the employee of the beginning of the workweek, must maintain the wage and hour records identified in WAC 356-14-220, and must pay overtime compensation for actual hours worked in excess of 40 non-overtime hours in a workweek.

**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 274, filed 5/1/87, effective 6/1/87)

WAC 356-15-090 SCHEDULE CHANGE AND COMPENSATION. (1) The appointing authority shall schedule the working days and hours of scheduled work period employees. This schedule shall remain in effect for at least seven calendar days, and may be changed only with seven or more calendar days notice. If seven calendar days notice is not given, a new schedule does not exist until the notice period expires. Agencies may notify employees of more than one future schedule change in a single notice.

The seven calendar days notice of changes in working days and/or hours must be given to the affected employees during their scheduled working hours. The day that notification is given shall constitute a day of notice.

(2) If the appointing authority changes the assigned hours or days of scheduled work period employees without giving them at least seven days notice of the change, employees will be paid for all time worked outside the scheduled hours or days at the overtime rate for the duration of the notice period.

(a) When changes in employees' assigned hours or days are made without proper notice, employees may work their scheduled hours or days unless the appointing authority deems that:

(i) The employees are unable to perform satisfactorily as the result of excessive overtime hours; or

(ii) The work which normally would have been performed within the scheduled hours or days cannot be performed.



(b) The state is not obligated to pay for those scheduled hours or days not worked, unless the employee is on an authorized leave of absence with pay.

(c) Overtime pay and shift or schedule change pay shall not be paid for the same incident.

(3) Regardless of whether advance notice is given, an agency is not obligated to pay overtime due to a change in work schedule, when such a change is in response to a request from an employee, provided the employee works no more than forty hours in a workweek.

When the majority of employees in a work unit ask, in writing, for such a change, and the work unit can function properly only if all employees in the unit work the proposed schedule or scheduling plan, the agency is authorized to approve the change for the entire unit as an employee-initiated change. A written request for a schedule change from the exclusive representative shall constitute a request of employees within a certified bargaining unit.

(4) When an agency initiates a scheduled change from one scheduled standard work schedule to another scheduled standard work schedule, there is created a seven-day transition period.

(a) The transition period starts at the beginning of the shift of the previous schedule which would have begun a new five-consecutive-day work cycle.

(Example: An eight-to-five Tuesday through Saturday employee changes to a Sunday-Thursday schedule beginning on Sunday. The transition period starts at eight a.m. on the last Tuesday of the old schedule, and runs until eight a.m. on the first Tuesday under the new schedule.)

(b) If, during the transition period, the employee must work more than five of the seven workdays, then the work in excess of forty non-overtime hours will be paid at overtime rates.

(c) If ((an agency, after providing seven days' notice, initiates a schedule change which)), during the transition period, the schedule change causes ((a scheduled standard work period)) an employee to begin work ((at an earlier point in time)) on an earlier day of the workweek or at an earlier hour of the workday than was required under the old schedule, the employee will be paid at the overtime rate for the first hours worked in the new schedule which precede the next hours which the employee would have worked under the old schedule.

(5) Contingency scheduling is allowed for employees in scheduled work period positions having the following responsibilities: Highway snow, ice and avalanche control, grain inspection, horticulture inspection, and in the department of natural resources, forest fire suppression, "hoot owl," forest fuels management and aerial applications.

Therefore, for employees in scheduled work period positions, the appointing authority shall not be bound by the above scheduled shift change notice requirement, if the appointing authority notifies affected employees of the contingency schedule in writing when they enter the position or not less than 30 days prior to implementation.

When conditions mandate the activating of the contingency schedule, the appointing authority shall pay affected employees the overtime rate for all hours worked outside the original schedule at least for the employee's first shift of the contingency schedule and for other overtime hours covered by subsection (6) of this section.

(6) When a scheduled or nonscheduled work period employee experiences a schedule change (within or between agencies) which causes an overlap in workweeks and requires work in excess of forty hours in either the old or the new workweek, the employee must receive overtime compensation at least equal to the amount resulting from the following calculations:

(a)(i) Starting at the beginning of the "old" workweek, count all hours actually worked before the end of that workweek, and calculate the straight-time pay and the overtime pay (based on "regular rate" as defined in WAC 356-05-353).

(ii) Starting at the conclusion of the "new" workweek, count back to include all hours actually worked since the beginning of that workweek, and calculate the straight time and overtime (based on "regular rate" as defined in WAC 356-05-353).

(iii) Pay the larger amount calculated under (a)(i) and (ii) of this subsection.

(b) If any other combination of straight-time and time-and-one-half-rate pay required by these rules results in an amount of pay, for either workweek, which is greater than the amount calculated in (a)(iii) of this subsection, then only the larger amount should be paid.

(7) If overtime is incurred as a result of employee movement between state agencies, the overtime will be borne by the receiving agency.

**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 87-24-027**  
**ADOPTED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**

[Order 286—Filed November 24, 1987—Eff. January 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to work period designations, WAC 356-15-020.

This action is taken pursuant to Notice No. WSR 87-19-044 filed with the code reviser on September 14, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

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 November 12, 1987.

By Leonard Nord  
Secretary

**AMENDATORY SECTION** (Amending Order 248, filed 5/28/86, effective 7/1/86)

**WAC 356-15-020 WORK PERIOD DESIGNATIONS.** (1) The personnel board shall assign a specific work period designation to each job class. In deciding which work period designation is appropriate, the personnel board shall consider the following factors:

(a) Whether the positions are exempt from the overtime provisions of the Fair Labor Standards Act as executive, administrative, professional, agricultural, outside sales, or recreational establishment personnel as summarized in chapter 356-05 WAC.

(b) Whether the positions have been historically paid overtime by the state.

(c) Whether the private sector or other governmental jurisdictions have a historical or prevailing overtime pay practice for direct counterpart positions.

(d) Other factors it may deem to be appropriate.

(2) The personnel board may authorize a work period designation for an individual position which differs from the class-wide designation when the position has atypical working conditions. When two or more designations are indicated for a job class, the first designation listed shall constitute the class-wide designation. Each position shall be assigned only one designation. The work period designation for persons on "in-training" and "underfill" appointments shall be the same as that of the position to which they are appointed, except that if the position is designated "exceptions," the employee's work period designation will be "nonscheduled."

(a) **Scheduled (S):**

(i) **Standard:** Full-time positions with conditions of employment which may be completed within five consecutive work days, each having the same starting time and lasting not more than eight working hours, and occurring within the same workweek.

(ii) **Alternate:** Full-time positions with conditions of employment which may be completed within:

(A) Five work days lasting not more than eight working hours within the same workweek but which, because of operational necessity, cannot be scheduled with the same daily starting time or with consecutive days off; or

(B) Four work days lasting not more than ten working hours each within the same workweek; or

(C) Four nine-hour work days and one four-hour work day; or

(D) Ten consecutive work days with four consecutive days off; or

~~((F))~~ (E) Ten work days lasting not more than eight working hours and occurring within a scheduled fourteen consecutive day period. Positions are restricted to employees in the registered nurse class series who

work in an institutional hospital primarily engaged in the care of residents.

~~((F))~~ (F) Continuous five work-days-per-week shifts which rotate each 28 days to a different schedule of regular days and hours per week. The rotation involves extended or shortened time off between the ending shift of one schedule and the beginning shift of the next, but does not require more than eight hours work in any one 24-hour period within a schedule, nor more than fifty-two 40-hour workweeks per year. Positions are limited to communications officers and scheduled commercial vehicle enforcement officers of the state patrol.

After giving written notice to the employee and the certified exclusive representative, the employer may implement an alternate schedule provided the employer can document a program need for the alternate schedule or the alternate schedule is mutually agreeable to the employer and employee.

(iii) **Unlisted:** Full-time positions for which the director of personnel has approved a schedule or scheduling plan not allowed above. Such unlisted schedules may be approved by the director of personnel when both the agency and the affected employees are in agreement. Approval by the exclusive representative shall constitute approval of employees within a certified bargaining unit.

(b) **Nonscheduled (NS):** Full-time positions with conditions of employment which necessitate adjustment of hours by employees within forty working hours within the workweek. These positions may have preset schedules or task assignments which require their attendance at certain hours, but are generally responsible to adjust their hours to best accomplish their workload.

(c) **Law enforcement (L):** Full-time positions which meet the law enforcement criteria of section 7(k) of the Fair Labor Standards Act. (Defined as law enforcement personnel in WAC 356-05-210.)

(d) **Exceptions (e):** Full-time positions which are exempt from the overtime provisions of the Fair Labor Standards Act as executive, administrative, professional, agricultural, outside sales, or recreational establishment personnel as summarized in chapter 356-05 WAC.

## WSR 87-24-028

### ADOPTED RULES

### DEPARTMENT OF PERSONNEL

#### (Personnel Board)

[Order 287—Filed November 24, 1987—Eff. January 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to Exemptions—Exceptions, WAC 356-06-020.

This action is taken pursuant to Notice No. WSR 87-19-042 filed with the code reviser on September 14, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

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 November 12, 1987.

By Leonard Nord

Secretary

AMENDATORY SECTION (Amending Order 237, filed 10/23/85, effective 12/1/85)

WAC 356-06-020 EXEMPTIONS—EXCEPTIONS. With the exceptions noted in subsection (20) of this section the provisions of these rules do not apply to:

(1) Members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature.

(2) Judges of the supreme court, of the superior courts or of the inferior courts or to any employee of, or position in the judicial branch of, state government.

(3) Officers, academic personnel and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board.

(4) Employees of the state printing office.

(5) The officers of the Washington state patrol.

(6) Elective officers of the state.

(7) The chief executive officer of each agency.

(8) In the departments of employment security and fisheries, the director and the director's confidential secretary.

(9) In the department of social and health services, the secretary, the secretary's executive assistant, if any; not to exceed six assistant secretaries, thirteen division directors, six regional directors and one confidential secretary for each of the above named officers; not to exceed six bureau directors and all superintendents of institutions of which the average daily population equals or exceeds one hundred residents: PROVIDED, That each such confidential secretary must meet the minimum qualifications for the class of secretary 2 as determined by the state personnel board.

(10) In all departments except those mentioned in subsection (8) above, the executive head of which is appointed by the governor, the director, the director's confidential secretary, and the statutory assistant directors.

(11) In the case of a multi-member board, commission or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or otherwise chosen.

(a) All members of such boards, commissions or committees.

(b) If the members of the board, commission or committee serve on a part-time basis and there is a statutory executive officer:

(i) The secretary of the board, commission or committee.

(ii) The chief executive officer of the board, commission or committee.

(iii) The confidential secretary of the chief executive officer of the board, commission or committee.

(c) If the members of the board, commission or committee serve on a full-time basis:

(i) The chief executive officer or administrative officer as designated by the board, commission or committee.

(ii) The confidential secretary to the chairman of the board, commission or committee.

(d) If all members of the board, commission or committee serve ex officio:

(i) The chief executive officer.

(ii) The confidential secretary of such chief executive officer.

(12) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state.

(13) Assistant attorneys general.

(14) Commissioned and enlisted personnel in the military service of the state.

(15) Resident, student, part-time or temporary employees, and part-time professional consultants as defined by the state personnel board to include:

(a) State and local officials serving ex officio and performing incidental administrative duties in the programs of the agency.

(b) Part-time local health officers.

(c) Persons employed on a part-time, or temporary basis for medical, nursing or other professional service and who are not engaged in the performance of administrative duties.

(d) Part-time or temporary employees who are enrolled as full-time students in recognized educational institutions and whose employment is largely to provide training opportunity, and all temporary employees not in federal grant-in-aid programs.

(e) Patient and resident help in the covered institutions.

(f) Skilled and unskilled labor employed temporarily on force account; construction and maintenance projects; or employed on temporary seasonal single phases of agricultural production or harvesting; or as determined by the director of personnel to be equivalent.

(g) Washington state patrol trooper cadets in training for commissioning as troopers in the Washington state patrol.

(16) All officers and employees in those commissions made exempt by legislative action, namely:

(a) Washington state fruit commission.

(b) Washington state apple commission.

(c) Washington state dairy products commission.

(d) Washington state wheat commission.

(e) Officers and employees of any commission formed under the provisions of chapter 15.66 RCW.

(f) Agricultural commissions formed under the provisions of chapter 15.65 RCW.

(17) One deputy executive secretary of the Washington centennial commission.

(18) Up to a total of five senior staff positions of the Western library network under chapter 27.26 RCW responsible for formulating policy or for directing program management of a major administrative unit.

(19) In the department of information services, up to twelve positions in the planning component involved in policy development and/or senior professionals.

(20) Up to five employees of the Washington basic health plan.

~~((17))~~ (21) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part-time agency vendors employed by the liquor control board, when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise or services as a self-sustaining private retail business.

~~((18))~~ (22) Executive assistants, for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law.

~~((19))~~ (23) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing after proper notice, on requests submitted pursuant to this subsection. If the personnel board determines that the position for which exempting is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred eight-seven for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

~~((20))~~ (24) While other provisions of these rules do not apply, the personnel board shall determine salaries and fringe benefits of incumbents in all exempt positions in agencies with positions under the jurisdiction of the personnel board, other than positions listed under subsections (5) through (8), (11)(a) and (b), ~~(and)~~ (12) through ~~((17))~~ (16), and (21) of this section.

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

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

**WSR 87-24-029**  
**ADOPTED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**

[Order 288—Filed November 24, 1987—Eff. January 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to Compensatory time—Liquidation, WAC 356-14-260.

This action is taken pursuant to Notice No. WSR 87-20-009 filed with the code reviser on September 28, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

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 November 12, 1987.  
By Leonard Nord  
Secretary

AMENDATORY SECTION (Amending Order 184, filed 5/19/83)

WAC 356-14-260 COMPENSATORY TIME—LIQUIDATION. Agencies may require that compensatory time off shall be scheduled as soon as possible after accrual and with due regard for the employee's needs, insofar as this can be accomplished without detracting from sound and orderly administration.

Agencies may require that accumulated compensatory time ~~((staff))~~ be liquidated before vacation leave is granted except in those instances where this procedure would result in loss of accumulated vacation leave.

**WSR 87-24-030**  
**NOTICE OF PUBLIC MEETINGS**  
**ARTS COMMISSION**

[Memorandum—November 23, 1987]

Following is the calendar of 1988 meetings of the Washington State Arts Commission:

January 28 and 29, 1988	Olympia
March 24 and 25, 1988	Everett
May 26 and 27, 1988	Ellensburg

July 28 and 29, 1988  
 September 22 and 23, 1988  
 December 1 and 2, 1988

Vancouver  
 Richland  
 Seattle

All meetings are open to the public and announced through state-wide media releases. For further information, contact Michael A. Croman, Executive Director, Washington State Arts Commission, Mailstop GH-11, Olympia, WA 98504-4111, or call (206) 753-3860.

### WSR 87-24-031

#### NOTICE OF PUBLIC MEETINGS COUNCIL ON VOCATIONAL EDUCATION

[Memorandum—November 24, 1987]

Cascade Room  
 West Coast Sea-Tac Hotel  
 Seattle, Washington  
 December 10-11, 1987

The meeting site is barrier free. Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Council on Vocational Education, 120 East Union, Room 220, EK-21, Olympia, WA 98504, (206) 753-3715 by December 7, 1987.

### WSR 87-24-032

#### ADOPTED RULES PARKS AND RECREATION COMMISSION

[Order 102—Filed November 24, 1987]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

New	WAC 308-94-035	Snowmobile registration fee.
Amd	WAC 352-04-010	Meeting dates and locations.
Amd	WAC 352-32-165	Public assemblies, meetings.
Amd	WAC 352-32-130	Aircraft.
Amd	WAC 352-32-25001	Recreation and conference center fees.

This action is taken pursuant to Notice No. WSR 87-20-092 filed with the code reviser on October 7, 1987. 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 46.10.040, 43.51.040 and 43.51.060 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 November 20, 1987.

By Edward T. Luders  
 Chair

### NEW SECTION

WAC 308-94-035 SNOWMOBILE REGISTRATION—FEE. Beginning with the registrations that expire September 30, 1989, the registration fee for snowmobiles required to be registered in accordance with RCW 46.10.020 shall be \$12.50 annually.

### AMENDATORY SECTION (Amending Order 75, filed 1/26/84)

WAC 352-04-010 DUTIES OF CHAIRPERSON AND CONDUCT OF MEETINGS. (1) The chairperson shall call and preside at all regular or special meetings.

(2) The duties of the vice chairperson shall be to preside at all regular or special meetings in the absence of the chairperson. In addition, the vice chairperson shall serve as chairperson upon the resignation, death, or incapacitation for any reason of the chairperson, and shall so serve until the next regular election, or until the chairperson is again able to serve, whichever shall first occur.

(3) The secretary shall cause minutes to be taken and recorded of all regular or special meetings, and shall sign such minutes when transcribed and approved by the commission. In addition, the secretary shall succeed to the offices of vice chairperson or chairperson in the same manner and under the same conditions as set forth above for the vice chairperson.

(4) Eight regular meetings shall be held each calendar year, (~~commencing at 9:00 a.m.,~~) on the ~~((third Friday of each month in which a meeting is to be held))~~ dates, times, and locations published in the January publication of the Washington State Register, unless otherwise called by the chairperson or a majority of the commissioners. An annual schedule of the months in which meetings are to be held, and their locations, will be adopted by the commission during the last regular meeting of each calendar year, and will be published each January in the Washington State Register, in accordance with RCW 42.30.075.

(5) An annual election shall be conducted for the offices of chairperson, vice chairperson, and secretary, at the first regular meeting of every year. The election shall be conducted by written ballot.

(6) The order of business at all regular meetings shall be:

- The call of the roll.
- Minutes of the previous meeting.
- Acceptance of agenda.
- Business of the day.
- Date and location of next meeting.
- Adjournment.

(7) The chairperson shall be a voting member of the commission. A majority of the authorized commission membership shall constitute a quorum for the transaction of business at all regular and special meetings. A majority vote of the commissioners present shall be sufficient to pass or defeat each measure brought to a vote, unless otherwise required by law. When a unanimous vote of the authorized membership of the commission is required by law to pass any measure brought to a vote,

the vote of any absent commissioner may be registered by mail, or by telephone: PROVIDED, That any mailed ballot shall be opened and read, or any telephoned vote shall be communicated during the meeting at which such measure is being considered: AND PROVIDED FURTHER, That the chairperson shall identify the absent commissioner or commissioners so voting, and that such identification shall be incorporated into the minutes of the meeting.

**AMENDATORY SECTION** (Amending Order 100, filed 3/23/87, effective 5/15/87)

WAC 352-32-010 DEFINITIONS. Whenever used in this chapter the following terms shall be defined as herein indicated:

(1) "Commission" shall mean the Washington state parks and recreation commission.

(2) "Director" shall mean the director of the Washington state parks and recreation commission.

(3) "Ranger" shall mean a duly appointed Washington state parks ranger who is vested with police powers under RCW 43.51.170, and shall include the park manager in charge of any state park area.

(4) "Person" shall mean all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

(5) "Recreation vehicle" shall mean a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.

(6) "Standard campsite" shall mean a designated camping site which is served by nearby domestic water, sink waste, garbage disposal and flush comfort station. Each campsite includes a camp stove and picnic table.

(7) "Utility campsite" shall mean a standard campsite with the addition of one or all of the following utility hookups: Domestic water, sewer and electricity.

(8) "Primitive campsite" shall mean a campsite not provided with flush comfort station nearby and which may not have any of the amenities of a standard campsite.

(9) "Multiple campsite" shall mean a designated and posted camping facility encompassing two or more individual standard, utility or primitive campsites.

(10) "Camping" shall mean erecting a tent or shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(11) "Group camping areas" are designated areas usually primitive with minimal utilities and site amenities and are for the use of organized groups. Facilities and extent of development vary from park to park.

(12) "Emergency area" is an area in the park separate from the designated overnight camping area, which may be used for camping between the hours of 9 p.m. and 8 a.m. when no alternative camping facilities are available within reasonable driving distances.

(13) "State park area" shall mean any area under the ownership, management, or control of the commission, including trust lands which have been withdrawn from

sale or lease by order of the commissioner of public lands and the management of which has been transferred to the commission, and specifically including all those areas defined in WAC 352-16-020. State park areas do not include the seashore conservation area as defined in RCW 43.51.655 and as regulated under chapter 352-36 WAC.

(14) "Environmental learning centers (ELC)" shall mean those designated specialized facilities (formerly called resident group camps) designed to promote outdoor camping experiences and environmental education by groups in a residential setting. A group can be formalized group or an organized collection of families wishing to camp or use the ELC. ELCs are located at Camp Wooten, Columbia County; Brooks Memorial State Park, Klickitat County; Sun Lakes State Park, Grant County; Deception Pass State Park, Island and Skagit Counties; Fort Flagler State Park, Jefferson County; Millersylvania State Park, Thurston County; Moran State Park, San Juan County; Fields' Spring State Park, Asotin County; and Sequim Bay State Park, Clallam County.

(15) "Public assembly" shall mean a meeting, rally, gathering, demonstration, vigil, picketing, speechmaking, march, parade, religious service, or other congregation of persons for the purpose of public expression of views of a political or religious nature for which there is a reasonable expectation that more than one hundred persons will attend based on information provided by the applicant. Public assemblies must be open to all members of the public, and are generally the subject of attendance solicitations circulated prior to the event, such as media advertising, flyers, brochures, word-of-mouth notification, or other form of prior encouragement to attend.

Alternatively, the agency director may declare an event to be a public assembly in the following cases: Where evidentiary circumstances and supporting material suggest that more than one hundred persons will attend, even where the applicant does not indicate such an expectation; or where there is reason to expect a need for special preparations by the agency or the applicant, due to the nature or location of the event.

(16) "Camping unit" shall mean a group of people (one or more persons) that is organized, equipped and capable of sustaining its own camping activity.

~~((+6))~~ (17) "Residence" shall mean the long-term habitation of facilities at a given state park for purposes whose primary character is not recreational. "Residence" is characterized by one or both of the following patterns:

(a) Camping at a given park for more than twenty days within a thirty-day time period May 1 through September 30; or thirty days within a sixty-day time period October 1 through April 30. As provided in WAC 352-32-030(7), continuous occupancy of facilities by the same camping unit shall be limited to ten consecutive nights May 1 through September 30 and fifteen consecutive nights October 1 through April 30 in one park, after which the camping unit must vacate the overnight park facilities for three consecutive nights. The time period shall begin on the date for which the first night's fee is paid.

(b) The designation of the park facility as a permanent or temporary address on official documents or applications submitted to public or private agencies or institutions.

~~((17))~~ (18) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor and a moped.

~~((18))~~ (19) "Upland" shall mean all lands lying above mean high water.

**AMENDATORY SECTION** (Amending Order 92, filed 3/24/86)

WAC 352-32-165 PUBLIC ASSEMBLIES, MEETINGS. (1) Public ~~((meetings,))~~ assemblies ~~((, rallies, gatherings, demonstrations, vigils, picketing, speechmaking, marches, parades, religious services and other public expressions of views))~~ are permitted in state park areas on grounds which are open to the public generally, provided a permit therefor has been issued as herein provided.

(2) An application for such a permit may be submitted on such forms as may be provided by the commission, or in any written form so long as the permit application sets forth the following:

(a) Name, address and phone number of the applicant;

(b) Date, time, duration, nature and place of the proposed event, including a description or schedule of events and activities;

(c) Estimate of the number of persons expected to attend including the basis for the estimate;

(d) Special equipment, including temporary structures such as speakers' stands, platforms, lecterns, chairs, benches or the like, and any sound amplification equipment to be used in connection with the event;

(e) Special facilities, including emergency first aid, additional sanitation and refuse collection facilities, to be used in connection with the event;

(f) Crowd control to be provided by the event sponsor;

(g) Designation of a responsible contact individual with whom park officials may coordinate event activities, plans and preparations.

(3) The equipment and facilities referenced in subsection (2)(d) and (e), of this section, are to be provided by the event sponsor, unless other mutually satisfactory arrangements are made to use locally available commission owned equipment and facilities.

(4) The applicant must supply satisfactory evidence of arrangements for such equipment, facilities, and crowd control.

(5) The applicant must submit a completed environmental checklist along with the application. Environmental checklists are available at libraries, city planning offices, state parks, and similar outlets. Upon request, the agency will assist the applicant in completing the environmental checklist.

(6) It is recommended that permit applications be submitted at least fifteen days in advance of the proposed event so that the information supplied in the application may be verified and so that the agency can notify and coordinate action with officials of other jurisdictions and agencies responsible for health, safety and welfare.

(7) The permit application must be submitted along with a ten-dollar nonrefundable permit fee to the director of the Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, Washington 98504. The director, or his or her designee, may issue a permit consistent with the application, or otherwise modified in a manner which is acceptable to the applicant. The director will issue a permit on proper application unless:

(a) A prior application for the same time and place has been made which has been or will be granted; or

(b) The event will present a clear and present danger to the public health or safety; or

(c) The event is of such nature or duration that it cannot reasonably be accommodated in the particular park area applied for. In considering this, the director shall take into account the potential for significant environmental impact.

(8) All permit applications shall be deemed granted if not denied or otherwise conditioned or limited as herein specified, and the applicant advised of such action by written notification mailed, first-class postage prepaid, within ten days of receipt of the application. The granting of this permit does not exempt the applicant from complying with other state, county or local permit requirements nor does it excuse compliance with the state environmental policy act, where applicable. A threshold determination will be made by the agency to determine potential environmental impact. Applicants should be aware that timelines may exist under the state environmental policy act and implementing regulations which are independent of this permit requirement.

(9) All permit denials will be in writing, will contain a statement of the specific reasons for the denial, and will advise the applicants of the right to request judicial review of the denial as provided in subsection (11) of this section.

(10) A permit issued by the director may contain such conditions as are reasonably consistent with protection and use of the park area for the purposes for which it is maintained. It may also contain reasonable limitations on the time and area within which the event is permitted.

(11) Applicants whose permit application is denied may in writing request that the commission seek judicial review of the denial, in which event the commission shall timely seek a declaratory judgment pursuant to the Uniform Declaratory Judgment Act, chapter 7.24 RCW, and Superior Court Rule 57, in the superior court for Thurston County. Such requests shall be mailed, or otherwise delivered to the Director, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, Washington 98504.

**AMENDATORY SECTION** (Amending Order 9, filed 11/24/70)

WAC 352-32-130 AIRCRAFT. No aircraft shall land on or take off from any body of water or land area in a state park area not specifically designated for landing aircraft. This provision does not apply to official aircraft used in the performance of search and rescue missions, medical emergencies, law enforcement activities, or firefighting activities. It also does not apply in cases where the director specifically authorizes such landings or take offs, in writing, associated with the operational, or administrative needs of the agency or state.

**AMENDATORY SECTION** (Amending Order 98, filed 11/24/86)

WAC 352-32-25001 RECREATIONAL AND CONFERENCE CENTER HOUSING FEES AND MEETING ROOM FEES CHARGED. (1) The following fees shall be charged per day for recreational and conference center housing at Fort Worden State Park:

(a) Renovated housing

- Noncommissioned officers' row buildings—#331 and #332  
(4 units, each with 2 bedrooms)..... (~~(\$59.50)~~) \$61.25/unit
- Officers' row buildings—#5, #6, and #7  
(6 units, each with 3.5 bedrooms)..... (~~(\$96.00)~~) \$98.80/unit
- Officers' row buildings—#4 and #11  
(4 units, each with 6 bedrooms)..... (~~(\$158.50)~~) \$163.50/unit
- Charge for additional rollaway beds ..... \$9.50 per bed

(b) Nonrenovated housing

- Officers' row building—#9, #10 and #16  
(5 units, each with 3 bedrooms)..... (~~(\$73.75)~~) \$76.00/unit
- Officers' row buildings—#15  
(1 unit with 5 bedrooms)..... (~~(\$116.00)~~) \$120.00/unit
- Charge for additional rollaway beds ..... \$9.50 per bed
- Bliss vista building—#235  
(1 unit with 1 bedroom)..... (~~(\$49.50)~~) \$51.00/unit

A deposit equal to the cost of the first night's fee for each unit rented is required. A \$10.00 per unit cancellation fee is deducted from the deposit for any cancelled reservations, to cover processing costs. If the cancellation is made less than three weeks prior to the arrival date, the entire deposit is forfeited, unless the unit is rerented.

Standard meal charges (meals optional for above-listed housing)

Breakfast.....\$	2.75
Lunch..... \$	( <del>(3.50)</del> ) <u>3.60</u>
Dinner..... \$	( <del>(5.35)</del> ) <u>5.45</u>
Total..... \$	( <del>(11.60)</del> ) <u>11.80</u>

Coffee service.....\$10.00  
minimum charge for any group of 20 or less. 50¢ per person for additional persons.

(c) Dormitory housing (for group reservations only—meals included)

1 - 2 days.....( <del>(\$21.00)</del> )	<u>\$21.30/person/day</u>
3 - 13 days..... ( <del>(\$19.30)</del> )	<u>\$19.55/person/day</u>
14 or more days..... ( <del>(\$17.80)</del> )	<u>\$18.05/person/day</u>

Dormitory linen and towel charge.....	\$7.90
Additional towel charges .....	\$ .60
Additional towel set .....	( <del>(\$1.55)</del> )
	<u>\$1.60</u>

The parks and recreation commission has an agreement with the Centrum organization which provides for use of Fort Worden State Park dormitory facilities and services in conjunction with special group programs administered by Centrum. For further information, contact Centrum at Fort Worden State Park.

(d) Barracks-style housing (for group reservations only—meals included)

1 - 2 days.....( <del>(\$19.30)</del> )	<u>\$19.60/person/day</u>
3 - 13 days..... ( <del>(\$17.80)</del> )	<u>\$18.05/person/day</u>
14 or more days..... ( <del>(\$16.15)</del> )	<u>\$16.40/person/day</u>

All meals are served in the dining hall.

Washington state sales tax is added to all charges.

(2) Meeting rooms are available at varying charges, depending on size, character of facility, and length of stay. Prices range between \$6.50 and \$33.00 for those residing in Fort Worden recreational housing, with increased charges for nonusers of recreational housing facilities. Additional cleaning fee is charged if food or beverages are consumed in the room. Theatre is available for performances—\$100.00 per day; for rehearsals—\$26.00 per night. The kitchen shelter is available for the minimum fee of \$20.00 per day plus a refundable \$50.00 cleaning deposit.

(3) Groups or organizations of twenty-five or more wishing to reserve the Fort Worden State Park housing or meeting room facilities may do so two years in advance of the date of use by contacting the park and completing and complying with procedures specified in the group booking agreement, available through the agency. Included in the provisions of the agreement are the following:

A deposit of \$100.00 per scheduled night for each dorm and \$100.00 per scheduled night for any combination of vacation housing rented, up to a combined maximum of \$1000.00, is required to confirm reservations. The deposit is refundable if cancellation is made more than ninety days in advance. Unrestricted partial cancellations of reserved housing facilities may be made up to sixty days in advance for dormitory facilities, or for vacation housing; partial cancellations made following these dates incur certain minimum charges specified in the group booking agreement. The deposit will be credited against the final bill.

(4) During the period from July 1 through Labor Day, conference center groups may reserve no more than twenty campsites per night in addition to other reserved conference center facilities.

**WSR 87-24-033**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 87-198—Filed November 24, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia,



Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this regulation is adopted at the recommendation of the Pacific Fishery Management Council to close sablefish harvest while allowing harvest of other bottomfish resources.

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 November 23, 1987.

By Bette M. Johnson  
for Joseph R. Blum  
Director

#### NEW SECTION

**WAC 220-44-05000K COASTAL BOTTOMFISH CATCH LIMITS.** Notwithstanding the provisions of WAC 220-44-050, effective November 25, 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)* – Unlawful to land widow rockfish taken with any gear.

(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 7,500 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 15,000 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 3,750 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 immediate prior landing. A calendar week is defined as Wednesday through the following Tuesday.

(5) *Sablefish* – Unlawful to land sablefish taken with any gear.

(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 initiation of transfer of catch from the fishing vessel, and all fish aboard the vessel are considered part of the vessel trip limit at the initiation 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 November 25, 1987:

**WAC 220-44-05000J COASTAL BOTTOMFISH CATCH LIMITS (87-185)**

**WSR 87-24-034**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 87-199—Filed November 24, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia,



Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, 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 hatchery escapement needs of coho salmon have not been met.

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 November 24, 1987.

By Bette M. Johnson  
for Joseph R. Blum  
Director

#### NEW SECTION

*WAC 220-57-21500G DUNGENESS RIVER. Notwithstanding the provisions of WAC 220-57-215, effective 12:01 a.m. November 26, 1987, until further notice it is unlawful to fish for or possess salmon taken for personal use from the waters of the Dungeness River.*

**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 87-24-035**

##### **PROPOSED RULES**

#### **DEPARTMENT OF PERSONNEL**

##### **(Personnel Board)**

[Filed November 25, 1987]

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 Employee appointment status—Upward reallocation, amending WAC 356-10-050;

that the agency will at 10:00 a.m., Thursday, December 10, 1987, in the Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is 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 December 8, 1987.

This notice is connected to and continues the matter in Notice No. WSR 87-19-043 filed with the code reviser's office on September 14, 1987.

Dated: November 24, 1987

By: Leonard Nord  
Secretary

#### **WSR 87-24-036**

##### **PROPOSED RULES**

#### **DEPARTMENT OF**

#### **SOCIAL AND HEALTH SERVICES**

##### **(Public Assistance)**

[Filed November 25, 1987]

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 Standards—Eligibility, amending chapter 388-29 WAC;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, 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 January 6, 1988.

The authority under which these rules are proposed is chapter 7, Laws of 1987 1st ex. sess.

The specific statute these rules are intended to implement is chapter 7, Laws of 1987 1st ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
Administrative Services  
Department of Social and Health Services  
Mailstop OB 39  
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 December 29, 1987. The meeting site is in a location which is barrier free.

Dated: November 24, 1987

By: Bill Griffith  
for Leslie F. James, Director  
Administrative Services

#### **STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: WAC 388-29-100, 388-29-125, 388-29-130, 388-29-146 and 388-29-280.

Purpose of the Rule Change: To update current need standards; to correct medical institution and adult family home (AFH) care standards; and to update clothing and personal incidental (CPI) standards for congregate care facility (CCF) and AFH residents.

Statutory Authority: Chapter 7, Laws of 1987 1st ex. sess.

Summary of the Rule Change: To increase need standards effective December 1, 1987; to increase the CPI for CCF and AFH residents effective September 1, 1987; and to remove WAC 388-29-146 as this information is contained in WAC 388-70-042.

Person Responsible for Drafting, Implementation and Enforcement of the Rule Change: Rita Jefferson, Program Manager, Office of Assistance Programs, mailstop OB-31C, phone 586-2838, scan 321-2838.

**AMENDATORY SECTION** (Amending Order 2404, filed 8/1/86)

WAC 388-29-100 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The ~~((state-wide))~~ statewide monthly need standards for basic requirements ~~((are))~~ shall be:

(a) Household with shelter costs effective ~~((July 1, 1986))~~ December 1, 1987.

Households residing in a lower income housing project assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act shall be treated as renters if they make any utility payment in lieu of a rental payment.

Recipients in Household	Need Standard
1	\$ <del>((511))</del> 533
2	<del>((646))</del> 675
3	<del>((800))</del> 835
4	<del>((941))</del> 982
5	<del>((1,084))</del> 1,131
6	<del>((1,230))</del> 1,284
7	<del>((1,421))</del> 1,483
8	<del>((1,572))</del> 1,641
9	<del>((1,727))</del> 1,802
10 or more	<del>((1,876))</del> 1,958

(b) Household with supplied shelter effective ~~((September 1, 1986))~~ December 1, 1987.

The monthly standard for supplied shelter includes requirements for food, clothing, personal maintenance and necessary incidentals, household maintenance, and transportation.

Recipients in Household	Need Standard
1	\$ <del>((302))</del> 316
2	<del>((382))</del> 399
3	<del>((472))</del> 492
4	<del>((556))</del> 581
5	<del>((640))</del> 667
6	<del>((726))</del> 757
7	<del>((839))</del> 874
8	<del>((928))</del> 968
9	<del>((1,019))</del> 1,063
10 or more	<del>((1,107))</del> 1,155

(2) One hundred eighty-five percent of the state-wide monthly need standard for basic requirements is:

(a) Household with shelter costs effective ~~((July 1, 1986))~~ December 1, 1987.

Recipients in Household	185% of Need Standard
1	\$ <del>((946))</del> 988
2	<del>((1,196))</del> 1,250
3	<del>((1,480))</del> 1,546
4	<del>((1,741))</del> 1,818
5	<del>((2,006))</del> 2,094
6	<del>((2,276))</del> 2,377
7	<del>((2,629))</del> 2,745
8	<del>((2,909))</del> 3,037
9	<del>((3,195))</del> 3,335
10 or more	<del>((3,471))</del> 3,624

(b) Household with supplied shelter effective ~~((September 1, 1986))~~ December 1, 1987.

Recipients in Household	185% of Need Standard
1	\$ <del>((559))</del> 586
2	<del>((707))</del> 740
3	<del>((874))</del> 912
4	<del>((1,029))</del> 1,076
5	<del>((1,184))</del> 1,235
6	<del>((1,344))</del> 1,402
7	<del>((1,553))</del> 1,618
8	<del>((1,717))</del> 1,792
9	<del>((1,886))</del> 1,968
10 or more	<del>((2,048))</del> 2,138

(3) The state-wide monthly payment standard shall be:

(a) Effective ~~((July 1, 1986))~~ December 1, 1987, payment standards for households with shelter costs reflecting a ratable reduction of ~~((38.6))~~ 41.1 percent of need standards.

Households residing in a lower income housing project assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act shall be treated as renters if they make any utility payment in lieu of a rental payment.

Recipients in Household	Payment Standard
1	\$ 314
2	397
3	492
4	578
5	666
6	756
7	873
8	966
9	1,061
10 or more	1,153

(b) Effective ~~((September 1, 1986))~~ December 1, 1987, payment standards for households with supplied shelter reflecting a ratable reduction of ~~((38.6))~~ 41.1 percent of the need standard.

The monthly payment standard for supplied shelter ~~((includes))~~ shall include requirements for food, clothing, personal maintenance and necessary incidentals, transportation, and household maintenance.

Recipients in Household	Payment Standard
1	\$ 186
2	235
3	290
4	342
5	393
6	446
7	515
8	570
9	626
10 or more	680

**AMENDATORY SECTION** (Amending Order 2215, filed 3/13/85)

WAC 388-29-125 STANDARDS OF ASSISTANCE—PERSONS IN MEDICAL INSTITUTIONS. Effective ~~((July 1, 1984))~~ January 1, 1986, the monthly standard for clothing, personal maintenance, and necessary incidentals for an eligible person in a skilled nursing home, a public nursing home, a general or tuberculosis hospital, or an intermediate care facility shall be ~~((thirty-five))~~ thirty-six dollars and ~~((fifty-five))~~ sixty-two cents.

**AMENDATORY SECTION** (Amending Order 2309, filed 12/2/85)

WAC 388-29-130 STANDARDS OF ASSISTANCE—PERSONS IN CONGREGATE CARE FACILITIES. (1) The standard for congregate care shall be the rate established and published by the department for payment to specific congregate care facilities which contract with the department to provide a specific level of care.

(2) The monthly standard for clothing, personal maintenance, and necessary incidentals for a person in a congregate care facility shall be ~~((thirty-six))~~ thirty-seven dollars and ~~((sixty-two))~~ thirty-five cents effective ~~((January 1, 1986))~~ September 1, 1987.

AMENDATORY SECTION (Amending Order 2215, filed 3/13/85)

WAC 388-29-280 STANDARDS OF ASSISTANCE—ADULT FAMILY HOME CARE. (1) The basic monthly standard for adult family home care shall be three hundred ~~((fifty-four))~~ seventy-seven dollars and ~~((fifty-five))~~ eleven cents.

(2) The monthly standard for clothing and personal maintenance and necessary incidentals for a person in an adult family home shall be ~~((thirty-five))~~ thirty-seven dollars and ~~((fifty-five))~~ thirty-five cents.

(3) Activities of daily living add-ons

- (a) 1-3 activities..... \$~~((36-58))~~ 37.68
- (b) 4-7 activities..... \$~~((54-85))~~ 56.50
- (c) 8-12 activities..... \$~~((79-23))~~ 81.61

(4) Health-related services, maximum of nine.....each..... \$~~((24-38))~~ 25.11

(5) Respite care..... \$11.57.

~~((6) These standards are effective July 1, 1984.)~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-29-146 STANDARDS OF ASSISTANCE—FOSTER CARE.

**WSR 87-24-037**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
 [Filed November 25, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning public water supplies, amending chapter 248-54 WAC;

that the agency will at 9:30 a.m., Wednesday, February 10, 1988, in the Multi-Purpose Room of St. Placid Priory, 320 College Street N.E., Lacey, 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 43.20 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 10, 1988, to State Board of Health, ET-23, Olympia, 98504.

Dated: November 17, 1987

By: Thelma Struck, Assistant Secretary  
Health and Rehabilitative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapter 248-54 WAC.

Purpose of Rule Change: To make the rule more readable; to clarify some inconsistencies presently in the rule; and to incorporate some new federal requirements of P.L. 99-339 "Safe Drinking Water Act Amendments of 1986."

Reason These Rules are Necessary: To assure provision of potable drinking water to public drinking water consumers; to comply with provisions of the "Federal Safe Drinking Water Act"; and to comply with provisions of chapter 43.20 RCW.

Statutory Authority: Chapter 43.20 RCW.

Summary: Chapter 248-54 WAC is being amended to clarify requirements of owning and operating a public water system. An additional section is being added to protect consumers from exposure to lead in drinking water.

Person Responsible for Drafting These Rules: Alan Rowe, Drinking Water Program Manager, Office of Environmental Health Programs, Mailstop LD-11, Olympia, Washington 98504-0095, phone (206) 753-5986.

These rules are proposed by the State Board of Health.

These rules are necessary as a result of the Federal Safe Drinking Water Act of 1974, P.L. 93-523 and the Safe Drinking Water Act Amendments of 1986, P.L. 99-339.

**Reviser's note:** The material contained in this filing will appear in the 88-01 issue of the Register as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

**WSR 87-24-038**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Health)**  
 [Order 2560—Filed November 25, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Appendix J—Guidelines for laboratory quality assurance program in hospitals, amending WAC 248-18-99910.

This action is taken pursuant to Notice No. WSR 87-20-078 filed with the code reviser on October 7, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.41.030 and is intended to administratively implement that statute.

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 24, 1987.

By Bill Griffith  
for Leslie F. James, Director  
Administrative Services

NEW SECTION

WAC 248-18-99910 APPENDIX J—GUIDELINES FOR LABORATORY QUALITY ASSURANCE PROGRAM IN HOSPITALS. (1) Services.

(a) Hospitals shall ensure all in-hospital testing procedures performed on biological specimens, body fluids, or tissues comply with this section in terms of:

- (i) Sufficient equipment, and

(ii) Appropriately trained staff.

(b) Hospitals allowing performance of tests on biological specimens in areas outside of the designated hospital laboratory but within the hospital shall provide evidence to the department on staff training and quality control as described in subsections (2)(b) and (3)(b)(i) through (iv) of this section.

(c) Hospitals where biological specimens are sent outside of the hospital for testing shall obtain and maintain evidence of laboratory quality control consistent with subsection (3)(a), (b), and (c) of this section.

(2) Personnel. Hospitals shall ensure:

(a) Twenty-four hour per day on-site or phone availability of:

(i) Pathology services provided by a physician,

(ii) Appropriate technical consultation services.

(b) Appropriately trained personnel to perform each laboratory procedure.

(3) Quality control.

(a) Laboratories shall perform satisfactorily in a proficiency testing program approved by the department.

(b) Each hospital shall maintain a quality control program related to all tests on biological specimens including:

(i) Maintenance of current procedure manuals;

(ii) Functional verification, calibration, and preventive maintenance of instruments and equipment;

(iii) Demonstration of accuracy and precision of test results; and

(iv) Appropriate documentation.

(c) Hospitals shall establish and maintain:

(i) A timely, appropriate review of all test results, and

(ii) Quality control records.

(4) Facilities. Hospitals shall provide:

(a) Emergency power with sufficient outlets for blood bank refrigerators and other testing procedure equipment,

(b) Protection from power line voltage disturbance in certain electronic equipment, as necessary.

(c) Adequate space for:

(i) Patient safety;

(ii) Storage of materials, equipment, and supplies;

(iii) Electrical support functions; and

(iv) Performance and equipment associated with laboratory testing procedures.

(d) A signal to a staffed area from the blood refrigerator alarm.

(5) Reports and records. Hospitals shall:

(a) Make reports of test results available to appropriate authorized persons in a timely fashion, and

(b) Maintain a system for two-year retention and retrieval of laboratory test results and quality control records.

## WSR 87-24-039

### ADOPTED RULES

## DEPARTMENT OF SOCIAL AND HEALTH SERVICES

### (Public Assistance)

[Order 2561A—Filed November 25, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to central registry, amending chapter 388-15 WAC, correction filing to WSR 87-23-057.

This action is taken pursuant to Notice No. WSR 87-19-121 filed with the code reviser on September 21, 1987. 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 206, Laws of 1987, 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 November 24, 1987.

By Bill Griffith

for Leslie F. James, Director  
Administrative Services

### AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-15-136 CENTRAL REGISTRY—  
((DEFINITION—))DUTY TO MAINTAIN. (1) ((The "central registry" means a system of centralized storage and retrieval of case information in all substantiated instances reported to the department of nonaccidentally inflicted death, physical or mental injury or injuries (abuse), physical neglect or sexual abuse of a child or mentally retarded person of any age)) CENTRAL REGISTRY REPEALED. Under chapter 486, section 16, Laws of 1987, the legislature repealed that section of RCW 26.44.070 requiring the department to maintain a central registry of reported child abuse.

(2) ((Purposes of the central registry shall be to  
(a) Obtain accurate information of the incidence of the abuse and neglect of children and developmentally disabled persons of all ages;

(b) Make case information available in usable form on request to those persons and agencies specified in chapter 26.44 RCW)) REPORTS NOT ACCEPTED. Effective July 27, 1987, no further reporting to the department's central registry will be accepted.

(3) EXISTING RECORDS MAINTAINED. Reports in the central registry prior to July 27, 1987, will be maintained as department records until their expungement date.

(4) RELEASE AND DISSEMINATION OF INFORMATION. The department may release child abuse or neglect information from the central registry as per chapter 524, section 12, Laws of 1987, or as otherwise provided by law or agency rule.

(5) SEALING OF THE REGISTRY. The department shall seal reports to the central registry if, after six years from the date of the last filed report, there have been no subsequent reports about the child, the adult dependent person, and/or the alleged perpetrator. Reports may also be sealed if a finding is reversed in a subsequent proceeding. Sealed records about the state or condition of the child which contain no reference to the person responsible for the abuse may also be revived for purposes of treating the child or adult dependent person.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-15-137 CENTRAL REGISTRY—REPORTS.

WAC 388-15-138 CENTRAL REGISTRY—INFORMATION—RELEASE—DISSEMINATION—EXPUNGEMENT.

WAC 388-15-139 CENTRAL REGISTRY—ELIGIBILITY—PROCEDURES AND CRITERIA.

#### **WSR 87-24-040**

##### **ADOPTED RULES**

#### **DEPARTMENT OF AGRICULTURE**

[Order 1960—Filed November 25, 1987]

I, C. Alan Pettibone, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the fee for brand inspecting cattle, WAC 16-96-130.

This action is taken pursuant to Notice No. WSR 87-20-045 filed with the code reviser on October 1, 1987. 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 16.57.220 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 November 25, 1987.

By Michael V. Schwisow  
Deputy Director  
for C. Alan Pettibone  
Director

AMENDATORY SECTION (Amending Order 1921, filed 6/1/87)

WAC 16-96-130 BRAND INSPECTION FEES. The fee for inspecting cattle and calves for brands, and/or any other method of identifying cattle and calves, shall be ~~((forty-five))~~ fifty cents per head, except at those public livestock markets in Oregon and Idaho, which are declared to be brand inspection points for

Washington, where the fee shall be ~~((thirty))~~ thirty-five cents per head.

#### **WSR 87-24-041**

##### **NOTICE OF PUBLIC MEETINGS**

#### **EMERGENCY RESPONSE COMMISSION**

[Memorandum—November 25, 1987]

There will be a State Emergency Response Commission meeting on December 8, 1987, beginning at 1:30 p.m. The meeting will be held in the Emergency Operations Center of the Division of Emergency Management, 4220 East Martin Way, in Olympia.

#### **WSR 87-24-042**

##### **ADOPTED RULES**

#### **DEPARTMENT OF GENERAL ADMINISTRATION**

##### **(Division of Banking)**

[Order 71—Filed November 25, 1987]

I, Thomas H. Oldfield, director of the Division of Banking, Department of General Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to adding a new section to chapter 50-12 WAC concerning investments in corporations, and to correct a typographical error in back-reference in WAC 50-12-250.

This action is taken pursuant to Notice No. WSR 87-21-075 filed with the code reviser on October 20, 1987. 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 30.08.140 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 November 25, 1987.

By Thomas H. Oldfield  
Supervisor

#### NEW SECTION

WAC 50-12-117 INVESTMENTS IN CORPORATIONS. Nothing in WAC 50-12-110, 50-12-115, or 50-12-116 shall limit the authority of a bank or trust company to invest in corporations or entities, with the prior authorization of the supervisor, pursuant to RCW 30.04. \_\_\_ (section 1, chapter 498, Laws of 1987).

AMENDATORY SECTION (Amending Order 69, filed September 30, 1987)

WAC 50-12-250 GENERAL LIMITATION—LOANS FULLY SECURED BY READILY MARKETABLE COLLATERAL. (1) Loans or extensions of credit by a state bank to a person outstanding at one

time and fully secured by readily marketable collateral having a market value, as determined by reliable and continuously available price quotations, shall not be subject to any limitations based on capital and surplus. However, if the total of such loans and extensions of credit, together with loans made under general limitations pursuant to WAC ((50-12-040)) 50-12-240 exceed forty-five percent, the division of banking will review the credits as a possible concentration, with regard to both risk diversification within the bank's asset structure and diversification or other risk in the marketable collateral securing the loan. This limitation shall be separate and in addition to the general twenty percent limitation set forth in WAC 50-12-240.

(2) Each loan or extension of credit based on the foregoing limitation shall be secured by readily marketable collateral having a current market value of at least one hundred fifteen percent of the amount of the loan or extension of credit at all times.

(3) Financial instruments may be denominated in foreign currencies which are freely convertible to United States dollars. If collateral is denominated and payable in a currency other than that of the loan or extension of credit which it secures, the bank's procedures must require that the collateral be revalued at least monthly, using appropriate foreign exchange rates, in addition to being repriced at current market value.

(4) Each bank must institute adequate procedures to ensure that the collateral value fully secures the outstanding loan at all times. If collateral values fall below one hundred fifteen percent of the outstanding loan, to the extent that the loan is no longer in conformance with this section and exceeds the general twenty percent limitation, the loan must be brought into conformance within five business days, except where judicial proceedings, regulatory actions, or other extraordinary occurrences prevent the bank from taking actions.

### WSR 87-24-043

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 87-200—Filed November 25, 1987]

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

I, Joseph R. Blum, 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 openings in Areas 8A and 12C provide opportunity to harvest non-Indian chum allocations. Weekend openings necessary to avoid wastage. All other 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 November 25, 1987.

By Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-47-827 *PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective November 25 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

*\*Area 8A (excluding those waters north of a line projected due west from Tulare Point) – Closed except gill nets using 6-inch minimum mesh may fish from 3:00 PM to 9:00 AM nightly November 25 through the morning of November 30 and purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM daily November 25 through November 30. Those waters north of a line projected due west from Tulare Point remain closed to all commercial fishing. Fishery exclusion zones applicable to Area 8A commercial fisheries are described in WAC 220-47-307.*

*\*Area 12C (excluding those waters within a 100 foot radius of the mouth of Finch Creek and those waters south of a line projected from the Cushman Powerhouse to the public boatramp at Union) – Closed except gill nets using 6-inch minimum mesh may fish from 3:00 PM to 7:00 PM Saturday November 28 and purse seines using the 5-inch strip may fish from 10:00 AM to 2:00 PM Saturday November 28. Those waters within a 100 foot radius of the mouth of Finch Creek and those waters south of a line projected from the Cushman Powerhouse to the public boatramp at Union remain closed to all commercial fishing*

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

#### REPEALER

*The following section of the Washington Administrative Code is repealed effective November 25, 1987.*

*WAC 220-47-826 PUGET SOUND COMMERCIAL SALMON FISHING RESTRICTIONS Order No. 87-197*

**WSR 87-24-044**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 87-201—Filed November 25, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is harvestable numbers of coho salmon are available.

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

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

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

APPROVED AND ADOPTED November 25, 1987.

By Joseph R. Blum  
 Director

**NEW SECTION**

*WAC 220-57-28500K HUMPTULIPS RIVER. Notwithstanding the provisions of WAC 220-57-285, effective 12:01 a.m. November 28, 1987 until further notice it is unlawful to fish for or possess salmon taken for personal use in those waters of the Humptulips River upstream from the Highway 101 Bridge.*

**REPEALER**

*The following section of the Washington Administrative Code is repealed effective November 28, 1987:*

*WAC 220-57-28500J HUMPTULIPS RIVER. (87-169)*

**WSR 87-24-045**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed November 30, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or

repeal rules concerning WAC 16-530-040, to increase the assessment on barley;

that the agency will at 2 p.m., Tuesday, January 12, 1988, in the American Legion Hall, Ritzville, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on May 3, 1988.

The authority under which these rules are proposed is chapter 15.66 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 12, 1988.

Dated: November 30, 1987

By: C. Alan Pettibone  
 Director

**STATEMENT OF PURPOSE**

Title: Amending WAC 16-530-040.

Description of Purpose: Increase the assessment on barley to one percent of the net receipts at the first point of sale.

Statutory Authority: Chapter 15.66 RCW.

Summary of Rule: Changes assessment rate from one-half to one percent of the net receipts to one percent of the net receipts at the first point of sale.

Reasons Supporting Proposed Action: New assessment would increase funds available for research and promotion activities.

Agency Personnel Responsible for Drafting: Roger L. Roberts, Agricultural Programs Administrator, Agricultural Development Division, Washington State Department of Agriculture, 406 General Administration Building, AX-41, Olympia, Washington 98504, phone (206) 753-5028; Implementation and Enforcement: Washington Barley Commission, 404 Great Western Building, Spokane, Washington 99201, phone (509) 456-2481.

Persons Proposing Rule: Washington barley growers by petition to the director of agriculture as provided for in RCW 15.66.050, private.

Agency Comments or Recommendations: None.

Rule is not necessary as a result of federal law or federal or state court action.

**AMENDATORY SECTION** (Amending Order 1857, filed 5/22/85, effective 7/1/85)

WAC 16-530-040 ASSESSMENTS AND COLLECTION. (1) Assessments. The assessment on barley shall be (~~one-half of~~) one percent of the net receipts at the first point of sale. The assessment shall be levied and paid by the producer, or deducted, as provided in this section, whether the barley is sold in this or any other state.

(2) Collection of assessments. The collection of the assessment made and levied by the barley commission, pursuant to the provisions of the act, shall be paid by the producer thereof upon all commercial quantities of barley sold, under any or all of the methods of collection set forth in RCW 15.66.150, in accordance with rules and regulations to be promulgated by the barley commission: PROVIDED, HOWEVER, That no assessment shall be levied or collected on barley grown and used by the producer for feed, seed, or personal consumption.

(3) Funds. All moneys collected by the barley commission shall be used only for the purposes of paying for the costs or expenses arising in connection with carrying out the purposes and provisions of the act and the barley marketing order.

At the end of each fiscal year, the commission shall credit each producer with any amount paid by such producer in excess of the assessment rate. Refund may be made only upon satisfactory proof given by the producer in accordance with reasonable rules and regulations prescribed by the director.

**WSR 87-24-046**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed November 30, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning assessments and collections, WAC 16-528-040, to increase the assessment on wheat; that the agency will at 10 a.m., Tuesday, January 12, 1988, in the American Legion Hall, Ritzville, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on May 3, 1988.

The authority under which these rules are proposed is chapter 15.66 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 12, 1988.

Dated: November 30, 1987

By: C. Alan Pettibone  
Director

**STATEMENT OF PURPOSE**

Title: Amending WAC 16-528-040.

Description of Purpose: Increase the assessment on wheat to one-half of one percent of the net receipts at the first point of sale. Rate subject to change at hearing.

Statutory Authority: Chapter 15.66 RCW.

Summary of Rule: Increases the assessment rate from one-quarter of one percent to one-half of one percent of the net receipts at the first point of sale. The word "first" is added to clarify the definition of first point of sale. Language regarding refunds simplified.

Reasons Supporting Proposed Action: New assessment would increase funds available for research and promotional activities. Other changes would clarify language.

Agency Personnel Responsible for Drafting: Roger L. Roberts, Agricultural Programs Administrator, Agricultural Development Division, Washington State Department of Agriculture, 406 General Administration Building, AX-41, Olympia, Washington 98504, phone (206) 753-5028; Implementation and Enforcement: Washington Wheat Commission, 404 Great Western Building, Spokane, Washington 99201, phone (509) 456-2481.

Persons Proposing Rule: Washington wheat growers by petition to the director of agriculture as provided for in RCW 15.66.050, private.

Agency Comments or Recommendations: None.

Rule is not necessary as a result of federal law or federal or state court action.

AMENDATORY SECTION (Amending Order 1765, filed 5/6/82, effective 7/1/82)

WAC 16-528-040 ASSESSMENTS AND COLLECTION. (1) Assessments. The annual assessment on wheat shall be ~~((one-quarter))~~ one-half of one percent of the net receipts at the first point of sale. The assessment shall be levied and paid by the producer, or deducted, as provided in this section, whether the wheat is sold in this or any other state.

(2) Collection of assessments. The collection of the assessment made and levied by the wheat commission, pursuant to the provisions of the act, shall be paid by the producer thereof upon all commercial quantities of wheat sold, processed, stored or delivered for sale, processing or storage by him, under any or all of the methods of collections set forth in RCW 15.66.150, in accordance with rules and regulations to be promulgated by the wheat commission: PROVIDED, HOWEVER, That no assessment shall be levied or collected on wheat grown and used by the producer for feed, seed, or personal consumption.

(3) Funds. All moneys collected by the wheat commission shall be used only for the purposes of paying for the costs or expenses arising in connection with carrying out the purposes and provisions of the act and the wheat marketing order. At the end of each fiscal year, the commission shall credit each producer with any amount paid by such producer in excess of ~~((one-quarter of one percent of the net receipts at the point of sale))~~ the assessment. Refund may be made only upon satisfactory proof given by the producer in accordance with reasonable rules and regulations prescribed by the director.

**WSR 87-24-047**  
**PROPOSED RULES**  
**SECRETARY OF STATE**  
[Filed November 30, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of the Secretary of State intends to adopt, amend, or repeal rules concerning the establishment of uniform procedures governing the requesting, processing, and canvassing of absentee ballots;

that the agency will at 9:00 a.m., Wednesday, January 6, 1988, in the Office of the Secretary of State, Legislative 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 January 6, 1988.

The authority under which these rules are proposed is RCW 29.36.150 and chapter 34.04 RCW.

The specific statute these rules are intended to implement is RCW 29.36.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 4, 1988.

Dated: November 30, 1987

By: Ralph Munro  
Secretary of State

**STATEMENT OF PURPOSE**

Title of Rules: Procedures for requesting, issuing, and canvassing absentee ballots.

Purpose of Rules: To establish uniform procedures among the county auditors of the state regarding the requesting, issuing, and canvassing of absentee ballots.

Specific Statute Rules are Intended to Implement: RCW 29.36.150.



**Summary of Rules:** Specifies procedures to be followed in requesting, issuing, and canvassing absentee ballots; defines terms used in these procedures.

**Reasons for Proposed Rules:** These regulations are required by RCW 29.36.150 to ensure standardization and uniformity in these procedures and to replace several statutes repealed by chapter 346, Laws of 1987.

**Agency Personnel Responsible for Drafting:** John J. Pearson; **Enforcement:** Donald F. Whiting; and **Implementation:** Donald F. Whiting and John J. Pearson, Office of the Secretary of State, P.O. Box 9000, AS-22, Olympia, WA 98504, (206) 753-2334.

**Agency Proposing Rule:** Office of the Secretary of State.

**Agency Comments:** None.

**Federal Effect:** None.

#### Chapter 434-40 WAC ABSENTEE VOTING

##### WAC

434-40-005	Authority and purpose.
434-40-010	Definitions.
434-40-020	Applications for absentee ballots.
434-40-030	Application form for a regular absentee ballot.
434-40-040	Absentee ballot application forms originating outside the state of Washington.
434-40-050	Ongoing absentee ballot application.
434-40-060	Termination of ongoing absentee voter status.
434-40-070	Notice of termination as ongoing absentee voter.
434-40-080	Renewal of status as ongoing absentee voter.
434-40-090	Special absentee ballot application form.
434-40-100	Special absentee ballot—Material to be included.
434-40-110	Special absentee ballot—Time application received.
434-40-120	Hospital absentee ballot application form.
434-40-130	Incomplete application.
434-40-140	Signature discrepancies.
434-40-150	Verification of absentee ballot application.
434-40-160	Notification to voter of incomplete application.
434-40-170	Security of absentee ballot applications.
434-40-180	Service and overseas voters—Material and postage.
434-40-190	Absentee ballot envelopes.
434-40-200	Absentee ballot—Instructions to voters.
434-40-210	Canvassing board—Delegation of authority.
434-40-220	Canvassing board—Notice of open public meeting.
434-40-230	Processing of absentee ballots.
434-40-240	Verification of the signature and postmark on absentee ballots.
434-40-250	Absentee voter attempting to vote at the polls.
434-40-260	Absentee ballots returned after the poll lists have been marked.
434-40-270	Maintenance of an audit trail on absentee ballots.
434-40-280	Challenge to the registration of absentee voters.
434-40-290	Security of absentee ballots.
434-40-300	Absentee ballot process to be expedited.
434-40-310	Absentee ballot—Credit for having voted.

##### NEW SECTION

WAC 434-40-005 **AUTHORITY AND PURPOSE.** This chapter is adopted pursuant to RCW 29.36.150 and chapter 34.04 RCW in order to establish uniform procedures governing the requesting, processing, and canvassing of absentee ballots.

##### NEW SECTION

WAC 434-40-010 **DEFINITIONS.** As used in this chapter:

(1) An "elector" of the state of Washington is any person who qualifies under state or federal law as an overseas voter, service voter, or out-of-state voter and who:

- Is not currently a registered voter in Washington or any other state;
- Will be at least eighteen years of age at the time of the next election;

(c) Is a citizen of the United States;

(d) Is a legal resident of the state, county, and precinct for at least thirty days preceding the election at which he or she offers to vote;

(e) Is not currently being denied his or her civil rights by being convicted of a crime for which he or she could have been sentenced to the state penitentiary;

(2) "Out-of-state voters," "overseas voters," and "service voters" are electors of the state of Washington and are not registered voters of Washington or any other state; electors of the state of Washington who are spouses or dependents of service voters shall be considered to be either out-of-state voters or overseas voters;

(3) "Service voters" are electors of the state of Washington who are outside the state during the period available for voter registration and who are members of the armed forces while in active service, are students or members of the faculty at a United States military academy, are members of the merchant marine of the United States, or are members of a religious group or welfare agency officially attached to and serving with the armed forces of the United States.

(4) "Canvassing" is that process of examining, in detail, a ballot, groups of ballots, election subtotals, or grand totals in order to determine the final official returns of a primary, special, or general election and in order to safeguard the integrity of the election process;

(5) "Canvassing board" or "county canvassing board" is that body charged by law with the duty of canvassing absentee ballots, of ruling on the validity of questioned or challenged ballots, of verifying all unofficial returns as listed in the auditor's abstract of votes, and of producing the official county canvass report; it shall be composed of the county auditor, prosecuting attorney, and chairman of the board of the county legislative authority, or their representatives, designated pursuant to the provisions of WAC 434-40-210;

(6) "Territorial limits of the United States" means the fifty United States and the District of Columbia;

(7) "Blind voter" is a voter who has no vision or whose vision with corrective lenses is so defective as to prevent performance of ordinary activities for which eyesight is essential, or who has an eye condition of a progressive nature which may lead to blindness;

(8) "Voter requiring assistance" is any voter who has a sensory or physical handicap that results in his or her inability to vote at a polling place without assistance; such assistance shall be provided in the manner set forth by RCW 29.51.200;

(9) "Disabled voter" is any blind voter, voter requiring assistance, or any voter who has:

- Lost both lower limbs;
- Lost normal or full use of the lower limbs to sufficiently constitute severe disability;
- No ability to move without crutches or a wheelchair;
- Lost both hands;
- A lung disease where forced expiratory respiratory volume when measured by spirometry is less than one liter per second;
- Cardiovascular disease classified as Class III or IV under American Heart Association standards;

(10) "Ongoing absentee ballot" is that absentee ballot provided to disabled voters and voters over the age of sixty-five, pursuant to the provisions of RCW 29.36.013;

(11) "Hospital absentee ballot" is that absentee ballot provided to voters confined to a hospital no earlier than five days before a primary or election, pursuant to the provisions of RCW 29.36.010;

(12) "Special absentee ballot" is that ballot provided to registered voters and electors in state primary and general elections who indicate on their application that they believe they will be residing or stationed or working outside the continental United States at the time of the election and that they will be unable to vote and return a regular absentee ballot during the time period provided by law;

(13) "Regular absentee ballot" is that absentee ballot provided to voters or electors who request an absentee ballot and who do not either request or qualify for an ongoing absentee ballot, hospital absentee ballot, or special absentee ballot;

(14) "Secure storage" are those locations provided for the storage of all material connected with the absentee ballot process, including ballots, and shall be under the direct control of the county auditor; it shall be locked during those periods of time when the auditor's office is closed, and when the office is open, access shall be permitted only to the county auditor and to those persons authorized in writing by the county canvassing board;

(15) "Challenged ballot" is that ballot issued to any voter whose registration has been challenged pursuant to the provisions of chapter 29.10 RCW and this chapter;

(16) "Questioned ballot" is that ballot issued to a voter by precinct election officers pursuant to WAC 434-40-250 or whenever any doubt exists as to the voter's qualifications to vote in an election and no challenge has been made by either a registered voter or the precinct election officer.

#### NEW SECTION

WAC 434-40-020 APPLICATIONS FOR ABSENTEE BALLOTS. Any application for an absentee ballot which is signed by a registered voter or elector, which identifies either the voter's registration address or the elector's last physical residence for voting purposes within the state, or where a registration address can be determined by use of the county voter registration records, and which contains an address to which the ballot is to be mailed if that address is different from the registration or residence address, shall be honored by the county auditor of the county in which the voter resides or the elector maintains his or her legal residence.

#### NEW SECTION

WAC 434-40-030 APPLICATION FORM FOR A REGULAR ABSENTEE BALLOT. Each county auditor shall provide an application form for a regular absentee ballot. The form shall be no smaller than five inches by eight inches and may be produced in any format deemed suitable to each county. The form shall include, but not be limited to, the following:

- (1) A space for the voter to print his or her name and address at which he or she is registered to vote;
- (2) A space for the out-of-state or service voter to indicate his or her last permanent residence within the state of Washington;
- (3) An address to which the ballot is to be mailed;
- (4) A space for the voter to indicate for which election(s) the application is made;
- (5) A space for the voter to sign his or her name and the date the application is made.

Only the address of the county auditor may appear on any regular absentee ballot application as the return address to which the application is to be mailed.

#### NEW SECTION

WAC 434-40-040 ABSENTEE BALLOT APPLICATION FORMS ORIGINATING OUTSIDE THE STATE OF WASHINGTON. The county auditor shall honor any application form for an absentee ballot originating outside the state of Washington, including those printed and distributed by the federal government, from any registered voter or elector of Washington, which contain the information required by WAC 434-40-030.

#### NEW SECTION

WAC 434-40-050 ONGOING ABSENTEE BALLOT APPLICATION. Each county auditor shall provide an application form for an ongoing absentee ballot. This form may be produced in any format deemed suitable to each county but must be produced in a manner that is readable by vision-impaired and elderly voters. The form should be printed in over-sized type and may be in distinctive colors. The form shall include, as a minimum, the following information:

- (1) A place to indicate that the voter is eligible for an ongoing absentee ballot because he or she is either disabled or over the age of sixty-five;
- (2) A definition of disabled voter consistent with the definition appearing in WAC 434-40-010;
- (3) Space to provide the voter's printed name, the address at which the voter is registered to vote, including city and zip code;
- (4) A space for the voter to sign his or her name, provide a telephone number, and, if the voter is claiming status because of age, the date of birth;
- (5) A summary of the reasons for termination of status as an ongoing absentee voter;

Signatures on applications for ongoing absent ballots shall be verified in the same manner as signatures on applications for regular absentee ballots. Ongoing absentee ballots shall be mailed to the address specified by the applicant on the application form.

#### NEW SECTION

WAC 434-40-060 TERMINATION OF ONGOING ABSENTEE VOTER STATUS. Status as an ongoing absentee voter shall be terminated upon the occurrence of any of the following:

- (1) The cancellation of the voter's registration record;
- (2) The written request of the voter;
- (3) The death or disqualification of the voter;
- (4) The return of an ongoing absentee ballot as undeliverable;
- (5) January 1st of each odd-numbered year, provided at least one general election has been held since the voter acquired status as an ongoing absentee voter;

All persons terminated from the status of ongoing absentee voter who do not automatically renew their status pursuant to the provisions of WAC 434-40-080 shall have their original application form retained by the auditor for a period of one year after the date of termination.

#### NEW SECTION

WAC 434-40-070 NOTICE OF TERMINATION AS ONGOING ABSENTEE VOTER. Whenever any voter's status as an ongoing absentee voter is terminated due to the provisions of WAC 434-40-060(5), the county auditor shall notify that voter, by mail, of the termination of his or her status as an ongoing absentee voter and the reason for that termination. This notice shall be mailed to affected voters as soon as practical following January 1st of each odd-numbered year.

#### NEW SECTION

WAC 434-40-080 RENEWAL OF STATUS AS ONGOING ABSENTEE VOTER. Included with the notice of termination as required by WAC 434-40-070 shall be a postage prepaid return form enabling the terminated ongoing absentee voter to renew his or her status as an ongoing absentee voter. Upon receipt and verification of the signature on the renewal form, the voter shall be considered as being restored to status as an ongoing absentee voter.

#### NEW SECTION

WAC 434-40-090 SPECIAL ABSENTEE BALLOT APPLICATION FORM. Each county shall provide an application form for a special absentee ballot. This form may be produced in any format deemed appropriate by the county auditor and shall include, but not be limited to, space for the following:

- (1) The applicant's printed name and the address at which he or she is registered to vote or, if an elector, the last physical residence for voting purposes in Washington;
- (2) The address to which the special ballot is to be mailed;
- (3) An indication of the election for which the ballot is requested;
- (4) The voter's signature;
- (5) A box for the voter to check indicating that they want a regular absentee ballot forwarded to them as soon as it is available;

The application shall also state that the applicant believes that he or she will be residing or stationed outside the continental United States and that he or she believes that they will be unable to vote and return a regular absentee ballot by mail during the period provided by law for the return of regular absentee ballots. The county auditor shall honor any application for a special absentee ballot that is in substantial compliance with the provisions of this section.

#### NEW SECTION

WAC 434-40-100 SPECIAL ABSENTEE BALLOT—MATERIAL TO BE INCLUDED. In addition to the material required by WAC 434-40-190, each county auditor shall include with any special absentee ballot mailed the following information:

- (1) Instructions for voting the ballot;
- (2) Instructions for correcting a spoiled ballot;
- (3) The fact that political party designation should be included with all write-ins for partisan office;
- (4) A listing of all offices and measures that will appear upon the ballot, together with a listing of all persons who have filed for office or who have indicated their intention to file for office;
- (5) The fact that the voter may vote for as many, or as few offices or measures as he or she desires;

(6) The fact that the voter is entitled to request, and subsequently vote a regular absentee ballot, and that if the regular absentee is received during the time period provided by law for the canvassing of absentee ballots it will be tabulated and the special absentee ballot will be voided.

NEW SECTION

WAC 434-40-110 SPECIAL ABSENTEE BALLOT—TIME APPLICATION RECEIVED. No special absentee ballot may be provided earlier than ninety days prior to a primary or election. Any application received by a county auditor more than ninety days prior to a primary or general election may be either returned to the applicant with the explanation that the request is premature or may be held by the auditor until the appropriate time and then processed.

NEW SECTION

WAC 434-40-120 HOSPITAL ABSENTEE BALLOT APPLICATION FORM. Each county shall provide an application form for hospital absentee ballots. This form may be produced in any format deemed appropriate by the county auditor and shall include, but not be limited to, space for the following:

- (1) A statement by the voter that he or she was admitted to the hospital no earlier than five days prior to a primary or general election;
- (2) A statement by the voter that he or she will be confined to the hospital on the day of the primary or election;
- (3) A place for the voter to print his or her name and address;
- (4) A place for the voter to sign the application;
- (5) A place for the hospital administrator or his or her designee to verify the voter's date of admission and status as a patient;

Voters qualifying for hospital absentee ballots may apply by messenger on the day of the primary or election for that ballot.

NEW SECTION

WAC 434-40-130 INCOMPLETE APPLICATION. (1) If an application for an absentee ballot from a registered voter or an elector does not contain the signature of the applicant, the auditor shall attempt to contact the applicant by whatever means deemed appropriate, including written notification pursuant to WAC 434-40-160, in order to obtain the signature.

(2) If an application for an absentee ballot from an elector is received by the county auditor and it does not contain sufficient information to enable the auditor to issue the correct absentee ballot, the auditor shall, if in his or her judgment enough time exists to make such action practical, request that the elector provide the additional information in order to enable the auditor to mail the correct absentee ballot. If, in the judgment of the auditor, insufficient time exists to permit this action, the auditor shall issue the absentee ballot that would be issued if the applicant had listed the courthouse as his or her legal residence. Upon its return, the ballot shall be referred to the county canvassing board, and only that part of the ballot containing candidates and measures common to the entire county shall be tabulated.

NEW SECTION

WAC 434-40-140 SIGNATURE DISCREPANCIES. In comparing the signature as it appears on the application for an absentee ballot with the signature as it appears on the permanent voter registration record, the auditor shall honor the application if, in his or her judgment, the same person signed both. In making this determination, the auditor may take into account the age of the signature or any other circumstances which might account for differences between the two signatures.

NEW SECTION

WAC 434-40-150 VERIFICATION OF ABSENTEE BALLOT APPLICATION. Upon receipt of a request for an absentee ballot made by a registered voter or an elector, the county auditor shall determine if the applicant is a registered voter within the county. If it is determined that the applicant is registered to vote, a notation shall be made that the voter has requested an absentee ballot and the appropriate ballot shall be mailed as soon as it is available. If it is determined that the application is from an elector, the county auditor shall mail the appropriate absentee ballot when available, together with any state or local voter's pamphlet produced for that election.

NEW SECTION

WAC 434-40-160 NOTIFICATION TO VOTER OF INCOMPLETE APPLICATION. In addition to notification provisions required by WAC 434-40-130, the county auditor shall notify any person submitting an absentee ballot application which is not accepted of the reason why the application is not accepted. The notification provided shall be in substantially the following form:

NOTICE TO ABSENTEE BALLOT APPLICANT

Your application for an absentee ballot has been received in our office but we are unable to process it or issue you an absentee ballot for the following reason(s):

- ( ) LACK OF SIGNATURE - We must have your signature on the request before we can honor it. Please sign the enclosed application as you are registered to vote and return it to this office;
- ( ) NOT REGISTERED - We are unable to find a voter registration record for you in our files. Please contact our office to resolve this matter as soon as possible;
- ( ) REQUEST RECEIVED TOO LATE - Your request for an absentee ballot was received after the last day prescribed by law for the issuance of absentee ballots;
- ( ) OTHER - \_\_\_\_\_  
\_\_\_\_\_

NEW SECTION

WAC 434-40-170 SECURITY OF ABSENTEE BALLOT APPLICATIONS. All completed applications for absentee ballots shall be kept in secure storage from the date of receipt and shall be held until such time as they may be destroyed pursuant to state law. This period shall be twenty-two months for all federal elections and sixty days for all other elections, unless litigation requires that they be maintained for a longer period. It is the intent of this section that adequate security be maintained on absentee ballot applications at all times and that an audit trail be provided on all actions undertaken with respect to the applications.

NEW SECTION

WAC 434-40-180 SERVICE AND OVERSEAS VOTERS—MATERIAL AND POSTAGE. The secretary of state shall furnish all envelopes and instructions for service voters, overseas voters, and those out-of-state voters who are spouses or dependents of service voters. All absentee ballots to voters in these categories will be sent postage-free, pursuant to the provisions of federal law, and the return envelopes will be so marked as to indicate that they may be returned free of postage.

NEW SECTION

WAC 434-40-190 ABSENTEE BALLOT ENVELOPES. Included with any absentee ballot provided to a voter shall be instructions for correctly voting the absentee ballot, a security envelope which shall bear no markings identifying the voter, and a return envelope which shall bear the return address of the issuing officer and shall have a space for the voter to sign his or her name. The return envelope shall also have a statement in substantially the following form:

AFFIDAVIT OF ABSENTEE BALLOT APPLICANT

I \_\_\_\_\_ do solemnly swear under penalty of law as set forth below, that I am a legal resident of Washington and I further certify that I am legally qualified to vote at the election for which this ballot was requested, that I have not voted another ballot, and that I herein enclose my ballot for that election.

Date Ballot Voted \_\_\_\_\_ Signature of Voter \_\_\_\_\_

PENALTY PROVISION: Any person who violates any of the provisions of this chapter, relating to swearing and voting, shall be guilty of a felony and shall be punished by imprisonment for not more than five years or a fine of not more than five thousand dollars, or by both such fine and imprisonment (RCW 29.36.160).

.....  
All absentee ballot envelopes and return envelopes shall conform to existing postal department regulations regarding size.

County auditors shall be permitted to use any existing stock of absentee ballot return envelopes, in the form specified by state law, prior to the 1987 amendment to RCW 29.36.030. Upon exhaustion of that stock or not later than January 1, 1989, county auditors shall comply with the provisions of this regulation when ordering absentee ballot return envelopes.

#### NEW SECTION

WAC 434-40-200 ABSENTEE BALLOT—INSTRUCTIONS TO VOTERS. Included with each absentee ballot provided to applicants shall be instructions for properly voting the ballot and for returning it in a manner that will guarantee the voter secrecy of his or her ballot. The instructions shall include the following:

- (1) Detailed instructions for correctly marking the ballot;
- (2) Detailed instructions on how the voter may correct a spoiled ballot;
- (3) Instructions on how the voter is to complete and sign the affidavit on the return envelope;
- (4) Instructions on how the voter is to place his or her ballot in the security envelope and place the security envelope in the return envelope;
- (5) Instructions regarding postage, if required;
- (6) Notice to the voter that the ballot will be counted if it is post-marked not later than election day and if it is received by the county auditor not later than the tenth day following any special election or primary, or the fifteenth day following a general election.

#### NEW SECTION

WAC 434-40-210 CANVASSING BOARD—DELEGATION OF AUTHORITY. The county auditor, prosecuting attorney, and chairperson of the county legislative authority shall be responsible for the performance of all duties of the county canvassing board, as set forth in chapters 29.36 and 29.62 RCW, and the regulations on canvassing adopted by the secretary of state. These duties shall be performed by the members of the board, or they may designate in writing, either independently or in unison, representatives to perform those duties. This written designation of authority shall be filed with the county auditor prior to any designee undertaking any action on behalf of the board. In no instance may the members of the county canvassing board delegate the responsibility of certifying the returns of any primary or election, of determining the validity of any challenged ballots, or of determining the validity of any questioned ballots referred to them by the county auditor, to anyone other than a person authorized by law to act on their behalf.

#### NEW SECTION

WAC 434-40-220 CANVASSING BOARD—NOTICE OF OPEN PUBLIC MEETING. All activities of the canvassing board shall be open to the public, although they may limit the number of persons observing any aspect of the process whenever, in their judgment, it is necessary to do so to preserve order and to safeguard the integrity of the process. The canvassing board may adopt and promulgate rules and regulations, not inconsistent with the provisions of this section to ensure that the process is open to the public but that the procedures themselves are performed by the board free of any outside interference. The auditor shall publish notice of the meeting of the canvassing board, as required by chapter 42.30 RCW. Such notice shall be in substantially the following form:

##### OPEN PUBLIC MEETING NOTICE

The Canvassing Board of (Name of County) County, pursuant to RCW 29.62.020, will hold a public meeting at (Time), (Day), (Date), 19   , at (Location), to (Purpose of the Meeting). This meeting of the Canvassing Board is an open, public meeting under the applicable provisions of chapter 42.30 RCW, and shall be continued until the activity for which the meeting is held has been completed. A record of the proceedings of the county canvassing board shall be made and maintained in the county auditor's office.

#### NEW SECTION

WAC 434-40-230 PROCESSING OF ABSENTEE BALLOTS. All absentee ballot return envelopes may be opened and subsequently processed no earlier than the tenth day prior to any primary or election. In counties tabulating absentee ballots by hand, the inner security envelope may not be opened until after 8:00 p.m. on election day. In

counties tabulating absentee ballots on an electronic vote tallying system, the ballots may be removed from the inner envelope not earlier than the tenth day prior to a primary or election and the ballots then prepared for processing. All absentee ballots, whether removed from the inner security envelope or not, must be kept in sealed or locked containers and in secure storage until they are ready to be tabulated.

#### NEW SECTION

WAC 434-40-240 VERIFICATION OF THE SIGNATURE AND POSTMARK ON ABSENTEE BALLOTS. The county canvassing board shall examine the signature on the return envelope of all absentee ballots to ensure that the applicant is qualified to cast the ballot. The provisions of WAC 434-40-140 shall be applicable in determining the validity of the signature as it appears on the return envelope. For service voters, overseas voters, and out-of-state voters the date of mailing shall be the date indicated by the voter on the return envelope, and any envelope which shows a date subsequent to the date of the primary or general election shall be referred to the county canvassing board for disposition. For all other absentee ballots, the date of mailing shall be the postmark, if present and legible. If the postmark is not present or legible, the date of mailing shall be considered the date indicated by the voter on the return envelope. All absentee ballots showing a postmark subsequent to the date of the primary or election, or a date indicated by the voter subsequent to the date of the primary or election if the postmark is missing or illegible, shall be referred to the county canvassing board for their disposition.

#### NEW SECTION

WAC 434-40-250 ABSENTEE VOTER ATTEMPTING TO VOTE AT THE POLLS. In addition to maintaining a record of all persons requesting and being issued an absentee ballot, each county auditor will, to the extent time allows, make a notation on each poll list of the persons who have been issued an absentee ballot. Whenever any voter whose name has been so marked attempts to vote at the polling place, the precinct election officers shall issue that voter a questioned ballot. The questioned ballot shall be placed in an envelope, on the outside of which the words "QUESTIONED BALLOT" shall be printed. The envelope should then be sealed and care shall be taken to ensure that no marks appear on the outside of that envelope which might identify that voter. This envelope should then be placed in a larger envelope, on the outside of which shall be printed the words "QUESTIONED BALLOT." There shall also be space on this outer envelope for the precinct election officers to indicate the name and number of the precinct, the printed name, address, and telephone number of the questioned voter, and the reason why the ballot is being questioned. The ballot should then be referred to the canvassing board for their disposition.

This regulation and WAC 434-40-260 shall not apply to any county that does not tabulate absentee ballots until the poll books have been examined to ensure that no voter has voted twice.

#### NEW SECTION

WAC 434-40-260 ABSENTEE BALLOTS RETURNED AFTER THE POLL LISTS HAVE BEEN MARKED. Absentee ballots which are issued and returned to the county auditor after the poll lists have been marked to indicate those persons who have been issued an absentee ballot shall be segregated from other absentee ballots, and shall not be tabulated until the poll lists have been examined following the election to ensure that those persons did not vote at the polls on election day. In the event the county auditor determines that an individual voted at the polls and returned an absentee ballot, the absentee ballot shall not be counted and a copy of the poll list and the returned absentee shall be forwarded to the prosecuting attorney for his consideration. Any county manually tabulating absentee ballots that is unable to comply with the provisions of this regulation shall, not later than January 1, 1989, adopt an automated absentee ballot system that will permit compliance with this regulation.

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 434-40-270 MAINTENANCE OF AN AUDIT TRAIL ON ABSENTEE BALLOTS. Each county auditor shall maintain an

audit trail with respect to the processing of absentee ballots which shall include, but not be limited to, the following:

- (1) A record of when each absentee ballot application was received, the date the ballot was mailed or issued, and the date the absentee ballot was received;
- (2) The number of absentee ballots issued and returned, by legislative and congressional district, for each primary and general election;
- (3) A record of the disposition of each request for an absentee ballot not honored;
- (4) A record of the disposition of each returned absentee ballot not counted;
- (5) A record of the time and place of each time the county canvassing board met to process absentee ballots;
- (6) A documentation of the security procedures undertaken to protect the integrity of the ballots after receipt, including the seal numbers used to secure the ballots during all facets of the absentee ballot process.

**NEW SECTION**

WAC 434-40-280 CHALLENGE TO THE REGISTRATION OF ABSENTEE VOTERS. The voter registration of any person requesting an absentee ballot may be challenged under the provisions of chapter 29.10 RCW by any registered voter who completes and files with the county auditor a form substantially similar to the following:

**VOTER'S REGISTRATION CHALLENGE FORM**

TO PROPERLY EXECUTE THIS FORM IT IS NECESSARY TO CHECK THE APPROPRIATE SQUARE BELOW. A SUMMARY OF THE ADMINISTRATIVE PROCEDURES WHICH WILL BE FOLLOWED WITH RESPECT TO THIS VOTER REGISTRATION CHALLENGE MAY BE FOUND ON THE REVERSE SIDE OF THIS FORM.

**REASON FOR CHALLENGE**

- The individual challenged is not a U.S. Citizen
- The individual challenged is not at least 18 years old
- The individual challenged is currently being denied his or her civil rights
- The individual challenged does not reside at the address at which he or she is registered and his or her actual residence is as follows:

\_\_\_\_\_

\_\_\_\_\_

NOTE: State law (RCW 29.10.130) requires that challenging party must provide the address at which the challenged party resides in order for a challenge based on residence to be considered.

**PROVISIONS RELATING TO VOTING RESIDENCE**

The State Constitution and state law provide that a voting residence shall not be lost if the voter is absent because of:

- A. State or Federal employment, including military service
- B. School attendance
- C. Business outside the state
- D. Confinement in prison

NOTE: Persons in the above categories have the legal right to continue to use their former residence for voting purposes and may continue to vote unless additional conditions or circumstances indicate they have forfeited that right in Washington. Any person instituting a voter registration challenge should be sure of the facts BEFORE signing the challenge affidavit.

**AFFIDAVIT OF CHALLENGER**

I, \_\_\_\_\_, declare, under penalty of perjury, that I am a registered voter, that I hereby challenge the voter's registration of \_\_\_\_\_ for the reason indicated above. I also state that I have read the above stated PROVISIONS RELATING TO VOTING RESIDENCE and that, to the best of my knowledge and belief, the above named individual does not fall into any of the protected categories.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF CHALLENGER

**VOTER'S REGISTRATION CHALLENGES**

**A SUMMARY OF ADMINISTRATIVE PROCEDURES**

**CHALLENGES FILED THIRTY OR MORE DAYS PRIOR TO A PRIMARY, SPECIAL OR GENERAL ELECTION**

State law (RCW 29.10.140) requires the county auditor to notify, by certified mail, any voter whose registration has been challenged.

The notification must be mailed to the address at which the challenged voter is registered, to any address provided by the challenger as required by RCW 29.10.130, and to any other address that the auditor could reasonably expect the challenged voter might receive such notification.

Included with the notification must be a request that the voter appear at a hearing to be held within ten days of the mailing of the request, at the place and time specified, in order to assist the auditor in determining the validity of the challenge.

THE PERSON MAKING THE CHALLENGE MUST BE PROVIDED WITH A COPY OF THE NOTIFICATION AND REQUEST MAILED TO THE CHALLENGED VOTER.

If either the challenger or the challenged voter, or both, are unable to appear in person they may file affidavits, stating UNDER OATH the reasons they believe the challenge to be valid or invalid.

The county auditor shall determine the validity of the challenge based on his or her evaluation of the evidence presented by both parties to the challenge. The decision of the auditor is final, subject only to a petition for judicial review under Chapter 34.04 RCW.

**CHALLENGES FILED WITHIN THIRTY DAYS OF A PRIMARY, SPECIAL OR GENERAL ELECTION**

State law (RCW 29.10.130) provides that in the event the challenge is made within thirty days of an election, the voter and the precinct election officers within the voter's precinct are to be notified.

Both the challenged voter and the precinct election officers are also to be informed that in the event the voter attempts to vote at the ensuing election, he or she will be provided with a CHALLENGED BALLOT.

The validity of the challenge and the disposition of the challenged ballot will be determined by the county canvassing board and both the challenger and the challenged voter may either appear in person or submit affidavits in support of their respective positions.

In the event the challenged voter does NOT vote at the ensuing election, the challenge shall be processed in the same manner as challenges made more than thirty days prior to the election.

In the event the challenge is filed more than thirty days prior to a primary or election, the challenge shall be processed in the manner provided by RCW 29.10.140. If the voter votes and returns his or her absentee ballot prior to the county auditor making his or her determination as to the validity of the challenge, the returned ballot shall be segregated from other absentee ballots and not processed until such a determination is made. In the event the challenge is made within thirty days of a primary or election and prior to the absentee ballots being separated from the return envelopes, the challenge and the returned ballot shall be forwarded to the canvassing board and processed in the manner provided by RCW 29.10.127. If the challenge is made within thirty days of a primary or election but after the ballots have been separated from the return envelopes, the challenge shall be processed by the county auditor in the manner provided by law for challenges made more than thirty days prior to the primary or election.

**NEW SECTION**

**WAC 434-40-290 SECURITY OF ABSENTEE BALLOTS.**

Following the tabulation of absentee ballots, they shall be kept in sealed or locked containers and in secure storage until the expiration of any time deadlines for a legal challenge to the results of the primary or election, and then should be retained by the county as long as required by state or federal law.

**NEW SECTION**

WAC 434-40-300 ABSENTEE BALLOT PROCESS TO BE EXPEDITED. All election officials charged with any duties or responsibilities with respect to absentee ballots shall ensure that those duties are performed in an expeditious manner, in order to maximize the opportunity for persons requesting absentee ballots to receive, vote, and return them in time to be counted.

NEW SECTION

WAC 434-40-310 ABSENTEE BALLOT—CREDIT FOR HAVING VOTED. Each county auditor shall credit any person, requesting an absentee ballot with having voted. This credit shall be given solely for the purpose of maintaining the voter as an active voter, and in no instance should such voters be included with the total number of votes cast at a primary or election, or in any way be a part of the votes cast total for the purposes of validating a special election.

**WSR 87-24-048****PROPOSED RULES****DEPARTMENT OF LABOR AND INDUSTRIES**

[Filed November 30, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning medical aid rules and maximum fee schedule, WAC 296-20-03001, treatment requiring authorization.

The agency reserves the right to modify the text of this proposed rule and changes in response to written and/or oral comments thereon received prior to or during the public hearing.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 1, 1988.

The authority under which these rules are proposed is RCW 51.04.020(4) and 51.04.030.

This notice is connected to and continues the matter in Notice No. WSR 87-18-071 filed with the code reviser's office on September 2, 1987.

Dated: November 30, 1987

By: Joseph A. Dear  
Director**WSR 87-24-049****ADOPTED RULES****DEPARTMENT OF LABOR AND INDUSTRIES**

[Order 87-27—Filed November 30, 1987—Eff. January 1, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the establishment of a rule governing the experience rating of the construction risk classifications applicable to workers' compensation insurance underwritten by the Department of Labor and Industries.

This action is taken pursuant to Notice No. WSR 87-16-082 filed with the code reviser on August 5, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

This rule is promulgated pursuant to RCW 51.16.035 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 November 30, 1987.

By Joseph A. Dear  
DirectorNEW SECTION**WAC 296-17-86501 BUILDING INDUSTRY EXPERIENCE MODIFICATION LIMITATIONS.**

The premiums of building construction employers subject to the risk classifications 0505, 0506, 0507, 0510, 0511, 0512, and 0513 shall be experience rated beginning January 1, 1988, using the reported past experience of such employers as provided for in the department's experience rating plan. However, the initial experience rating adjustment of these classifications for each such employer shall be made from a base modification of 1.0000, with adjustments limited to twenty-five percent annually until the actual experience rating developed by the department for each such employer has been reached or four years from the effective date of this section whichever comes first. Thereafter, adjustments will be made in accordance with the parameters established by the department's experience rating plan. Premiums of building construction employers reported in all other risk classifications not specifically listed above which are currently experience rated are not subject to the limitations imposed by this section and shall be computed utilizing the actual earned experience rating of each building construction employer, in accordance with the department's experience rating plan.

**WSR 87-24-050****ADOPTED RULES****DEPARTMENT OF LABOR AND INDUSTRIES**

[Order 87-23—Filed November 30, 1987—Eff. January 1, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to medical aid rules and maximum fee schedule, WAC 296-20-022, 296-23A-105 and 296-23A-155 to 296-23A-190 dealing with hospital payments; WAC 296-20-12050 dealing with special agreements with special programs; WAC 296-21-013 dealing with fees for medical testimony; and WAC 296-20-010, 296-20-01002, 296-20-024 and 296-20-075 dealing with utilization review and quality assurance.

This action is taken pursuant to Notice No. WSR 87-18-071 filed with the code reviser on September 2, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

This rule is promulgated pursuant to RCW 51.04.020(4) and 51.04.030 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 30, 1987.  
By Joseph A. Dear  
Director

AMENDATORY SECTION (Amending Order 86-45,  
filed 1/8/87)

WAC 296-20-022 PAYMENT OF OUT-OF-STATE PROVIDERS. (1) Beginning February 1, 1987, providers of health services in the bordering states of Oregon and Idaho shall bill and be paid according to the medical aid rules of the state of Washington.

(2) Providers of health services in other states and other countries shall be paid at rates which take into account:

(a) Payment levels allowed under the state of Washington medical aid rules;

(b) Payment levels allowed under workers compensation programs in the provider's place of business; and

(c) The reasonableness of the provider's charges.

(3) In all cases these payment levels are the maximum allowed to providers of health services to injured workers. Should a health services provider's charge exceed the payment amount allowed under the state of Washington medical aid rules, the provider is prohibited from charging the injured worker for the difference between the provider's charge and the allowable rate. Providers violating this provision are ineligible to treat injured workers as provided by WAC 296-20-015 and are subject to other applicable penalties.

(4) Only those diagnostic and treatment services authorized under the state of Washington medical aid rules may be allowed by the department or self-insurer. As determined by the department of labor and industries, the scope of practice of providers in bordering states may be recognized for payment purposes, except that in all cases WAC 296-20-03002 (Treatment not authorized) shall apply. Specifically, services permitted under workers compensation programs in the provider's state or country of business, but which are not allowed under the medical aid rules of the state of Washington, may not be reimbursed. When in doubt, the provider should verify coverage of a service with the department or self-insurer.

(5) ~~((Hospitals in Oregon and Idaho shall be paid according to WAC 296-23A-105 (Rates for daily and ancillary services) except that the ratio multiplied times billed charges shall be at the average for Washington hospitals and except that the department reserves the right to take advantage of other contractual opportunities or discounts which may become available. Hospitals in other states shall be paid by multiplying billed charges by the average ratio specified in WAC 296-23A-105 for Washington hospitals or at other rates deemed reasonable by the department))~~ Out-of-state hospitals will be paid according to WAC 296-23A-165.

AMENDATORY SECTION (Amending Order 86-47,  
filed 1/8/87)

~~WAC 296-23A-105 ((RATES FOR DAILY AND ANCHLLARY)) PAYMENT FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES. ((The department or self-insurer pays for inpatient daily and ancillary services, and certain outpatient services, by multiplying allowed charges times the ratio of total rate setting revenue minus bad debt, labor and industries contractual allowances and other contractual allowances related to workers compensation to total rate setting revenue for each hospital set annually based upon the latest available budget approved by the Washington state hospital commission. Beginning November 1, 1986, hospital))~~ Effective January 1, 1988, the department or self-insurer pays for hospital inpatient services using either prospectively determined diagnosis related group per case rates or allowed charges multiplied by a percent of allowed charges factor. The diagnosis related group per case rates will be determined from case mix adjusted historical per case costs, indexed to the payment period for inflation and other factors. Hospital outpatient radiology, pathology and laboratory, and physical therapy services which do not occur within one day of an inpatient admission are to be billed and will be paid using the appropriate labor and industries outpatient fee schedule procedure codes. Effective January 1, 1988, hospital outpatient services which are not billed and paid using the hospital outpatient fee schedule will be paid a percent of allowed charges.

All hospital inpatient and outpatient services and billed charges are subject to review by the department or a representative chosen by the department.

NEW SECTION

WAC 296-23A-155 NEW HOSPITALS. New hospitals are those entities which were not open for at least one year prior to the department's implementation of the latest diagnosis related group rates or percent of allowed charges factor for hospitals paid by the department. A change in ownership does not constitute the creation of a new hospital. If a hospital changes ownership, rates will be those payable to the previous owner.

Payment for services provided by new hospitals will be at the average diagnosis related group rates and average percent of allowed charges for the new hospital's peer group.

A new hospital will be paid using its hospital-specific percent of allowed charges factor within three years of receiving a provider number(s) from the department.

NEW SECTION

WAC 296-23A-160 EXCLUDED AND INCLUDED SERVICES. (1) Ambulance and air transportation services are excluded from the diagnosis related group payments.

(2) Preadmission services: Services performed in a hospital outpatient setting within one day prior to admission into the hospital must be billed as hospital inpatient services.



(3) Freestanding and distinct part psychiatric, rehabilitation, and substance abuse facilities as defined by the health care finance administration will be excluded from payment by diagnosis related group rates. These facilities will be paid a percent of allowed charges. The department may choose to exclude other freestanding and distinct part units from diagnosis related group rates.

(4) Bills which are coded as diagnosis related groups 000, 469, and 470 will be denied.

(5) Military, health maintenance organization (HMO), and children's hospitals will be paid their allowed charges.

(6) Bills which are coded as diagnosis related groups paid by the department, and are for hospital services where the injured worker has been admitted and discharged on the same day, will be reviewed by the department and may be paid as hospital outpatient services.

(7) All hospital services provided to an injured worker admitted to a hospital will be included in the diagnosis related group rates unless otherwise specified.

#### NEW SECTION

WAC 296-23A-165 OUT-OF-STATE HOSPITALS. (1) Hospitals not in Oregon, Idaho, or Washington will be paid a percent of allowed charges. The percent of allowed charges may differ for services performed in the inpatient and outpatient settings.

(2) Oregon and Idaho hospitals: Hospital outpatient radiology, pathology and laboratory, and physical therapy services are to be billed and will be paid using the appropriate labor and industries outpatient fee schedule procedure codes. Other hospital outpatient services will be paid a percent of allowed charges.

Hospital inpatient services will be paid a percent of allowed charges. The percent of allowed charges may differ for services performed in the inpatient and outpatient settings.

#### NEW SECTION

WAC 296-23A-170 OUTLIERS. (1) Outlier payments are for cases with unusually high or low costs. Outlier status will be granted to qualified diagnosis related groups cases paid by the department.

(2) Qualification for high outlier status: To qualify as a high outlier under the diagnosis related groups payment system, the allowed charges (ACHGE) for the case minus a dollar threshold (\$threshold) must be greater than zero:

$$(ACHGE - \$threshold) > 0.$$

The dollar threshold is defined as the greater of two standard deviations above the state-wide diagnosis related group rate for each diagnosis related group paid by the department or \$9,000. The state-wide per case rates used to compute the standard deviations for the diagnosis related groups will be computed across all relevant cases in the historical data base excluding outliers.

(3) Payment: Outlier cases will be paid a hospital's diagnosis related group rate plus an add-on. The add-on

will be calculated by first subtracting the dollar threshold from the allowed charges for the case. This product is then multiplied by that hospital's percent of allowed charges factor (F) and then by eighty percent:

$$(ACHGE - \$threshold) * F * 0.80 = \text{Add-on.}$$

The outlier payment will be as follows:

$$\text{Outlier payment} = \text{Hospital's DRG rate} + \text{add-on.}$$

(4) To have a bill considered for high outlier status, the hospital must enter "61" for the condition code, block 35 of the UB-82.

(5) Hospitals must submit the following information with a bill, in addition to the information required in WAC 296-23A-150(3), when requesting a high outlier:

(a) Physician's progress notes.

(b) Physician's orders.

(c) Nurse's notes.

(6) Qualification for low outlier status: To qualify as a low outlier, the allowed charges multiplied by that hospital's percent of allowed charges factor must be less than the greater of ten percent of the state-wide diagnosis related group rate or \$200. The state-wide diagnosis related group rate will be computed across all relevant cases in the historical data base excluding outliers. Low outlier cases will be paid that hospital's inpatient percent of allowed charges factor multiplied by the allowed charges for the case.

#### NEW SECTION

WAC 296-23A-175 INTERIM BILLS. (1) An interim bill is defined as a bill which has a patient status code of 30 in block 21 of the UB-82.

(2) Interim bills which are assigned to diagnosis related groups paid per case by the department will be denied.

(3) If an interim bill is coded as a diagnosis related group not paid by the department, then the bill will be paid as a percent of allowed charges. If an interim bill is paid as a percent of allowed charges, and a subsequent bill coded as a diagnosis related group paid by the department for the same injured worker has a first date of service within seven days of the last date of service of the previous bill, then the bills will be subject to review by the department.

#### NEW SECTION

WAC 296-23A-180 READMISSIONS. (1) Both bills for an injured worker who is readmitted within seven days of a previous discharge and for which at least one bill is coded as a diagnosis related group paid by the department will be subject to review by the department. Payment for services associated with these bills will depend on the review.

(2) Both bills for a readmitted worker involving different hospitals, and for which at least one bill is coded as a diagnosis related group paid by the department, will be reviewed by the department and may be paid using the payment method for transfers.



NEW SECTION

WAC 296-23A-185 TRANSFERS. (1) A transfer is defined as an admission to another acute care hospital within seven days of the previous discharge for the same injured worker. All transfers will be subject to review by the department and payment will be determined according to the department's interpretation of the review. The transferring hospital may qualify for high and low outlier status.

(2) When the stay at the transferring hospital is a diagnosis related group paid by the department and does not qualify as a low outlier, the transferring hospital is paid a per day rate for each day of care allowed by the department's review prior to the transfer. The per day rate is determined by dividing that hospital's rate for the appropriate diagnosis related group by that diagnosis related group's average length of stay determined by the department. If the case does not qualify as a high outlier, payment to the transferring hospital will not exceed the appropriate diagnosis related group rate that would have been paid had the injured worker not been transferred to another hospital.

(3) The receiving hospital in a transfer will be paid according to the department's review of the case. If the receiving hospital's stay is a diagnosis related group paid by the department, then the hospital will receive the appropriate per case and outlier payments. If the case is not a diagnosis related group paid by the department, then the hospital is paid a percent of allowed charges.

NEW SECTION

WAC 296-23A-190 ADJUSTMENT OF RATES. If a hospital can demonstrate to the department that its percent of allowed charges factor has changed by more than ten percent over the percent of allowed charges factor currently applied to the hospital's rates, then the hospital can file for rate relief with the department. To demonstrate this change to the department, the hospital must use independently audited source data from the same time period for which the initial percent of allowed charges factor was calculated. If the department's review of the material submitted by the hospital results in a favorable determination for the hospital, the department will modify the hospital's percent of allowed charges factor and recalculate the hospital's base rates for diagnosis related group rates using the revised percent of charges factor.

The revised rates will apply to all bills with a date of admission on or after a date chosen by the department. The chosen date will be within four months of the agreement to modify between the hospital and the department.

NEW SECTION

WAC 296-20-12050 SPECIAL PROGRAMS. (1) The department or self-insurer may from time to time enter into special agreements for services provided by, or under the direction of, licensed providers authorized to bill the department. Special agreements are for services

other than routine services covered under the fee schedule, and may include multi-disciplinary or inter-disciplinary programs such as pain management, work hardening, and physical conditioning.

(2) The department shall establish payment rates for special agreements, and may establish outcome criteria, measures of effectiveness, minimum staffing levels, certification requirements, special reporting requirements and such other criteria as will ensure injured workers receive good quality and effective services at a prudent cost.

(3) Special agreements shall be purchased at the discretion of the department or self-insurer. The department may terminate special programs from the industrial insurance program upon thirty days notice to the provider.

AMENDATORY SECTION (Amending Order 87-18, filed 7/23/87)

WAC 296-21-013 SPECIAL SERVICES AND BILLING PROCEDURES. The following services are generally part of the basic services listed in the maximum fee schedule but do involve additional expenses to the physician for materials, for his time or that of his employees. These services are generally provided as an adjunct to common medical services and should be used only when circumstances clearly warrant an additional charge over and above the usual charges for the basic services.

	Unit Value
99000 Handling and/or conveyance of specimen for transfer from the physician's office to a laboratory . . . . .	6.0
99001 Handling and/or conveyance of specimen for transfer from the patient in other than a physician's office to a laboratory (distance may be indicated) . . . . .	8.0
99002 Handling, conveyance, and/or any other service in connection with the implementation of an order involving devices (e.g., designing, fitting, packaging, handling, delivery or mailing) when devices such as orthotics, protectives, prosthetics are fabricated by an outside laboratory or shop but which items have been designed, and are to be fitted and adjusted by the attending physician . . . . .	12.0
(For routine collection of venous blood, use 36415)	
(99012 Telephone calls has been deleted. To report, use 99013-99015)	
99013 Telephone call for consultation or medical management; simple or brief, under 15 minutes . . . . .	5.0

	Unit Value		Unit Value
		(e.g., to report on tests and/or laboratory results; to clarify or alter previous instructions; to adjust therapy)	
99014	10.0	intermediate, 15 – 30 minutes . . . . .	
		(e.g., to provide advice to an established patient on a new problem; to initiate therapy that can be handled by telephone; to discuss results of tests in detail)	
99015	15.0	lengthy or complex . . . . .	
		(e.g., lengthy counseling session with anxious or distraught patient; detailed or prolonged discussion with family member regarding seriously ill patient)	
99024	BR	Post-operative follow-up visit, included in global service . . . . . (See WAC 296-22-010)	
99025	20.0	Initial (new patient) visit when asterisk (*) surgical procedure constitutes major service at that visit . . . . .	
99030	2.0	Mileage, one way, each mile beyond 7 mile radius of point of origin (office or home), per mile . . . . .	
99040	2.0	Completion of certificate of disability card . . . . .	
99044	10.0	Doctor's estimate of physical capacities . . . . .	
99050	10.0	Services requested after office hours in addition to basic service . . . . .	
99052	12.0	Services requested between 10:00 p.m. and 8:00 a.m. in addition to basic services provided the office is closed during this period of time . . . . .	
99054	12.0	Services requested on Sundays and holidays in addition to basic services . . . . .	
99056	BR	Services provided at request of patient in a location other than physician's office which are normally provided in the office . . . . .	
99058	BR	Office services provided on an emergency basis . . . . . (For hospital-based emergency care facility services, see 90500 et seq.)	
99062	8.0	Emergency care facility services: When the nonhospital-based physician is in the hospital but is involved in patient care elsewhere and is called to the emergency facility to provide emergency services . . . . .	
		(For hospital-based emergency care facility services, see 90500 et seq.)	
99064	25.0	Emergency care facility services: When the nonhospital-based physician is called to the emergency facility from outside the hospital to provide emergency services; not during regular office hours . . . . .	
99065	16.0	during regular office hours . . . . .	
99070	BR	Supplies and materials (except spectacles) provided by the physician over and above those usually included with the office visit or other services rendered (list drugs, trays, supplies or materials cast room and/or casting supplies provided). Bill at cost . . . . . (For spectacles, see 92390-92395)	
99075	240.0	<u>Medical testimony approved in advance by office of attorney general.</u> First hour . . . . .	
99076	80.0	<u>Each additional 30 minutes . . . . .</u>	
99080	BR	Special reports as insurance forms, sixty-day report, or the review of medical data to clarify a patient's status—more than the information conveyed in the usual medical communications or standard reporting form at department request (see WAC 296-20-06101 for reporting requirements) . . . . .	
99082	2.0	Unusual travel (e.g., transportation and escort of patient) per mile . . . . .	
99083	0.2	Copies of medical records requested by the department or self-insurance or their representative(s), not required to support billing for services rendered, per page . . . . .	
99084	4.6	Maximum allowed per claim . . . . .	
99085	12.0	Physician called on to convey instructions by telephone to hospital emergency room or nurse practitioner clinic—to be paid only to initial attending physician upon completion of report of accident form . . . . .	
99095	200.0	<u>Deposition approved in advance by office of attorney general: First hour . . . . .</u>	
99096	67.0	<u>Each additional 30 minutes . . . . .</u>	
99150	25.0	Detention, prolonged, with patient requiring physician attendance beyond usual service (e.g., critically ill patient, 30 minutes to one hour) . . . . .	
99151	50.0	more than one hour . . . . .	

	Unit Value
<b>CRITICAL CARE</b>	
Critical care includes the care of critically ill patients in a variety of medical emergencies that requires the constant attention of the physician (cardiac arrest, shock, bleeding, respiratory failure, postoperative complications, critically ill neonate). Critical care is usually, but not always, given in a critical care area, such as the coronary care unit, intensive care unit, respiratory care unit, or the emergency care facility. The descriptors for critical care are intended to include cardiopulmonary resuscitation and a variety of services attendant to this procedure as well as other acute emergency situations. Separate procedure codes for services performed during this period, such as placement of catheters, cardiac output measurement, management of dialysis, control of gastrointestinal hemorrhage, electrical conversion of arrhythmia, etc., are excluded when this descriptor is used on a per hour basis. (The physician may list his services separately if he desires.)	
99160	100.0
99162	50.0
(99165, 99166 have been deleted. To report, use 99199)	
(For monitoring cardiac output, see 78470, 93561, 93962)	
(For monitoring intra-aortic balloon counter pulsation, see 33972)	
(For subsequent visits, see appropriate critical care visit, 99171-99174 or hospital visits, 90200-90280)	
99170	SV
99171	SV
99172	SV
99173	SV
99174	SV

**OTHER SERVICES**

99175	SV
(For diagnostic intubation, see 82926-82932, 89130-89141)	
(For gastric lavage for diagnostic purposes, see 91055)	
99180	12.0
99182	3.0
99185	BR
99186	BR
99190	60.0
99191	45.0
99192	30.0
99195	20.0
99199	BR
(For monitoring cardiac output, see 78470, 93561, 93962)	
(For monitoring intra-aortic balloon counterpulsation, see 33972)	
(For subsequent visits, see appropriate hospital visits, 90200-90280)	
(For physicians assigned to critical care units or other long-term attendance, use special reports)	

**DEFINITIONS**

Definitions and items of commonality. Terms and phrases common to the practice of medicine are defined as follows and apply to procedures 90000 through 90696.

(1) **NEW PATIENT:** A patient who is new to the physician or a known patient with a new industrial injury or condition, and whose medical and administrative record need to be established.

(2) **ESTABLISHED PATIENT:** A patient known to the physician and/or whose records are usually available.

(3) **INITIAL VISIT:** Initial care, including physical examination and initiation of diagnostic and treatment program, for a condition regardless of whether the patient is known to the physician.

(4) **FOLLOW-UP VISIT:** Subsequent care for a patient and condition known to the physician.

(5) **CONSULTATION:** A consultation includes services rendered by a physician whose opinion or advice is requested by a physician or other appropriate source for

the further evaluation and/or management of the patient. When the consulting physician assumes responsibility for the continuing care of the patient, any subsequent service rendered by him will cease to be a consultation. The consulting physician cannot assume care without the concurrence of the patient or the referring doctor. See WAC 296-20-051. Five levels of consultation are recognized: Limited, intermediate, extensive, comprehensive, and consultation of complexity. See WAC 296-21-030 for description.

(6) **REFERRAL:** (Transfer) A referral is the transfer of the total or specific care of a patient from one physician to another and does not constitute a consultation. Initial evaluation and subsequent services are designated as listed below in levels of service.

(7) **INDEPENDENT PROCEDURE:** Certain listed procedures are commonly undertaken as an integral part of a total service. When such a procedure is undertaken as a separate entity, the designation "independent procedure" is appropriate. For example: A patient being seen in consultation by an ophthalmologist and it is necessary for him to perform a gonioscopy or a ophthalmoscopy with intravenous fluorescein as diagnostic procedures in connection with the consultation, then they would be considered as independent procedures. Another example would be cardiac monitoring with electronic equipment in intrathoracic or other critical surgery.

(8) **LEVELS OF SERVICE:** Examinations, evaluations, treatment, counseling, conferences with or concerning patients, and services which necessitate wide variations in skill, effort and time required for the diagnosis and treatment of illness and the promotion of optimal health. Six levels are recognized:

**MINIMAL:** A level of service including injections, dressings, minimal care, etc., not necessarily requiring the presence of the physician.

For example:

- (a) Routine immunization for tetanus administered by a nurse.
- (b) Blood pressure determination by a nurse for medication control.
- (c) Removal of sutures from laceration.

**BRIEF:** A level of service requiring a brief period of time, with minimal effort by the physician.

For example:

- (a) Certification of time loss in a stable or chronic case.
- (b) Reexamination of minor trauma (e.g., contusion or abrasion).
- (c) Examination of conjunctiva by the physician in a patient with subconjunctival hemorrhage, irrigation, medication and removal of foreign body with instrument.
- (d) Review of interval history, physical status, and adjustment of medication in patient with compensated arteriosclerotic heart disease on chronic diuretic therapy.

**LIMITED:** A level of service requiring limited effort or judgment, such as abbreviated or interval history, limited examination or discussion of findings and/or treatment.

For example:

- (a) Review and examination of uncomplicated sprains and strains with initiation, continuation and/or change of treatment.
- (b) Examination of an extremity fracture not requiring reduction.
- (c) Post-operative care in instances where the unit value is for surgical procedure only.

**INTERMEDIATE:** A level of service such as a complete history and physical examination of one or more organ systems, complicated with a new diagnostic or management problem not necessarily relating to the primary diagnosis that necessitates the obtaining and evaluation of pertinent history and physical or mental status findings, diagnostic tests and procedures, and the ordering of appropriate therapeutic management or an in depth counseling or discussion of the findings, but not requiring a comprehensive examination of the patient as a whole.

For example:

- (a) Review of interval history; examination of neck veins, lungs, heart, abdomen and extremities, discussion of findings and prescription of treatment in decompensated arteriosclerotic heart disease.
- (b) Review of interval history, examination of musculoskeletal system, discussion of findings, and adjustment of therapeutic program in low back and/or arthritic disorders.
- (c) Review of recent illness: Examination of pharynx, neck, axilla, groin, and abdomen; interpretation of laboratory tests and prescription of treatment in infectious mononucleosis.
- (d) Evaluation of a chest, post trauma, with impaired respiration with development of shock.

**EXTENDED:** A level of service requiring an unusual amount of effort or judgment with report to include a detailed history, review of medical records, examination, conclusions of x-ray or laboratory studies, diagnosis and recommendations for treatment, and a formal conference with patient or family. This service may, or may not involve a complete examination of the patient as a whole.

For example:

- (a) Re-examination of neurological findings, detailed review of hospital studies and course, and formal conference with patient and family jointly concerning findings and plans in a diagnostic problem of suspected intracranial disease in a young adult.
- (b) Detailed intensive review of studies and hospital course and thorough reexamination of pertinent physical findings of a patient with a recent coronary infarct with complications requiring constant physician bedside attention.
- (c) Review of results of diagnostic evaluation, performance of a detailed examination and a thorough discussion of physical findings, laboratory studies, x-ray examinations, diagnostic conclusions and recommendations for treatment of complicated chronic pulmonary disease.
- (d) Detailed review of studies and hospital course and thorough reexamination of pertinent physical findings of

a patient with a recent coronary infarct and formal conference with patient or family to review findings and prognosis.

(e) Reevaluation of a psychotic delusional patient who develops severe and acute abdominal pain involving a mental status reassessment but not a psychiatric diagnostic interview, and a conference with the consulting surgeon and nursing personnel.

(f) Detailed intensive review of studies and hospital course and thorough reexamination of pertinent findings of a patient with a recently diagnosed uterine adenocarcinoma who also has a pulmonary coin lesion under consideration for thoracotomy; this service involves several abbreviated conferences with consultants, and family or patient.

COMPREHENSIVE: A level of service providing an in depth evaluation of the patient with a new or existing problem requiring the development or complete reevaluation of medical data. This procedure includes the recording of a chief complaint(s), and present illness, family history, past medical history, personal history, system review, a complete physical examination, and the ordering of appropriate diagnostic tests and procedures.

**AMENDATORY SECTION** (Amending Order 86-36, filed 10/1/86, effective 11/1/86)

**WAC 296-20-010 GENERAL INFORMATION.**

(1) The following rules and fees are promulgated pursuant to RCW 51.04.020. This fee schedule is intended to cover all services for accepted industrial insurance claims. All fees listed are the maximum fees allowable. Practitioners shall bill their usual and customary fee for services. IF A USUAL AND CUSTOMARY FEE FOR ANY PARTICULAR SERVICE IS LOWER TO THE GENERAL PUBLIC THAN LISTED IN THE FEE SCHEDULE, THE PRACTITIONER SHALL BILL THE DEPARTMENT OR SELF-INSURER AT THE LOWER RATE. The department or self-insurer will pay the lesser of the billed charge or the fee schedule maximum allowable.

(2) The rules contained in the introductory section pertain to all practitioners regardless of specialty area or limitation of practice. Additional rules pertaining to specialty areas will be found in the appropriate section.

(3) The maximum allowable fee for a procedure is determined by multiplying the unit value of a procedure by the appropriate conversion factor, per the conversion factor tables listed in WAC 296-20-135 to 296-20-155.

(4) Initial and follow-up visit charges by practitioners include routine examinations, physical modalities, injections, minor procedures, etc., not otherwise provided for in this schedule. No fee is payable for missed appointments unless the appointment is for an examination arranged by the department or self-insurer.

(5) When a claim has been accepted by the department or self-insurer, no provider or his/her representative may bill the worker for the difference between the allowable fee and his usual and customary charge. Nor can the worker be charged a fee, either for interest or

completion of forms, related to services rendered for the industrial injury or condition.

(6) Practitioners must maintain documentation in claimant medical or health care service records adequate to verify the level, type, and extent of services provided to claimants.

(7) Except as provided in WAC 296-20-055 (temporary treatment of unrelated conditions when retarding recovery), practitioners shall bill, and the department or self-insurer shall pay, only for medically necessary services required for the diagnosis and curative or rehabilitative treatment of the accepted condition.

(8) When an injured worker is being treated concurrently for an unrelated condition the fee allowable for the service(s) rendered must be shared proportionally between the payors.

~~((8))~~ (9) Correspondence: Correspondence pertaining to state fund and department of energy claims should be sent to Department of Labor and Industries, Claims Administration, MS: HC-241, Olympia, Washington 98504. Accident reports should be sent to Department of Labor and Industries, P.O. Box 9001, Olympia, Washington 98504-9001. Billings should be sent to Department of Labor and Industries, P.O. Box 9002, Olympia, Washington 98504-9002. State fund claims have six digit numbers preceded by a letter other than "S," "T," or "V."

Department of energy claims have seven digit numbers with no letter prefix.

All correspondence and billings pertaining to crime victims claims should be sent to Crime Victims Division, Department of Labor and Industries, 925 Plum Street, MS: HC-720, Olympia, Washington 98504.

Crime victim claims have six digit numbers preceded by a "V."

All correspondence and billings pertaining to self-insured claims should be sent directly to the employer or his service representative as the case may be. A listing of self-insured employers and service representatives can be found in Appendix B.

Self-insured claims are six digit numbers preceded by a "S," or "T."

Communications to the department or self-insurer must show the patient's full name and claim number. If the claim number is unavailable, providers should contact the department or self-insurer for the number, indicating the patient's name, Social Security number, the date and the nature of the injury, and the employer's name. A communication should refer to one claim only. Correspondence must be legible and reproducible, as department records are microfilmed. Correspondence regarding specific claim matters should be sent directly to the department in Olympia or self-insurer in order to avoid rehandling by the service location.

~~((9))~~ (10) APPENDIX C is a listing of the department's various local service locations. These facilities should be utilized by providers to obtain information, supplies, or assistance in dealing with matters pertaining to industrial injuries.

**AMENDATORY SECTION** (Amending Order 86-36, filed 10/1/86, effective 11/1/86)

**WAC 296-20-01002 DEFINITIONS. TERMINATION OF TREATMENT:** When treatment is no longer required and/or the industrial condition is stabilized, a report indicating the date of stabilization should be submitted to the department or self-insurer. This is necessary to initiate closure of the industrial claim. The patient may require continued treatment for conditions not related to the industrial condition; however, financial responsibility for such care must be the patient's.

**UNUSUAL OR UNLISTED PROCEDURE:** Value of unlisted services or procedures should be substantiated "by report" (BR).

**"BY REPORT":** BR (by report) in the value column indicates that the value of this service is to be determined by report (BR) because the service is too unusual, variable or new to be assigned a unit value. The report should provide an adequate definition or description of the services or procedure (e.g., operative or narrative report), using any of the following as indicated:

- (1) Diagnosis;
- (2) Size, location and number of lesion(s) or procedure(s) where appropriate;
- (3) Major surgical procedure and supplementary procedure(s);
- (4) Whenever possible, list the nearest similar procedure by number according to this schedule;
- (5) Estimated follow-up;
- (6) Operative time.

The department or self-insurer may adjust BR procedures when such action is indicated.

**"INDEPENDENT OR SEPARATE PROCEDURE":** Certain of the listed procedures are commonly carried out as an integral part of a total service, and as such do not warrant a separate charge. When such a procedure is carried out as a separate entity, not immediately related to other services, the indicated value for "independent procedure" is applicable.

**SV. ITEMS:** Sv (service) procedures are not essentially a single procedure, rather they are comprised of several other procedures. These "Sv" procedures although identified by a specific code number, can be described only in terms of the several services included. Therefore, unit values are not indicated for Sv procedures and total value is derived from the values of the individual services performed. These Sv procedures require "BR" (see above) information to substantiate billing.

**MODIFIED WORK STATUS:** The injured worker is not able to return to his previous work, but is physically capable of carrying out work of a lighter nature. Injured workers should be urged to return to modified work as soon as reasonable as such work is frequently beneficial for body conditioning and regaining self confidence.

Under RCW 51.32.090, when the employer has modified work available for the worker, the employer must furnish the doctor and the worker with a statement describing the available work in terms that will enable the doctor to relate the physical activities of the job to the worker's physical limitations and capabilities. The doctor shall then determine whether the worker is physically

able to perform the work described. The employer may not increase the physical requirements of the job without requesting the opinion of the doctor as to the worker's ability to perform such additional work. If after a trial period of reemployment the worker is unable to continue with such work, his time loss compensation will be resumed upon certification by the attending doctor.

If the employer has no modified work available, the department should be notified immediately, so vocational assessment can be conducted to determine whether the worker will require assistance in returning to work.

**REGULAR WORK STATUS:** The injured worker is physically capable of returning to his/her regular work. It is the duty of the attending doctor to notify the worker and the department or self-insurer, as the case may be, of the specific date of release to return to regular work. Compensation will be terminated on the release date. Further treatment can be allowed as requested by the attending doctor if the condition is not stationary and such treatment is needed and otherwise in order.

**TOTAL TEMPORARY DISABILITY:** Full-time loss compensation will be paid when the worker is unable to return to any type of reasonably continuous gainful employment as a direct result of an accepted industrial injury or exposure.

**TEMPORARY PARTIAL DISABILITY:** Partial time loss compensation may be paid when the worker can return to work on a limited basis or return to lesser paying job is necessitated by the accepted injury or condition. The worker must have a reduction in wages of at least five percent before consideration of partial time loss can be made. No partial time loss compensation can be paid after the worker's condition is stationary.

**ALL TIME LOSS COMPENSATION MUST BE CERTIFIED BY THE ATTENDING DOCTOR BASED ON OBJECTIVE FINDINGS.**

**PERMANENT PARTIAL DISABILITY:** Any anatomic or functional abnormality or loss after maximum rehabilitation has been achieved, which is determined to be stable or nonprogressive at the time the evaluation is made. When the attending doctor has reason to believe a permanent impairment exists, the department or self-insurer should be notified. Specified disabilities (amputation or loss of function of extremities, loss of hearing or vision) are to be rated utilizing a nationally recognized impairment rating guide. Unspecified disabilities (internal injuries, spinal injuries, mental health, etc.) are to be rated utilizing the category system detailed under WAC 296-20-200 et al. for injuries occurring on or after October 1, 1974. Appendix D contains a schedule of the permanent disability maximum awards. UNDER WASHINGTON LAW DISABILITY AWARDS ARE BASED SOLELY ON PHYSICAL OR MENTAL IMPAIRMENT DUE TO THE ACCEPTED INJURY OR CONDITIONS WITHOUT CONSIDERATION OF ECONOMIC FACTORS.

**TOTAL PERMANENT DISABILITY:** Loss of both legs or arms, or one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the worker from performing any work at any gainful employment. When the attending doctor feels a worker may be totally and permanently disabled, he should communicate this information immediately to the department or self-insurer. A vocational evaluation and an

independent rating of disability may be arranged by the department prior to a determination as to total permanent disability. Coverage for treatment does not usually continue after the date an injured worker is placed on pension.

**FATAL:** When the attending doctor has reason to believe a worker has died as a result of an industrial injury or exposure, the doctor should notify the nearest department service location (see Appendix C) or the self-insurer immediately. Often an autopsy is required by the department or self-insurer. If so, it will be authorized by the service location manager or the self-insurer. Benefits payable include burial stipend and monthly payments to the surviving spouse and/or dependents.

**DOCTOR:** For these rules, means a person licensed to practice one or more of the following professions: Medicine and surgery; osteopathic; chiropractic; drugless therapeutics; podiatry; dentistry; optometry.

Only those persons so licensed may sign report of accident forms and time loss cards except as provided in WAC 296-20-100.

**HEALTH SERVICES PROVIDER OR PROVIDER:** For these rules means any person, firm, corporation, partnership, association, agency, institution, or other legal entity providing any kind of services related to the treatment of an industrially injured worker. It includes, but is not limited to, hospitals, medical doctors, dentists, chiropractors, vocational rehabilitation counselors, osteopaths, pharmacists, podiatrists, physical therapists, occupational therapists, massage therapists, psychologists, drugless therapeutics, and durable medical equipment dealers.

**PRACTITIONER:** For these rules, means any person defined as a "doctor" under these rules, or licensed to practice one or more of the following professions: Audiology; physical therapy; occupational therapy; pharmacy; prosthetics; orthotics; psychology; nursing; physician or osteopathic assistant; and massage therapy.

**PHYSICIAN:** For these rules, means any person licensed to perform one or more of the following professions: Medicine and surgery; or osteopathic.

**ACCEPTANCE, ACCEPTED CONDITION:** Determination by a qualified representative of the department or self-insurer that reimbursement for the diagnosis and curative or rehabilitative treatment of a claimant's medical condition is the responsibility of the department or self-insurer. The condition being accepted must be specified by one or more diagnosis codes from the current edition of the International Classification of Diseases, Clinically Modified (ICD-CM).

**AUTHORIZATION:** Notification by a qualified representative of the department or self-insurer that specific medically necessary treatment, services, or equipment provided for the diagnosis and curative or rehabilitative treatment of an accepted condition will be reimbursed by the department or self-insurer.

**MEDICALLY NECESSARY:** Those health services are medically necessary which, in the opinion of the director or his or her designee, are:

(a) Proper and necessary for the diagnosis and curative or rehabilitative treatment of an accepted condition; and

(b) Reflective of accepted standards of good practice within the scope of the provider's license or certification; and

(c) Not delivered primarily for the convenience of the claimant, the claimant's attending doctor, or any other provider; and

(d) Provided at the least cost and in the least intensive setting of care consistent with the other provisions of this definition.

In no case shall services which are inappropriate to the accepted condition or which present hazards in excess of the expected medical benefits be considered medically necessary. Services which are controversial, obsolete, experimental, or investigational are presumed not to be medically necessary, and shall be authorized only as provided in WAC 296-20-03002(6).

**UTILIZATION REVIEW:** The assessment of a claimant's medical care to assure that it is medically necessary and of good quality. This assessment typically considers the appropriateness of the place of care, level of care, and the duration, frequency or quantity of services provided in relation to the accepted condition being treated.

## NEW SECTION

**WAC 296-20-024 UTILIZATION REVIEW AND QUALITY ASSURANCE.** To ensure that injured workers receive good quality health care, provided in an efficient manner and in the most appropriate setting, the department has instituted a program of utilization review and quality assurance. This program is designed to monitor and control the use of health care services, and includes, but is not limited to, the following:

(1) Authorization for reimbursement must be obtained from a qualified representative of the department or self-insurer prior to the provision of certain medical treatment, equipment or supplies. This requirement applies to all nonemergent major surgery, diagnostic studies other than routine radiology and laboratory studies, therapy extending beyond a specified number of days or treatments, and to certain other medical treatment, equipment and supplies. Emergency medical services can be provided without prior authorization, but reimbursement may be withheld, or recovery of prior payments made, if utilization review fails to confirm the medical necessity of such services.

(2) Medical treatment, equipment and supplies which are normally reimbursed without prior authorization are nevertheless subject to specific limitations with respect to the duration, frequency, and quantity that may be provided without review. If such services are delivered in excess of the limitations which apply to them, reimbursement will not be made unless prior authorization has been obtained from a qualified representative of the department or self-insurer.

(3) Certain types of medical treatment, equipment and supplies are not approved for the diagnosis or treatment of accepted conditions, and will not be authorized or reimbursed by the department or self-insurer.

(4) Specific limitations are placed on the duration, frequency and types of prescription drugs and controlled substances that will be reimbursed by the department or self-insurer.

(5) Documentation of the need for and efficacy of continued medical care by the health care provider is required at regular intervals while a claim is open. Such documentation enables the department or self-insurer to review the plan of treatment, assess the quality and medical necessity of services, authorize or deny reimbursement for continued provision of services, evaluate eligibility for time loss compensation, and pay medical bills.

(6) The department's second opinion program requires consultations prior to the authorization of reimbursement for some types of surgery, for all procedures of a controversial or uncommon nature, and for conservative or chiropractic care which extends past 120 days following the initial visit.

(7) Hospitalization will be reimbursed only when it is determined to be medically necessary for the diagnosis and curative or rehabilitative treatment of accepted conditions. Hospital bills and supporting medical documents may be audited to verify the accuracy or appropriateness of charges, and recovery of overpayments will be made.

(8) Medical treatment, equipment and supplies provided for the diagnosis and curative or rehabilitative treatment of a condition unrelated to the accepted medical condition will not be reimbursed unless prior authorization has been obtained from the department or self-insurer.

(9) The department's mandatory outpatient surgery program requires that certain diagnostic and surgical procedures be reimbursed only if they are performed in an outpatient setting. If a worker's medical condition necessitates performance of such a procedure in an inpatient setting, prior authorization must be obtained from the department or self-insurer.

**AMENDATORY SECTION** (Amending Order 86-36, filed 10/1/86, effective 11/1/86)

WAC 296-20-075 HOSPITALIZATION. Hospitalization will be paid when (~~indicated~~) medically necessary for treatment of the accepted condition(s). Unless the worker's condition requires special care, ward or semi-private accommodations will be paid. Hospitalization solely for physical therapy, bed rest, and/or administration of injectable drugs will be paid only under the following circumstances:

(a) Acute back pain with objective findings of neurological deficit, e.g., foot drop, motor dysfunction or other symptoms indicative of a herniated disc;

(b) Chronic back pain, which has been treated for a minimum of ten days with home bed rest, traction, outpatient physical therapy, and medication without improvement and where the worker has objective physical findings.

Discharge from the hospital shall be at the earliest date possible consistent with proper health care. If transfer to a convalescent center or nursing home is indicated, prior arrangements should be made with the department or self-insurer. See WAC 296-20-091 for further information. The department may designate those diagnostic and surgical procedures which (~~can be~~) will be reimbursed only if performed in (other than a hospital inpatient) an outpatient setting. (~~Where a~~

~~worker has a medical condition which necessitates a hospital admission, prior approval of the department or self-insurer))~~ When procedures so designated must be performed in an inpatient setting for reasons of medical necessity, prior authorization must be obtained.

**WSR 87-24-051**

**ADOPTED RULES**

**DEPARTMENT OF LABOR AND INDUSTRIES**

[Order 87-24—Filed November 30, 1987]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at Room 334, General Administration Building, Olympia, Washington 98504, the annexed rules relating to chapter 296-24 WAC, general safety and health standards, amended for administrative and editorial purposes: The narrative is restructured with addition of several words and replacement of others to clarify intent and definitions. Section G is divided into three subchapters to simplify the organization and assist the users in locating desired subject matter. Additionally, several sections are repealed. The changes are made to be "identical" or "at least as effective as" federal program changes (ref. FR Vol. 43, No. 206, October 24, 1978, FR Vol. 46, No. 11, January 16, 1981, and FR Vol. 45, No. 179, September 12, 1980). There are no substantial changes to the "intent" of any section, and there are no new compliance requirements as a result of these amendments; chapter 296-54 WAC, safety standards for logging operations, amended to clarify the definition of "danger trees" in WAC 296-54-505. This is a state-initiated change; chapter 296-62 WAC, general occupational health standards, amended for administrative and editorial purposes to make some sections "identical" or "at least as effective as" federal program changes. New sections are added for cotton dust and ethylene oxide (ref. FR Vol. 50, No. 240, December 13, 1985, FR Vol. 51, No. 128, July 3, 1986, and FR Vol. 51, No. 132, July 10, 1986). State-initiated changes were made to include asbestos regulations from the construction standards, chapter 296-155 WAC, into the general occupational health standards, to make 1987 updates to the permissible exposure limits table, and amend WAC 296-62-05403 and 296-62-05405 to include consumer product "exclusions" set forth in Substitute Senate Bill 5405 as promulgated in the 1987 legislative session. Portions of Parts G, M, and N are repealed; chapter 296-65 WAC, asbestos removal and encapsulation, amended to make administrative and reference corrections. There were no substantial changes or new requirements as a result of these state-initiated changes; chapter 296-155 WAC, safety standards for construction work, amended to include state-initiated references to asbestos requirement regulations set forth in the occupational health standard. Sections which set forth asbestos regulations in this chapter are repealed; chapter 296-306 WAC, safety standards for agricultural code, amended in WAC 296-306-27095 to reflect correct labeling requirements. This state-initiated



change does not impose any new compliance requirements; and chapter 296-350 WAC, reassumption of jurisdiction pursuant to RCW 49.17.140, amended in WAC 296-350-990 to include the updated form for employee representatives to request copies of citations and notices. The state-initiated change also makes a reference correction in WAC 296-350-500.

- Amd WAC 296-24-12007 Toilet facilities.
- Amd WAC 296-24-58503 Scope, application and definitions applicable.
- Amd WAC 296-24-58513 Protective clothing.
- Amd WAC 296-24-59211 Hydrostatic testing.
- Amd WAC 296-24-63399 Appendix C—Fire protection references for further information.
- Amd WAC 296-24-63599 Appendix E—Test methods for protective clothing.
- Amd WAC 296-24-95601 Definitions applicable to WAC 296-24-956 through 296-24-95615.
- Amd WAC 296-24-95603 Electric utilization systems.
- Amd WAC 296-24-95605 General requirements.
- Amd WAC 296-24-95607 Wiring design and protection.
- Amd WAC 296-24-95609 Wiring methods, components, and equipment for general use.
- Amd WAC 296-24-95611 Specific purpose equipment and installations.
- Amd WAC 296-24-95613 Hazardous (classified) locations.
- Amd WAC 296-54-505 Definitions applicable to this chapter.
- Amd WAC 296-62-05403 Scope and application.
- Amd WAC 296-62-05405 Definitions applicable to this section.
- Amd WAC 296-62-073 Carcinogens—Scope and application.
- Amd WAC 296-62-07304 Definitions.
- Amd WAC 296-62-07310 Signs, information and training.
- Amd WAC 296-62-07515 Control of chemical agents.
- Amd WAC 296-62-07517 Asbestos.
- Amd WAC 296-62-07701 Scope and application.
- Amd WAC 296-62-07703 Definitions.
- Amd WAC 296-62-07705 Permissible exposure limits (PEL).
- Amd WAC 296-62-07707 Identification.
- Amd WAC 296-62-07709 Exposure monitoring.
- Amd WAC 296-62-07711 Regulated areas.
- Amd WAC 296-62-07713 Methods of compliance.
- Amd WAC 296-62-07715 Respiratory protection.
- Amd WAC 296-62-07717 Protective work clothing and equipment.
- Amd WAC 296-62-07719 Hygiene facilities and practices.
- Amd WAC 296-62-07721 Communication of hazards to employees.
- Amd WAC 296-62-07723 Housekeeping.
- Amd WAC 296-62-07725 Medical surveillance.
- Amd WAC 296-62-07727 Recordkeeping.
- Amd WAC 296-62-07731 Dates.
- Amd WAC 296-62-07733 Appendices.
- Amd WAC 296-62-07735 Appendix A—WISHA reference method—Mandatory.
- Amd WAC 296-62-07737 Appendix B—Detailed procedure for asbestos, tremolite, anthophyllite, and actinolite sampling and analysis—Nonmandatory.
- Amd WAC 296-62-07739 Appendix C—Qualitative and quantitative fit testing procedures—Mandatory.
- Amd WAC 296-62-07741 Appendix D—Medical questionnaires—Mandatory.
- Amd WAC 296-62-07743 Appendix E—Interpretation and classification of chest roentgenograms—Mandatory.
- Amd WAC 296-62-07745 Appendix F—Work practices and engineering controls for automotive brake repair operations—Nonmandatory.
- Amd WAC 296-62-07747 Appendix G—Substance technical information for asbestos—Nonmandatory.
- Amd WAC 296-62-07749 Appendix H—Medical surveillance guidelines for asbestos, tremolite,

- Amd WAC 296-62-14533 anthophyllite, and actinolite—Nonmandatory.
- Amd WAC 296-65-003 Cotton dust.
- Amd WAC 296-65-005 Definitions.
- Amd WAC 296-65-015 Training course content.
- Amd WAC 296-65-020 Training course certification.
- Amd WAC 296-65-025 Notification requirements.
- Amd WAC 296-155-160 Certificate fee.
- Amd WAC 296-155-775 Gases, vapors, fumes, dusts, and mists.
- Amd WAC 296-306-27095 Preparatory operations.
- Amd WAC 296-350-500 Exhibit B—Figures V-1 through V-28.
- Amd WAC 296-350-990 Citation and notice—Copy to employee representative.
- New WAC 296-62-07355 Appendix A—Form LI 418-23—Application for copies of citations and notices.
- New WAC 296-62-07357 Scope and application.
- New WAC 296-62-07359 Definitions.
- New WAC 296-62-07361 Permissible exposure limits (PEL).
- New WAC 296-62-07363 Exposure monitoring.
- New WAC 296-62-07365 Regulated areas.
- New WAC 296-62-07367 Methods of compliance.
- New WAC 296-62-07369 Respiratory protection and personal protective equipment.
- New WAC 296-62-07371 Emergency situations.
- New WAC 296-62-07373 Medical surveillance.
- New WAC 296-62-07375 Communication of EtO hazards to employees.
- New WAC 296-62-07377 Recordkeeping.
- New WAC 296-62-07379 Observation of monitoring.
- New WAC 296-62-07381 Dates.
- New WAC 296-62-07383 Appendices.
- New WAC 296-62-07385 Appendix A—Substance safety data sheet for ethylene oxide (nonmandatory).
- New WAC 296-62-07387 Appendix B—Substance technical guidelines for ethylene oxide (nonmandatory).
- New WAC 296-62-07389 Appendix C—Medical surveillance guidelines for ethylene oxide (nonmandatory).
- New WAC 296-62-07706 Appendix D—Sampling and analytical methods for ethylene oxide (nonmandatory).
- New WAC 296-62-07707 Communication among employers.
- New WAC 296-62-07712 Requirements for asbestos removal, demolition, and renovation operations.
- New WAC 296-62-07751 Appendix I—Work practices and engineering controls for major asbestos removal, renovation, and demolition operations—Nonmandatory.
- New WAC 296-62-07753 Appendix J—Work practices and engineering controls for small-scale, short-duration asbestos renovation and maintenance operations—Nonmandatory.
- New WAC 296-62-07761 Nonasbestiform tremolite, anthophyllite, and actinolite.
- New WAC 296-62-14537 Appendix B-I through B-III—Respiratory questionnaire.
- New WAC 296-62-14539 Appendix C—Spirometry prediction tables for normal males and females.
- New WAC 296-62-14541 Appendix D—Pulmonary function standards for cotton dust standard.
- Rep WAC 296-24-59001 General requirements.
- Rep WAC 296-24-59003 Selection of extinguishers.
- Rep WAC 296-24-59005 Distribution of portable fire extinguishers.
- Rep WAC 296-24-59007 Inspection, maintenance, and hydrostatic tests.
- Rep WAC 296-24-600 Standpipe and hose systems.
- Rep WAC 296-24-60001 General requirements.
- Rep WAC 296-24-60003 Hose outlets.
- Rep WAC 296-24-60005 Water supplies.

Rep	WAC 296-24-60007	Tests and maintenance.
Rep	WAC 296-24-60501	General requirements.
Rep	WAC 296-24-60503	Fire department connections.
Rep	WAC 296-24-60505	Sprinkler alarms.
Rep	WAC 296-24-60507	Maintenance of sprinkler system.
Rep	WAC 296-24-60509	Sprinkler head clearance.
Rep	WAC 296-24-615	Fixed dry chemical extinguishing systems.
Rep	WAC 296-24-61501	General requirements.
Rep	WAC 296-24-61503	Alarms and indicators.
Rep	WAC 296-24-61505	Inspection and maintenance.
Rep	WAC 296-24-620	Carbon dioxide extinguishing systems.
Rep	WAC 296-24-62001	General requirements.
Rep	WAC 296-24-62003	Inspection and maintenance.
Rep	WAC 296-24-625	Local fire alarm signaling systems.
Rep	WAC 296-62-07353	Ethylene oxide.
Rep	WAC 296-62-07729	Observation of monitoring.
Rep	WAC 296-62-14531	Exposure to cotton dust in cotton gins.
Rep	WAC 296-62-146	Appendices.
Rep	WAC 296-62-14603	Appendix B-1—Respiratory questionnaire.
Rep	WAC 296-65-040	Appeals—Notice and filing.
Rep	WAC 296-65-045	Appeals—Procedure.
Rep	WAC 296-155-175	Scope and application.
Rep	WAC 296-155-17505	Definitions.
Rep	WAC 296-155-17510	Permissible exposure limits (PEL).
Rep	WAC 296-155-17515	Communication among employers.
Rep	WAC 296-155-17520	Identification.
Rep	WAC 296-155-17525	Regulated areas.
Rep	WAC 296-155-17530	Exposure monitoring.
Rep	WAC 296-155-17532	Methods of compliance.
Rep	WAC 296-155-17535	Respiratory protection.
Rep	WAC 296-155-17540	Protective clothing.
Rep	WAC 296-155-17545	Hygiene facilities and practices.
Rep	WAC 296-155-17550	Communication of hazards to employees.
Rep	WAC 296-155-17555	Housekeeping.
Rep	WAC 296-155-17560	Medical surveillance.
Rep	WAC 296-155-17565	Recordkeeping.
Rep	WAC 296-155-17570	Dates.
Rep	WAC 296-155-17575	Appendices.
Rep	WAC 296-155-177	Appendix A—WISHA reference method—Mandatory.
Rep	WAC 296-155-179	Appendix B—Detailed procedure for asbestos, tremolite, anthophyllite, and actinolite sampling and analysis—Nonmandatory.
Rep	WAC 296-155-181	Appendix C—Qualitative and quantitative fit testing procedures—Mandatory.
Rep	WAC 296-155-183	Appendix D—Medical questionnaires—Mandatory.
Rep	WAC 296-155-185	Appendix E—Interpretation and classification of chest roentgenograms—Mandatory.
Rep	WAC 296-155-187	Appendix F—Work practices and engineering controls for major asbestos removal, renovation, and demolition operations—Nonmandatory.
Rep	WAC 296-155-189	Appendix G—Work practices and engineering controls for small-scale, short-duration asbestos renovation and maintenance operations—Nonmandatory.
Rep	WAC 296-155-191	Appendix H—Substance technical information for asbestos—Nonmandatory.
Rep	WAC 296-155-193	Appendix I—Medical surveillance guidelines for asbestos, tremolite, anthophyllite, and actinolite—Nonmandatory.

1987. 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 chapters 49.17 and 34.04 RCW, and chapter 1-12 WAC 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 November 30, 1987.

By Joseph A. Dear  
Director

AMENDATORY SECTION (Amending Order 86-28, filed 7/25/86)

WAC 296-62-14533 COTTON DUST. (1) Scope and application.

(a) This section, in its entirety, applies to the control of employee exposure to cotton dust in all workplaces where employees engage in yarn manufacturing, engage in slashing and weaving operations, or work in waste houses for textile operations.

(b) This section does not apply to the handling or processing of woven or knitted materials; to maritime operations covered by chapters 296-56 and 296-304 WAC; to harvesting or ginning of cotton; or to the construction industry.

(c) Only subsection (8) Medical surveillance, subsection (11) (b) Medical surveillance, subsection (11)(c) Availability, subsection (11)(d) Transfer of records, and Appendices B, C, and D of this section apply in all workplaces where employees exposed to cotton dust engage in cottonseed processing or waste processing operations.

(d) This section applies to yarn manufacturing and slashing and weaving operations exclusively using washed cotton (as defined by subsection (14) of this section) only to the extent specified by subsection (14) of this section.

(e) This section, in its entirety, applies to the control of all employees exposure to the cotton dust generated in the preparation of washed cotton from opening until the cotton is thoroughly wetted.

(f) This section does not apply to knitting, classing or warehousing operations except that employers with these operations, if requested by WISHA, shall grant WISHA access to their employees and workplaces for exposure monitoring and medical examinations for purposes of a health study to be performed by WISHA on a sampling basis.

(2) Definitions applicable to this section:

(a) "Blow down" - the cleaning of equipment and surfaces with compressed air.

(b) "Blow off" - the use of compressed air for cleaning of short duration and usually for a specific machine or any portion of a machine.

(c) "Cotton dust" - dust present in the air during the handling or processing of cotton, which may contain a mixture of many substances including ground-up plant matter, fiber, bacteria, fungi, soil, pesticides, noncotton plant matter and other contaminants which may have

This action is taken pursuant to Notice No. WSR 87-19-135 filed with the code reviser on September 22,

accumulated with the cotton during the growing, harvesting and subsequent processing or storage periods. Any dust present during the handling and processing of cotton through the weaving or knitting of fabrics, and dust present in other operations or manufacturing processes using raw or waste cotton fibers or cotton fiber byproducts from textile mills are considered cotton dust within this definition. Lubricating oil mist associated with weaving operations is not considered cotton dust.

(d) "Director" – the director of labor and industries or his authorized representative.

(e) "Equivalent instrument" – a cotton dust sampling device that meets the vertical elutriator equivalency requirements as described in subsection (4)(a)(iii) of this section.

(f) "Lint-free respirable cotton dust" – particles of cotton dust of approximately 15 microns or less aerodynamic equivalent diameter.

(g) "Vertical elutriator cotton dust sampler" or "vertical elutriator" – a dust sampler which has a particle size cut-off at approximately 15 microns aerodynamic equivalent diameter when operating at the flow rate of  $7.4 \pm 0.2$  liters per minute.

(h) "Waste processing" – waste recycling (sorting, blending, cleaning and willowing) and garnetting.

(i) "Yarn manufacturing" – all textile mill operations from opening to, but not including, slashing and weaving.

(3) Permissible exposure limits and action levels.

(a) Permissible exposure limits (PEL).

(i) The employer shall assure that no employee who is exposed to cotton dust in yarn manufacturing and cotton washing operations is exposed to airborne concentrations of lint-free respirable cotton dust greater than  $200 \mu\text{g}/\text{m}^3$  mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(ii) The employer shall assure that no employee who is exposed to cotton dust in textile mill waste house operations or is exposed in yarn manufacturing to dust from "lower grade washed cotton" as defined in subsection (14)(e) of this section is exposed to airborne concentrations of lint-free respirable cotton dust greater than  $500 \mu\text{g}/\text{m}^3$  mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(iii) The employer shall assure that no employee who is exposed to cotton dust in the textile processes known as slashing and weaving is exposed to airborne concentrations of lint-free respirable cotton dust greater than  $750 \mu\text{g}/\text{m}^3$  mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(b) Action levels.

(i) The action level for yarn manufacturing and cotton washing operations is an airborne concentration of lint-free respirable cotton dust of  $100 \mu\text{g}/\text{m}^3$  mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(ii) The action level for waste houses for textile operations is an airborne concentration of lint-free respirable

cotton dust of  $250 \mu\text{g}/\text{m}^3$  mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(iii) The action level for the textile processes known as slashing and weaving is an airborne concentration of lint-free respirable cotton dust of  $375 \mu\text{g}/\text{m}^3$  mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(4) Exposure monitoring and measurement.

(a) General.

(i) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(ii) The sampling device to be used shall be either the vertical elutriator cotton dust sampler or an equivalent instrument.

(iii) If an alternative to the vertical elutriator cotton dust sampler is used, the employer shall establish equivalency by demonstrating that the alternative sampling devices:

(A) It collects respirable particulates in the same range as the vertical elutriator (approximately 15 microns);

(B) Replicate exposure data used to establish equivalency are collected in side-by-side field and laboratory comparisons; and

(C) A minimum of 100 samples over the range of 0.5 to 2 times the permissible exposure limit are collected, and ninety percent of these samples have an accuracy range of plus or minus twenty-five percent of the vertical elutriator reading with a ninety-five percent confidence level as demonstrated by a statistically valid protocol. (An acceptable protocol for demonstrating equivalency is described in Appendix E of this section.)

(iv) WISHA will issue a written opinion stating that an instrument is equivalent to a vertical elutriator cotton dust sampler if:

(A) A manufacturer or employer requests an opinion in writing and supplies the following information:

(I) Sufficient test data to demonstrate that the instrument meets the requirements specified in this paragraph and the protocol specified in Appendix E of this section;

(II) Any other relevant information about the instrument and its testing requested by WISHA; and

(III) A certification by the manufacturer or employer that the information supplied is accurate, and

(B) If WISHA finds, based on information submitted about the instrument, that the instrument meets the requirements for equivalency specified by this subsection.

(b) Initial monitoring. Each employer who has a place of employment within the scope of subsections (1)(a), (d) or (e) of this section shall conduct monitoring by obtaining measurements which are representative of the exposure of all employees to airborne concentrations of lint-free respirable cotton dust over an eight-hour period. The sampling program shall include at least one determination during each shift for each work area.

(c) Periodic monitoring.

(i) If the initial monitoring required by (4)(b) of this section or any subsequent monitoring reveals employee

exposure to be at or below the permissible exposure limit, the employer shall repeat the monitoring for those employees at least annually.

(ii) If the initial monitoring required by (4)(b) of this section or any subsequent monitoring reveals employee exposure to be above the PEL, the employer shall repeat the monitoring for those employees at least every six months.

(iii) Whenever there has been a production, process, or control change which may result in new or additional exposure to cotton dust, or whenever the employer has any other reason to suspect an increase in employee exposure, the employer shall repeat the monitoring and measurements for those employees affected by the change or increase.

(d) Employee notification.

(i) Within twenty working days after the receipt of monitoring results, the employer shall notify each employee in writing of the exposure measurements which represent that employee's exposure.

(ii) Whenever the results indicate that the employee's exposure exceeds the applicable permissible exposure limit specified in subsection (3) of this section, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken to reduce exposure below the permissible exposure limit.

(5) Methods of compliance.

(a) Engineering and work practice controls. The employer shall institute engineering and work practice controls to reduce and maintain employee exposure to cotton dust at or below the permissible exposure limit specified in subsection (3) of this section, except to the extent that the employer can establish that such controls are not feasible.

(b) Whenever feasible engineering and work practice controls are not sufficient to reduce employee exposure to or below the permissible exposure limit, the employer shall nonetheless institute these controls to immediately reduce exposure to the lowest feasible level, and shall supplement these controls with the use of respirators which shall comply with the provisions of subsection (6) of this section.

(c) Compliance program.

(i) Where the most recent exposure monitoring data indicates that any employee is exposed to cotton dust levels greater than the permissible exposure limit, the employer shall establish and implement a written program sufficient to reduce exposures to or below the permissible exposure limit solely by means of engineering controls and work practices as required by (a) of this subsection.

(ii) The written program shall include at least the following:

(A) A description of each operation or process resulting in employee exposure to cotton dust;

(B) Engineering plans and other studies used to determine the controls for each process;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Monitoring data obtained in accordance with subsection (4) of this section;

(E) A detailed schedule for development and implementation of engineering and work practice controls, including exposure levels projected to be achieved by such controls;

(F) Work practice program; and

(G) Other relevant information.

(iii) The employer's schedule as set forth in the compliance program, shall project completion of the implementation of the compliance program no later than March 27, 1984 or as soon as possible if monitoring after March 27, 1984 reveals exposures over the PEL, except as provided in (13)(b)(ii)(B) of this section.

(iv) The employer shall complete the steps set forth in his program by the dates in the schedule.

(v) Written programs shall be submitted, upon request, to the director, and shall be available at the worksite for examination and copying by the director, and any affected employee or their designated representatives.

(vi) The written programs required under subsection (5)(c) of this section shall be revised and updated at least every six months to reflect the current status of the program and current exposure levels.

(d) Mechanical ventilation. When mechanical ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system to control exposure, such as capture velocity, duct velocity, or static pressure shall be made at reasonable intervals.

(6) Use of respirators.

(a) General. Where the use of respirators is required under this section, the employer shall provide, at no cost to the employee, and assure the use of respirators which comply with the requirements of this subsection (6). Respirators shall be used in the following circumstances:

(i) During the time periods necessary to install or implement feasible engineering controls and work practice controls;

(ii) During maintenance and repair activities in which engineering and work practice controls are not feasible;

(iii) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the permissible exposure limits;

(iv) In operations specified under subsection (7)(a) of this section; and

(v) Whenever an employee requests a respirator.

(b) Respirator selection.

(i) Where respirators are required under this section, the employer shall select the appropriate respirator from Table I and shall assure that the employee uses the respirator provided.

TABLE I

Cotton dust concentration	Required respirator
Not greater than—	
(a) 5 x the applicable permissible exposure limit (PEL).	A disposable respirator with a particulate filter.
(b) 10 x the applicable PEL.	A quarter or half-mask respirator, other than a disposable respirator, equipped with particulate filters.

Cotton dust concentration	Required respirator
(c) 100 x the applicable PEL.	A full facepiece respirator equipped with high-efficiency particulate filters.
(d) Greater than 100 x the applicable PEL.	A powered air-purifying respirator equipped with high-efficiency particulate filters.

## Notes

1. A disposable respirator means the filter element is an inseparable part of the respirator.
2. Any respirators permitted at higher environmental concentrations can be used at lower concentrations.
3. Self-contained breathing apparatus are not required respirators but are permitted respirators.
4. Supplied air respirators are not required but are permitted under the following conditions: Cotton dust concentration not greater than 10X the PEL—Any supplied air respirator; not greater than 100X the PEL—Any supplied air respirator with full facepiece, helmet or hood; greater than 100X the PEL—A supplied air respirator operated in positive pressure mode.

(ii) The employer shall select respirators from those tested and approved for protection against dust by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(iii) Whenever respirators are required by this section for concentrations not greater than 100 x the applicable permissible exposure limit, the employer shall, upon the request of the employee, provide a powered air purifying respirator with a high efficiency particulate filter in lieu of the respirator specified in paragraphs (a), (b), or (c) of Table I.

(iv) Whenever a physician determines that an employee who works in an area in which the dust level exceeds the PEL is unable to wear any form of respirator, including a powered air purifying respirator, the employee shall be given the opportunity to transfer to another position which is available or which later becomes available having a dust level at or below the PEL. The employer shall assure that an employee who is transferred from an area in which the dust level exceeds the PEL due to an inability to wear a respirator suffers no reduction in current wage rate or other benefits as a result of the transfer.

(c) Respirator program. The employer shall institute a respirator program in accordance with WAC 296-62-071.

## (d) Respirator usage.

(i) The employer shall assure that the respirator used by each employee exhibits minimum face piece leakage and that the respirator is fitted properly.

(ii) The employer shall allow each employee who uses a filter respirator, to change the filter elements whenever an increase in breathing resistance is detected by the employee. The employer shall maintain an adequate supply of filter elements for this purpose.

(iii) The employer shall allow employees who wear respirators to wash their faces and respirator face pieces to prevent skin irritation associated with respirator use.

(7) Work practices. Each employer shall, regardless of the level of employee exposure, immediately establish and implement a written program of work practices

which shall minimize cotton dust exposure. The following shall be included where applicable:

(a) Compressed air "blow down" cleaning shall be prohibited, where alternative means are feasible. Where compressed air is used for cleaning, the employees performing the "blow down" or "blow off" shall wear suitable respirators. Employees whose presence is not required to perform "blow down" or "blow off" shall be required to leave the area affected by the "blow down" or "blow off" during this cleaning operation.

(b) Cleaning of clothing or floors with compressed air shall be prohibited.

(c) Floor sweeping shall be performed with a vacuum or with methods designed to minimize dispersal of dust.

(d) In areas where employees are exposed to concentrations of cotton dust greater than the permissible exposure limit, cotton and cotton waste shall be stacked, sorted, baled, dumped, removed or otherwise handled by mechanical means, except where the employer can show that it is infeasible to do so. Where infeasible, the method used for handling cotton and cotton waste shall be the method which reduces exposure to the lowest level feasible.

## (8) Medical surveillance.

## (a) General.

(i) Each employer covered by the standard shall institute a program of medical surveillance for all employees exposed to cotton dust.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician and are provided without cost to the employee.

(iii) Persons other than licensed physicians, who administer the pulmonary function testing required by this section shall have completed a NIOSH approved training course in spirometry.

(b) Initial examinations. The employer shall provide medical surveillance to each employee who is or may be exposed to cotton dust. For new employees' this examination shall be provided prior to initial assignment. The medical surveillance shall include at least the following:

## (i) A medical history;

(ii) The standardized questionnaire contained in WAC 296-62-14537; and

(iii) A pulmonary function measurement, including a determination of forced vital capacity (FVC) and forced expiratory volume in one second (FEV<sub>1</sub>), the FEV<sub>1</sub>/FVC ratio, and the percentage that the measured values of FEV<sub>1</sub> and FVC differ from the predicted values, using the standard tables in WAC 296-62-14539. These determinations shall be made for each employee before the employee enters the workplace on the first day of the work week, preceded by at least thirty-five hours of no exposure to cotton dust. The tests shall be repeated during the shift, no less than four hours and no more than ten hours after the beginning of the work shift; and, in any event, no more than one hour after cessation of exposure. Such exposure shall be typical of the employee's usual workplace exposure. The predicted FEV<sub>1</sub> and FVC for blacks shall be multiplied by 0.85 to adjust for ethnic differences.

(iv) Based upon the questionnaire results, each employee shall be graded according to Schilling's byssinosis classification system.

(c) Periodic examinations.

(i) The employer shall provide at least annual medical surveillance for all employees exposed to cotton dust above the action level in yarn manufacturing, slashing and weaving, cotton washing and waste house operations. The employer shall provide medical surveillance at least every two years for all employees exposed to cotton dust at or below the action level, for all employees exposed to cotton dust from washed cotton (except from washed cotton defined in subsection (9)(c) of this section), and for all employees exposed to cotton dust in cottonseed processing and waste processing operations. Periodic medical surveillance shall include at least an update of the medical history, standardized questionnaire (Appendix B-111), Schilling byssinosis grade, and the pulmonary function measurements in (b)(iii) of this subsection.

(ii) Medical surveillance as required in (c)(i) of this subsection shall be provided every six months for all employees in the following categories:

(A) An FEV<sub>1</sub> of greater than eighty percent of the predicted value, but with an FEV<sub>1</sub> decrement of five percent or 200 ml. on a first working day;

(B) An FEV<sub>1</sub> of less than eighty percent of the predicted value; or

(C) Where, in the opinion of the physician, any significant change in questionnaire findings, pulmonary function results, or other diagnostic tests have occurred.

(iii) An employee whose FEV<sub>1</sub> is less than sixty percent of the predicted value shall be referred to a physician for a detailed pulmonary examination.

(iv) A comparison shall be made between the current examination results and those of previous examinations and a determination made by the physician as to whether there has been a significant change.

(d) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this regulation and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's exposure level or anticipated exposure level;

(iv) A description of any personal protective equipment used or to be used; and

(v) Information from previous medical examinations of the affected employee which is not readily available to the examining physician.

(e) Physician's written opinion.

(i) The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

(A) The results of the medical examination and tests including the FEV<sub>1</sub>, FVC, and FEV<sub>1</sub>/FVC ratio;

(B) The physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of the employee's health from exposure to cotton dust;

(C) The physician's recommended limitations upon the employee's exposure to cotton dust or upon the employee's use of respirators including a determination of whether an employee can wear a negative pressure respirator, and where the employee cannot, a determination of the employee's ability to wear a powered air purifying respirator; and

(D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

(ii) The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposure.

(9) Employee education and training.

(a) Training program.

(i) The employer shall provide a training program for all employees exposed to cotton dust and shall assure that each employee is informed of the following:

(A) The acute and long term health hazards associated with exposure to cotton dust;

(B) The names and descriptions of jobs and processes which could result in exposure to cotton dust at or above the PEL.

(C) The measures, including work practices required by subsection (7) of this section, necessary to protect the employee from exposures in excess of the permissible exposure limit;

(D) The purpose, proper use and limitations of respirators required by subsection (6) of this section;

(E) The purpose for and a description of the medical surveillance program required by subsection (8) of this section and other information which will aid exposed employees in understanding the hazards of cotton dust exposure; and

(F) The contents of this standard and its appendices.

(ii) The training program shall be provided prior to initial assignment and shall be repeated annually for each employee exposed to cotton dust, when job assignments or work processes change and when employee performance indicates a need for retraining.

(b) Access to training materials.

(i) Each employer shall post a copy of this section with its appendices in a public location at the workplace, and shall, upon request, make copies available to employees.

(ii) The employer shall provide all materials relating to the employee training and information program to the director upon request.

(10) Signs. The employer shall post the following warning sign in each work area where the permissible exposure limit for cotton dust is exceeded:

WARNING

COTTON DUST WORK AREA

MAY CAUSE ACUTE OR DELAYED LUNG INJURY

(BYSSINOSIS)

RESPIRATORS REQUIRED IN THIS AREA

(11) Recordkeeping.

(a) Exposure measurements.

(i) The employer shall establish and maintain an accurate record of all measurements required by subsection (4) of this section.

(ii) The record shall include:

(A) A log containing the items listed in WAC 296-62-14535 (4)(a), and the dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures;

(B) The type of protective devices worn, if any, and length of time worn; and

(C) The names, social security number, job classifications, and exposure levels of employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least twenty years.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate medical record for each employee subject to medical surveillance required by subsection (8) of this section.

(ii) The record shall include:

(A) The name and social security number and description of the duties of the employee;

(B) A copy of the medical examination results including the medical history, questionnaire response, results of all tests, and the physician's recommendation;

(C) A copy of the physician's written opinion;

(D) Any employee medical complaints related to exposure to cotton dust;

(E) A copy of this standard and its appendices, except that the employer may keep one copy of the standard and the appendices for all employees, provided that he references the standard and appendices in the medical surveillance record of each employee; and

(F) A copy of the information provided to the physician as required by subsection (8)(d) of this section.

(iii) The employer shall maintain this record for at least twenty years.

(c) Availability.

(i) The employer shall make all records required to be maintained by subsection (11) of this section available to the director for examination and copying.

(ii) Employee exposure measurement records and employee medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(d) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (11) of this section.

(ii) Whenever the employer ceases to do business, and there is no successor employer to receive and retain the records for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit

those records to the director if he requests them within that period.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(12) Observation of monitoring.

(a) The employer shall provide affected employees or their designated representatives an opportunity to observe any measuring or monitoring of employee exposure to cotton dust conducted pursuant to subsection (4) of this section.

(b) Whenever observation of the measuring or monitoring of employee exposure to cotton dust requires entry into an area where the use of personal protective equipment is required, the employer shall provide the observer with and assure the use of such equipment and shall require the observer to comply with all other applicable safety and health procedures.

(c) Without interfering with the measurement, observers shall be entitled to:

(i) An explanation of the measurement procedures;

(ii) An opportunity to observe all steps related to the measurement of airborne concentrations of cotton dust performed at the place of exposure; and

(iii) An opportunity to record the results obtained.

(13) Effective date.

(a) General. This emergency rule is effective upon filing with the code reviser, except as otherwise provided below.

(b) Startup dates.

(i) Initial monitoring. The initial monitoring required by subsection (4)(b) of this section shall be completed as soon as possible but no later than September 27, 1980.

(ii) Methods of compliance;

(A) The engineering and work practice controls required by subsection (5) of this section shall be implemented no later than March 27, 1984 except as set forth in (13)(b)(ii)(B) of this section.

(B) The engineering and work practice controls required by subsection (5) of this section shall be implemented no later than March 27, 1986, for ring spinning operations (including only ring spinning and winding, twisting, spooling, beaming and warping following ring spinning) where the operations meet the following criteria:

(I) The weight of the yarn being run is one hundred percent cotton and the average yarn count by weight is eighteen or below;

(II) The average weight of the yarn run is eighty percent or more cotton and the average yarn count by weight is sixteen or below; or

(III) The average weight of the yarn being run is fifty percent or more cotton and the average yarn count by weight is fourteen or below:

(C) When the provisions of (b)(ii)(B) of this subsection are being relied upon, the following definitions shall apply:

(I) The average cotton content shall be determined by dividing the total weight of cotton in the yarns being run by the total weight of all the yarns being run in the relevant work area.



(II) The average yarn count shall be determined by multiplying the yarn count times the pounds of each particular yarn being run to get the "total hank" for each of the yarns being run in the relevant area. The "total hank" values for all of the yarns being run should then be summed and divided by the total pounds of yarn being run, to produce the average yarn count number for all the yarns being run in the relevant work area.

(D) Where the provisions of (b)(ii)(B) of this subsection are being relied upon, the employer shall update the employer's compliance plan no later than February 13, 1986, to indicate the steps being taken to reduce cotton dust levels to  $200 \mu\text{g}/\text{m}^3$  through the use of engineering and work practice controls by March 27, 1986.

(E) Where the provisions of (b)(ii)(B) of this subsection are being relied upon, the employer shall maintain airborne concentrations of cotton dust below  $1000 \mu\text{g}/\text{m}^3$  mean concentration averaged over an eight-hour period measured by a vertical elutriator or ~~((a method of))~~ an equivalent ((accuracy and precision)) instrument with engineering and work practice controls and shall maintain the permissible exposure limit specified by subsection (3)(a)(i) of this section with any combination of engineering controls, work practice controls and respirators.

(iii) Compliance program. The compliance program required by subsection (5)(c) of this section shall be established no later than March 27, 1981.

(iv) Respirators. The respirators required by subsection (6) of this section shall be provided no later than April 27, 1980.

(v) Work practices. The work practices required by subsection (7) of this section shall be implemented no later than June 27, 1980.

(vi) Medical surveillance. The medical surveillance required by subsection (8) of this section shall be completed no later than March 27, 1981 for the textile industry and no later than June 13, 1986 for the cotton seed processing and waste processing industry.

(vii) Employee education and training. The initial education and training required by subsection (9) of this section shall be completed as soon as possible but no later than June 27, 1980.

(14) Washed cotton.

(a) Exemptions. Cotton, after it has been washed by the processes described in this section is exempt from all or parts of this section as specified if the requirements of this section are met.

(b) Initial requirements.

(i) In order for an employer to qualify as exempt or partially exempt from this standard for operations using washed cotton, the employer must demonstrate that the cotton was washed in a facility which is open to inspection by the director and the employer must provide sufficient accurate documentary evidence to demonstrate that the washing methods utilized meet the requirements of this section.

(ii) An employer who handles or processes cotton which has been washed in a facility not under the employer's control and claims an exemption or partial exemption under this paragraph, must obtain from the cotton washer and make available at the worksite, to the

director, or his designated representative, to any affected employee, or to their designated representative the following:

(A) A certification by the washer of the cotton of the grade of cotton, the type of washing process, and that the batch meets the requirements of this section:

(B) Sufficient accurate documentation by the washer of the cotton grades and washing process; and

(C) An authorization by the washer that the director may inspect the washer's washing facilities and documentation of the process.

(c) Medical and dyed cotton. Medical grade (USP) cotton, cotton that has been scoured, bleached and dyed, and mercerized yarn shall be exempt from all provisions of this standard.

(d) Higher grade washed cotton. The handling or processing of cotton ~~((classes))~~ classified as "low middling light spotted or better" which has been washed:

(i) On a continuous batt system or a rayon rinse system.

(ii) With water,

(iii) At a temperature of no less than  $60^\circ\text{C}$ ,

(iv) With a water-to-fiber ratio of no less than 40:1, and

(v) With bacterial levels in the wash water controlled to limit bacterial contamination of the cotton, shall be exempt from all provisions of the standard except the requirements of subsection (8) Medical surveillance, subsection (11)(b) Medical surveillance, subsection (11)(c) Availability, subsection (11)(d) Transfer of records, and Appendices B, C, and D ~~((or))~~ of this section.

(e) Lower grade washed cotton. The handling and processing of cotton of grades lower than "low middling light spotted," that has been washed as specified in (d) of this subsection and has also been bleached, shall be exempt from all provisions of the standard except the requirements of subsection (3)(a) Permissible exposure limits, subsection (4) Exposure monitoring and measurement, subsection (8) Medical surveillance, subsection (11) Recordkeeping, and Appendices B, C and D of this section.

(f) Mixed grades of washed cotton. If more than one grade of washed cotton is being handled or processed together, the requirements of the grade with the most stringent exposure limit, medical and monitoring requirements shall be followed.

(15) Appendices.

(a) Appendix B (B-I, B-II and B-III), WAC 296-62-14537, Appendix C, WAC 296-62-14539 and Appendix D, WAC 296-62-14541 are incorporated as part of this chapter and the contents of these appendices are mandatory.

(b) Appendix A of this chapter, WAC 296-62-14535 contains information which is not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

(c) Appendix E of this ~~((section))~~ chapter is a protocol which may be followed in the validation of alternative measuring devices as equivalent to the vertical elutriator cotton dust sampler. Other protocols may be used if it is demonstrated that they are statistically valid, meet the requirements in subsection (4)(a)(iii) of this



section, and are appropriate for demonstrating equivalency.

NEW SECTION

WAC 296-62-14537 APPENDIX B-I THROUGH B-III—RESPIRATORY QUESTIONNAIRE.

APPENDIX B-I

Respiratory Questionnaire

**A. IDENTIFICATION DATA**

PLANT \_\_\_\_\_ SOCIAL SECURITY NO. \_\_\_\_\_ DAY MONTH YEAR  
(figures) (last 2 digits)

NAME \_\_\_\_\_ DATE OF INTERVIEW \_\_\_\_\_  
(Surname)

\_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_  
(First Names) M F

ADDRESS \_\_\_\_\_ AGE \_\_\_\_\_ (8,9) SEX \_\_\_\_\_ (10)

RACE  W  N  IND.  OTHER (11)

INTERVIEWER: 1 2 3 4 5 6 7 8 (12)

WORK SHIFT: 1st \_\_\_\_\_ 2nd \_\_\_\_\_ 3rd \_\_\_\_\_ (13) STANDING HEIGHT \_\_\_\_\_ (14,15)

PRESENT WORK AREA \_\_\_\_\_ WEIGHT \_\_\_\_\_ (16,18)

If working in more than one specified work area, X area where most of the work shift is spent. If "other," but spending 25% of the work shift in one of the specified work areas, classify in that work area. If carding department employee, check area within that department where most of the work shift is spent (if in doubt, check "throughout"). For work areas such as spinning and weaving where many work rooms may be involved, be sure to check the specific work room to which employee is assigned — if he works in more than one work room within a department classify as 7 (all) for that department.

	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	
Workroom Number	Open	Pick	Area	Card #1	#2	Spin	Wind	Twist	Spool	Warp	Slash	Weave	Other
AT RISK (cotton & cotton blend)	1		Cards										
	2		Draw										
	3		Comb										
	4		Rove										
	5		Thru Out										
	6												
	7 (all)												
Control (synthetic & wool)	8												
Ex-Worker (cotton)	9												

Use actual wording of each question. Put X in appropriate square after each question. When in doubt record 'No'. When no square, circle appropriate answer.

B. COUGH

(on getting up) †
Do you usually cough first thing in the morning? Yes No (31)
(Count a cough with first smoke or on "first going out of doors." Exclude clearing throat or a single cough.)

Do you usually cough during the day or at night? Yes No (32)
(Ignore an occasional cough.)

If 'Yes' to either question (31-32):

Do you cough like this on most days for as much as three months a year? Yes No (33)

Do you cough on any particular day of the week? Yes No (34)

(1) (2) (3) (4) (5) (6) (7)

If 'Yes': Which day? Mon. Tues. Wed.-Thur. Fri. Sat Sun. (35)

C. PHLEGM or alternative word to suit local custom.

(on getting up) †
Do you usually bring up any phlegm from your chest first thing in the morning? (Count phlegm with the first smoke or on "first going out of doors." Exclude phlegm from the nose. Count swallowed phlegm.) Yes No (36)

Do you usually bring up any phlegm from your chest during the day or at night? (Accept twice or more.) Yes No (37)

If 'Yes' to either question (36) or (37):

Do you bring up phlegm like this on most days for as much as three months each year? Yes No (38)

If 'Yes' to question (33) or (38):

- (cough)
How long have you had this phlegm? (Write in number of years)
(1) [ ] 2 years or less
(2) [ ] More than 2 years-9 years
(3) [ ] 10-19 years
(4) [ ] 20+ years

†These words are for subjects who work at night

D. CHEST ILLNESSES

- In the past three years, have you had a period of (increased) †cough and phlegm lasting for 3 weeks or more? (1) [ ] No (40)
(2) [ ] Yes, only one period
(3) [ ] Yes, two or more periods

†For subjects who usually have phlegm

During the past 3 years have you had any chest illness which has kept you off work, indoors at home or in bed? (For as long as one week, †lu?) Yes No (41)

If 'Yes' to (41): Did you bring up (more) phlegm than usual in any of these illnesses? Yes No (42)

If 'Yes' to (42): During the past three years have you had: Only one such illness with increased phlegm? (1) [ ] (43)

More than one such illness: (2) [ ] (44)

Br. Grade \_\_\_\_\_

E. TIGHTNESS

Does your chest ever feel tight or your breathing become difficult? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (45)

Is your chest tight or your breathing difficult on any particular day of the week? (after a week or 10 days away from the mill) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (46)

If 'Yes': Which day? Mon. (1) Sometimes (3) Tues. (2) Always (4) Wed. (5) Thur. (6) Fri. (7) Sat. (8) Sun. (47)

If 'Yes' Monday: At what time on Monday does your chest feel tight or your breathing difficult? 1  Before entering the mill (48) 2  After entering the mill

(Ask only if NO to Question (45))

In the past, has your chest ever felt tight or your breathing difficult on any particular day of the week? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (49)

If 'Yes': Which day? Mon. (1) Sometimes (3) Tues. (2) Always (4) Wed. (5) Thur. (6) Fri. (7) Sat. (8) Sun. (50)

F. BREATHLESSNESS

If disabled from walking by any condition other than heart or lung disease put "X" here and leave questions (52-60) unasked.  (51)

Are you ever troubled by shortness of breath, when hurrying on the level or walking up a slight hill? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (52)

If 'No', grade is 1. If 'Yes' proceed to next question

Do you get short of breath walking with other people at an ordinary pace on the level? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (53)

If 'No', grade is 2. If 'Yes', proceed to next question

Do you have to stop for breath when walking at your own pace on the level? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (54)

If 'No', grade is 3. If 'Yes', proceed to next question

Are you short of breath on washing or dressing? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (55)

If 'No', grade is 4. If 'Yes', grade is 5.

Dyspnea Grd. \_\_\_\_\_ (56)

ON MONDAYS:

Are you ever troubled by shortness of breath, when hurrying on the level or walking up a slight hill? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (57)

If 'No', grade is 1. If 'Yes', proceed to next question

Do you get short of breath walking with other people at an ordinary pace on the level? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (58)

If 'No', grade is 2. If 'Yes', proceed to next question

Do you have to stop for breath when walking at your own pace on the level? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (59)

If 'No', grade is 3. If 'Yes', proceed to next question

Are you short of breath on washing or dressing? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (60)

If 'No', grade is 4. If 'Yes', grade is 5

B. Grd. \_\_\_\_\_ (61)

**G. OTHER ILLNESSES AND ALLERGY HISTORY**

Do you have a heart condition for which you are under a doctor's care? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (62)

Have you ever had asthma? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (63)

If 'Yes', did it begin: (1)  Before age 30  
 (2)  After age 30

If 'Yes' before 30: did you have asthma before ever going to work in a textile mill? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (64)

Have you ever had hay fever or other allergies (other than above)? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (65)

**H. TOBACCO SMOKING\***

Do you smoke?

Record 'Yes' if regular smoker, up to one month ago. (Cigarettes, cigar or pipe) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (66)

If 'No' to (63)

Have you ever smoked? (Cigarettes, cigars, pipe. Record 'No' if subject has never smoked as much as one cigarette a day, or 1 oz. of tobacco a month, for as long as one year.) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (67)

If 'Yes' to (63) or (64); what have you smoked and for how many years? (Write in specific number of years in the appropriate square)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	
Years	(<5)	(5-9)	(10-14)	(15-19)	(20-24)	(25-29)	(30-34)	(35-39)	(>40)	(68)
Cigarettes										(69)
Pipe										(70)
Cigars										

If cigarettes, how many packs per day? (Write in number of cigarettes) \_\_\_\_\_ (71)

(1)  less than 1/2 pack  
 (2)  1/2 pack, but less than 1 pack  
 (3)  1 pack, but less than 1-1/2 packs  
 (4)  1-1/2 packs or more

Number of pack years: \_\_\_\_\_ (72,73)

If an ex-smoker (cigarettes, cigar or pipe), how long since you stopped? \_\_\_\_\_ (74)

(Write in number of years)

- (1)  0-1 year  
 (2)  1-4 years  
 (3)  5-9 years  
 (4)  10+ years

Have you changed your smoking habits since last interview? If yes, specify what changes.

**L. OCCUPATIONAL HISTORY\*\***

Have you ever worked in: A foundry? (As long as one year) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (75)

Stone or mineral mining, quarrying or processing? (As long as one year) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (76)

Asbestos milling or processing? (Ever) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (77)

Other dusts, fumes or smoke? If yes, specify: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (78)

Type of exposure \_\_\_\_\_  
 Length of exposure \_\_\_\_\_

\*\*Ask only on first interview.

At what age did you first go to work in a textile mill? (Write in specific age in appropriate square).

(1)	(2)	(3)	(4)	(5)	(6)	
<20	20-24	25-29	30-34	35-39	40+	(79)

When you first worked in a textile mill, did you work with (1)  Cotton or cotton blend (80)  
 (2)  Synthetic or wool

APPENDIX B-II

Respiratory Questionnaire for Nontextile Workers for the Cotton Industry

---

Identification No.

Interviewer Code

---

Location

Date of Interview

---

A. IDENTIFICATION

1. NAME (Last) (First) (Middle Initial)	3. PHONE NUMBER AREA CODE ( ) NO.	4. SOCIAL SECURITY # (optional see below) <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div>
2. CURRENT ADDRESS (Number, Street, or Rural Route, City or Town, County, State, Zip Code)	5. BIRTHDATE (Mo., Day, Yr.)	6. AGE LAST BIRTHDAY
	7. SEX  1 <input type="checkbox"/> Male      2 <input type="checkbox"/> Female	
	8. ETHNIC GROUP OR ANCESTRY  1. <input type="checkbox"/> White, not of Hispanic Origin 2. <input type="checkbox"/> Black, not of Hispanic Origin 3. <input type="checkbox"/> Hispanic 4. <input type="checkbox"/> American Indian or Alaskan Native 5. <input type="checkbox"/> Asian or Pacific Islander 6. <input type="checkbox"/> Other: _____	
9. STANDING HEIGHT  _____ (cm)	10. WEIGHT  _____	11. WORK SHIFT  1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>

12. PRESENT WORK AREA  
Please indicate primary assigned work area and percent of time spent at that site. If at other locations, please indicate and note percent of time for each.

PRIMARY WORK AREA	
SPECIFIC JOB	

13. APPROPRIATE INDUSTRY
- |  |   |  |
|--|---|--|
| 1 <input type="checkbox"/> Garnetting          | 3 <input type="checkbox"/> Cotton Warehouse | 5 <input type="checkbox"/> Cotton Classification |
| 2 <input type="checkbox"/> Cottonseed Oil Mill | 4 <input type="checkbox"/> Utilization      | 6 <input type="checkbox"/> Cotton Ginning        |

(Furnishing your Social Security number is voluntary. Your refusal to provide this number will not affect any right, benefit, or privilege to which you would be entitled if you did provide your Social Security number. Your Social Security number is being requested since it will permit use in future determinations in statistical research studies.)

**B. OCCUPATIONAL HISTORY TABLE**

Complete the following table showing the entire work history of the individual from present to initial employment. Sporadic, part-time periods of employment, each of no significant duration, should be grouped if possible.

INDUSTRY AND LOCATION	TENURE OF EMPLOYMENT		SPECIFIC OCCUPATION	AVERAGE NO. DAYS WORKED PER WEEK	HAZARDOUS HEALTH EXPOSURE ASSOCIATED WITH WORK		
	FROM 19__	TO 19__			YES	NO	IF YES, DESCRIBE



## C. SYMPTOMS

Use actual wording of each question. Put X in appropriate square after each question. When in doubt record "No".

COUGH

1. Do you usually cough first thing in the morning?  
(on getting up)\*  
(Count a cough with first smoke or on "first going out of doors". Exclude clearing throat or a single cough.)

1  Yes    2  No

2. Do you usually cough during the day or at night?  
(Ignore an occasional cough.)

1  Yes    2  No

If YES to either question 1 or 2:

3. Do you cough like this on most days for as much as three months a year?

1  Yes    2  No    9  NA

4. Do you cough on any particular day of the week?

1  Yes    2  No

If YES:

5. Which day? Mon.    Tue.    Wed.    Thur.    Fri.    Sat.    Sun.    \_\_\_\_\_

PHLEGM

6. Do you usually bring up any phlegm from your chest first thing in the morning? (on getting up)\* (Count phlegm with the first smoke or on "first going out of doors." Exclude phlegm from the nose. Count swallowed phlegm.)

1  Yes    2  No

7. Do you usually bring up any phlegm from your chest during the day or at night?  
(Accept twice or more.)

1  Yes    2  No

If YES to either question 6 or 7:

8. Do you bring up phlegm like this on most days for as much as three months each year?

1  Yes    2  No

If YES to question 3 or 8:

9. How long have you had this phlegm? (cough)  
(Write in number of years)

- (1)  2 years or less  
(2)  More than 2 years - 9 years  
(3)  10-19 years  
(4)  20+ years

\*These words are for subjects who work at night

CHEST ILLNESS

10. In the past three years, have you had a period of (increased) cough and phlegm lasting for 3 weeks or more?
- (1)  No  
 (2)  Yes, only one period  
 (3)  Yes, two or more periods

For subjects who usually have phlegm:

11. During the past 3 years have you had any chest illness which has kept you off work, indoors at home or in bed? (For as long as one week, flu?)
- 1  Yes    2  No

If YES to 11:

12. Did you bring up (more) phlegm than usual in any of these illnesses?
- 1  Yes    2  No

If YES to 12: During the past three years have you had:

13. Only one such illness with increased phlegm?    1  Yes    2  No
14. More than one such illness:    1  Yes    2  No

Br. Brade \_\_\_\_\_

TIGHTNESS

15. Does your chest ever feel tight or your breathing become difficult?    1  Yes    2  No

16. Is your chest tight or your breathing difficult on any particular day of the week? (after a week or 10 days away from the mill)
- 1  Yes    2  No

17. If YES, Which day? Mon. (1) Sometimes    Tues. (3) Always    Wed. (4)    Thur. (5)    Fri. (6)    Sat. (7)    Sun. (8)

18. If YES Monday: At what time on Monday does your chest feel tight or your breathing difficult?     Before entering mill  
 After entering mill

(ASK ONLY IF NO TO QUESTION 15)

19. In the past, has your chest ever been tight or your breathing difficult on any particular day of the week?    1  Yes    2  No

20. If YES, Which day? Mon. (1) Sometimes    Tues. (3) Always    Wed. (4)    Thur. (5)    Fri. (6)    Sat. (7)    Sun. (8)

**BREATHLESSNESS**

21. If disabled from walking by any condition other than heart or lung disease put "X" in the space and leave questions (22-30) unasked.

22. Are you ever troubled by shortness of breath, when hurrying on the level or walking up a slight hill? 1  Yes 2  No

If NO, grade is 1. If YES, proceed to next question

23. Do you get short of breath walking with other people at an ordinary pace on the level? 1  Yes 2  No

If NO, grade is 2. If YES, proceed to next question

24. Do you have to stop for breath when walking at your own pace on the level? 1  Yes 2  No

If NO, grade is 3. If YES, proceed to next question

25. Are you short of breath on washing or dressing? 1  Yes 2  No

If NO, grade is 4. If YES, grade is 5.

26. Dyspnea Grd. \_\_\_\_\_

**ON MONDAYS:**

27. Are you ever troubled by shortness of breath, when hurrying on the level or walking up a slight hill? 1  Yes 2  No

If NO, grade is 1. If YES, proceed to next question

28. Do you get short of breath walking with other people at an ordinary pace on the level? 1  Yes 2  No

If NO, grade is 2, If YES, proceed to next question

29. Do you have to stop for breath when walking at your own pace on the level? 1  Yes 2  No

If NO, grade is 3. If YES, proceed to next question

30. Are you short of breath on washing or dressing? 1  Yes 2  No

If NO, grade is 4. If YES, grade is 5

31. B. Grd. \_\_\_\_\_

**OTHER ILLNESSES AND ALLERGY HISTORY**

32. Do you have a heart condition for which you are under a doctor's care? 1  Yes 2  No

OTHER ILLNESSES AND ALLERGY HISTORY CONTINUED:

33. Have you ever had asthma? 1  Yes 2  No  
 If yes, did it begin: (1) Before age 30   
 (2) After age 30
34. If yes before 30: did you have asthma before ever going to work in a textile mill? 1  Yes 2  No
35. Have you ever had hay fever or other allergies (other than above)? 1  Yes 2  No

TOBACCO SMOKING

36. Do you smoke? 1  Yes 2  No  
 Record Yes if regular smoker up to one month ago. (Cigarettes, cigar or pipe)
- If NO to (33).
37. Have you ever smoked? (Cigarettes, cigars, pipe. Record NO if subject has never smoked as much as one cigarette a day, or 1 oz. of tobacco a month, for as long as one year.) 1  Yes 2  No

If Yes to (33) or (34); what have you smoked for how many years? (Write in specific number of years in the appropriate square)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Years	(<5)	(5-9)	(10-14)	(15-19)	(20-24)	(25-29)	(30-34)	(35-39)	(>40)
38. Cigarettes									
39. Pipe									
40. Cigars									

41. If cigarettes, how many packs per day?  Less than 1/2 pack  
 Write in number of cigarettes  1/2 pack, but less than 1 pack  
 \_\_\_\_\_  1 pack, but less than 1 1/2 packs  
 1-1/2 packs or more
42. Number of pack years: \_\_\_\_\_
43. If an ex-smoker (cigarettes, cigar or pipe), how long since you stopped? (Write in number of years.) \_\_\_\_\_  
 0-1 year  
 1-4 years  
 5-9 years  
 10+ years

## OCCUPATIONAL HISTORY

Have you ever worked in:

44. A foundry? (As long as one year)      1  Yes    2  No
45. Stone or mineral mining, quarrying or  
processing? (As long as one year)      1  Yes    2  No
46. Asbestos milling or processing? (Ever)      1  Yes    2  No
47. Cotton or cotton blend mill? (For controls only)      1  Yes    2  No
48. Other dusts, fumes or smoke? If yes, specify.      1  Yes    2  No

Type of exposure \_\_\_\_\_

Length of exposure \_\_\_\_\_

APPENDIX B-III  
Abbreviated Respiratory Questionnaire

A. IDENTIFICATION DATA

PLANT \_\_\_\_\_ SOCIAL SECURITY NO. \_\_\_\_\_  
DAY MONTH YEAR  
(figures) (last 2 digits)

NAME \_\_\_\_\_ DATE OF INTERVIEW \_\_\_\_\_  
(Surname)

\_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_  
(First Name) M F

ADDRESS \_\_\_\_\_ AGE \_\_\_\_\_ (18,9) SEX \_\_\_\_\_ (19)  
RACE  W  N  INO  OTHER (11)

INTERVIEWER: 1 2 3 4 5 6 7 8 (12)

WORK SHIFT: 1st \_\_\_\_\_ 2nd \_\_\_\_\_ 3rd \_\_\_\_\_ (13) STANDING HEIGHT \_\_\_\_\_ (14,15)

PRESENT WORK AREA \_\_\_\_\_ WEIGHT \_\_\_\_\_ (16,18)

If working in more than one specified work area, X area where most of the work shift is spent. If "other," but spending 25% of the work shift in one of the specified work areas, classify in that work area. If carding department employee, check area within that department where most of the work shift is spent (if in doubt, check "throughout"). For work areas such as spinning and weaving where many work rooms may be involved, be sure to check the specific work room to which employee is assigned — if he works in more than one work room within a department classify as 7 (all) for that department.

	Workroom Number	(19) Open	(20) Pick	(21) Arms	(22) Card #1	(23) #2	(24) Spin	(25) Wind	(26) Twist	(27) Spool	(28) Warp	(29) Slash	(30) Weave	Other
AT RISK (cotton & cotton blend)	1			Cards										
	2			Draw										
	3			Comb										
	4			Rove										
	5			Thru Out										
	6													
	7 (all)													
Control (synthetic & wool)	8													
Ex-Worker (cotton)	9													

Use actual wording of each question. Put X in appropriate square after each question. When in doubt record No. When no square, circle appropriate answer.

**B. COUGH**

(on getting up)†  
 Do you usually cough first thing in the morning? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (31)  
 (Count a cough with first smoke or on "first going out of doors."  
 Exclude clearing throat or a single cough.)

Do you usually cough during the day or at night? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (32)  
 (Ignore an occasional cough.)

If 'Yes' to either question (31-32):

Do you cough like this on most days for as much as three months a year? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (33)

Do you cough on any particular day of the week? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (34)

(1) (2) (3) (4) (5) (6) (7)

If 'Yes': Which day? Mon. Tues. Wed. Thur. Fri. Sat. Sun. \_\_\_\_\_ (35)

**C. PHLEGM** or alternative word to suit local custom.

(on getting up)†  
 Do you usually bring up any phlegm from your chest first thing in the morning? (Count phlegm with the first smoke or on "first going out of doors." Exclude phlegm from the nose. Count swallowed phlegm.) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (36)

Do you usually bring up any phlegm from your chest during the day or at night? (Accept twice or more.) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (37)

If 'Yes' to either question (36) or (37):

Do you bring up phlegm like this on most days for as much as three months each year? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (38)

If 'Yes' to question (33) or (39):

How long have you had this phlegm? (cough)  
 (Write in number of years)

(1)  2 years or less  
 (2)  More than 2 years-9 years  
 (3)  10-19 years  
 (4)  20+ years

†These words are for subjects who work at night

**D. TIGHTNESS**

Does your chest ever feel tight or your breathing become difficult? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (39)

Is your chest tight or your breathing difficult on any particular day of the week? (after a week or 10 days away from the mill) \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (40)

If 'Yes': Which day? Mon. (1) (2) Tues. (3) (4) Wed. (5) (6) (7) (8) Sun. (41)  
 Sometimes Always

If 'Yes' Monday: At what time on Monday does your chest feel tight or your breathing difficult?  
 1  Before entering the mill (42)  
 2  After entering the mill

(Ask only if NO to Question (45)†

In the past, has your chest ever been tight or your breathing difficult on any particular day of the week? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ (43)

If 'Yes': Which day? Mon. (1) (2) Tues. (3) (4) Wed. (5) (6) (7) (8) Sun. (44)  
 Sometimes Always

**E. TOBACCO SMOKING\***

\*Have you changed your smoking habits since last interview? If yes specify what changes.

NEW SECTION

WAC 296-62-14539 APPENDIX C—SPIROMETRY PREDICTION TABLES FOR NORMAL MALES AND FEMALES.

TABLE 1. PREDICTED FVC FOR MALES (KNUDSON, ET AL.; AM REV RESPIR DIS, 1976, 113, 587.)

HT	AGE									
	17	19	21	23	25	27	29	31	33	35
60.0	3.44	3.59	3.75	3.91	3.72	3.66	3.61	3.55	3.49	3.43
60.5	3.50	3.66	3.81	3.97	3.80	3.75	3.69	3.63	3.57	3.51
61.0	3.56	3.72	3.88	4.03	3.89	3.83	3.77	3.71	3.66	3.60
61.5	3.63	3.79	3.94	4.10	3.97	3.91	3.85	3.80	3.74	3.68
62.0	3.69	3.85	4.00	4.16	4.05	3.99	3.94	3.88	3.82	3.76
62.5	3.76	3.91	4.07	4.22	4.13	4.08	4.02	3.96	3.90	3.84
63.0	3.82	3.97	4.13	4.29	4.22	4.16	4.10	4.04	3.99	3.93
63.5	3.88	4.04	4.19	4.35	4.30	4.24	4.18	4.13	4.07	4.01
64.0	3.95	4.10	4.26	4.41	4.33	4.32	4.27	4.21	4.15	4.09
64.5	4.01	4.17	4.32	4.48	4.46	4.41	4.35	4.29	4.23	4.17
65.0	4.07	4.23	4.39	4.54	4.55	4.49	4.43	4.37	4.32	4.26
65.5	4.14	4.29	4.45	4.60	4.63	4.57	4.51	4.46	4.40	4.34
66.0	4.20	4.36	4.51	4.67	4.71	4.65	4.60	4.54	4.48	4.42
66.5	4.26	4.42	4.58	4.73	4.80	4.74	4.68	4.62	4.56	4.51
67.0	4.33	4.48	4.64	4.80	4.83	4.82	4.76	4.70	4.65	4.59
67.5	4.39	4.55	4.70	4.86	4.96	4.90	4.84	4.79	4.73	4.67
68.0	4.45	4.61	4.77	4.92	5.04	4.98	4.93	4.87	4.81	4.75
68.5	4.52	4.67	4.83	4.99	5.13	5.07	5.01	4.95	4.89	4.84
69.0	4.58	4.74	4.89	5.05	5.21	5.15	5.09	5.03	4.98	4.92
69.5	4.64	4.80	4.96	5.11	5.25	5.23	5.17	5.12	5.06	5.00
70.0	4.71	4.86	5.02	5.18	5.37	5.32	5.26	5.20	5.14	5.08
70.5	4.77	4.93	5.08	5.24	5.46	5.40	5.34	5.28	5.22	5.17
71.0	4.83	4.99	5.15	5.30	5.54	5.48	5.42	5.36	5.31	5.25
71.5	4.90	5.05	5.21	5.37	5.62	5.56	5.50	5.45	5.39	5.33
72.0	4.96	5.12	5.27	5.43	5.70	5.65	5.59	5.53	5.47	5.41
72.5	5.03	5.18	5.34	5.49	5.79	5.73	5.67	5.61	5.55	5.50
73.0	5.09	5.24	5.40	5.56	5.87	5.81	5.75	5.69	5.64	5.59
73.5	5.15	5.31	5.46	5.62	5.93	5.89	5.83	5.78	5.72	5.66
74.0	5.22	5.37	5.53	5.68	6.03	5.98	5.92	5.86	5.80	5.74
74.5	5.20	5.44	5.59	5.73	6.12	6.06	6.00	5.94	5.88	5.83
75.0	5.34	5.58	5.65	5.81	6.20	6.14	6.08	6.02	5.97	5.91
75.5	5.41	5.56	5.72	5.87	6.28	6.22	6.17	6.11	6.05	5.99
76.0	5.47	5.63	5.79	5.94	6.36	6.31	6.25	6.19	6.13	6.07
76.5	5.53	5.69	5.85	6.00	6.45	6.39	6.33	6.27	6.21	6.16
77.0	5.60	5.75	5.91	6.06	6.53	6.47	6.41	6.35	6.30	6.24
77.5	5.66	5.82	5.97	6.13	6.61	6.55	6.50	6.44	6.38	6.32
78.0	5.72	5.88	6.04	6.19	6.69	6.64	6.58	6.52	6.46	6.40
78.5	5.79	5.94	6.10	6.26	6.78	6.72	6.66	6.60	6.54	6.49
79.0	5.85	6.01	6.16	6.32	6.86	6.80	6.74	6.68	6.63	6.57
79.5	5.91	6.07	6.23	6.38	6.94	6.88	6.83	6.77	6.71	6.65
80.0	5.98	6.13	6.29	6.45	7.02	6.97	6.91	6.85	6.79	6.73
80.5	6.04	6.20	6.35	6.51	7.11	7.05	6.99	6.93	6.87	6.82
81.0	6.10	6.26	6.42	6.57	7.19	7.13	7.07	7.02	6.96	6.90
81.5	6.17	6.32	6.48	6.64	7.27	7.21	7.16	7.10	7.04	6.98
82.0	6.23	6.39	6.54	6.70	7.35	7.30	7.24	7.18	7.12	7.06
82.5	6.30	6.45	6.61	6.76	7.42	7.37	7.32	7.26	7.20	7.15
83.0	6.36	6.51	6.67	6.83	7.52	7.46	7.40	7.35	7.29	7.23
83.5	6.42	6.58	6.73	6.89	7.60	7.54	7.49	7.43	7.37	7.31
84.0	6.49	6.64	6.80	6.95	7.68	7.63	7.57	7.51	7.45	7.39
84.5	6.55	6.71	6.86	7.02	7.77	7.71	7.65	7.59	7.53	7.47
85.0	6.61	6.77	6.92	7.08	7.85	7.79	7.73	7.68	7.62	7.56









**NEW SECTION**

WAC 296-62-14541 APPENDIX D—PULMONARY FUNCTION STANDARDS FOR COTTON DUST STANDARD. The spirometric measurements of pulmonary function shall conform to the following minimum standards, and these standards are not intended to preclude additional testing or alternate methods which can be determined to be superior.

**(1) APPARATUS**

(a) The instrument shall be accurate to within  $\pm 50$  milliliters or within  $\pm 3$  percent of reading, whichever is greater.

(b) The instrument should be capable of measuring vital capacity from 0 to 7 liters BTPS.

(c) The instrument shall have a low inertia and offer low resistance to airflow such that the resistance to airflow at 12 liters per second must be less than 1.5 cm. H<sub>2</sub>O/liter/sec.

(d) The zero time point for the purpose of timing the FEV<sub>1</sub> shall be determined by extrapolating the steepest portion of the volume time curve back to the maximal inspiration volume (1, 2, 3, 4) or by an equivalent method.

(e) Instruments incorporating measurements of airflow to determine volume shall conform to the same volume accuracy stated in (a) of this subsection when presented with flow rates from at least 0 to 12 liters per second.

(f) The instrument or user of the instrument must have means of correcting volumes to a body temperature saturated with water vapor (BTPS) under conditions of varying ambient spirometer temperatures and barometric pressures.

(g) The instrument used shall provide a tracing or display of either flow versus volume or volume versus time during the entire forced expiration. A tracing or display is necessary to determine whether the patient has performed the test properly. The tracing must be stored and available for recall and must be of sufficient size that hand measurements may be made within requirement of paragraph (a) of this subsection. If a paper record is made it must have a paper speed of at least 2 cm/sec and a volume sensitivity of at least 10.0 mm of chart per liter of volume.

(h) The instrument shall be capable of accumulating for a minimum of ten seconds and shall not stop accumulating volume before (i) the volume change for a 0.5 second interval is less than 25 milliliters or (ii) the flow is less than 50 milliliters per second for a 0.5 second interval.

(i) The forced vital capacity (FVC) and forced inspiratory volume in 1 second (FEV<sub>1.0</sub>) measurements shall comply with the accuracy requirements stated in paragraph (a) of this subsection. That is, they should be accurately measured to within  $\pm 50$  ml or within  $\pm 3$  percent of reading, whichever is greater.

(j) The instrument must be capable of being calibrated in the field with respect to the FEV<sub>1</sub> and FVC. This calibration of the FEV<sub>1</sub> and FVC may be either directly or indirectly through volume and time base measurements. The volume calibration source should provide a

volume displacement of at least 2 liters and should be accurate to within  $\pm 30$  milliliters.

**(2) TECHNIQUE FOR MEASUREMENT OF FORCED VITAL CAPACITY MANEUVER.**

(a) Use of a nose clip is recommended but not required. The procedures shall be explained in simple terms to the patient who shall be instructed to loosen any tight clothing and stand in front of the apparatus. The subject may sit, but care should be taken on repeat testing that same position be used and, if possible, the same spirometer. Particular attention shall be given to insure that the chin is slightly elevated with the neck slightly extended. The patient shall be instructed to make a full inspiration from a normal breathing pattern and then blow into the apparatus, without interruption, as hard, fast, and completely as possible. At least three forced expirations shall be carried out. During the maneuvers, the patient shall be observed for compliance with instructions. The expirations shall be checked visually for reproducibility from flow-volume or volume-time tracings or displays. The following efforts shall be judged unacceptable when the patient:

(i) has not reached full inspiration preceding the forced expiration,

(ii) has not used maximal effort during the entire forced expiration,

(iii) has not continued the expiration for at least 5 seconds or until an obvious plateau in the volume time curve has occurred,

(iv) has coughed or closed his glottis,

(v) has an obstructed mouthpiece or a leak around the mouthpiece (obstruction due to tongue being placed in front of mouthpiece, false teeth falling in front of mouthpiece, etc.),

(vi) has an unsatisfactory start of expiration, one characterized by excessive hesitation (or false starts), and therefore not allowing back extrapolation of time 0 (extrapolated volume on the volume time tracing must be less than 10 percent of the FVC),

(vii) has an excessive variability between the three acceptable curves. The variation between the two largest FVC's and FEV<sub>1</sub>'s of the three satisfactory tracings should not exceed 10 percent or  $\pm 100$  milliliters, whichever is greater.

(b) Periodic and routine recalibration of the instrument or method for recording FVC and FEV<sub>1.0</sub> should be performed using a syringe or other volume source of at least 2 liters.

**(3) INTERPRETATION OF SPIROGRAM.**

(a) The first step in evaluating a spirogram should be to determine whether or not the patient has performed the test properly or as described in subsection (2) of this section. From the three satisfactory tracings, the forced vital capacity (FVC) and forced expiratory volume in 1 second (FEV<sub>1.0</sub>) shall be measured and recorded. The largest observed FVC and largest observed FEV<sub>1.0</sub> shall be used in the analysis regardless of the curve(s) on which they occur.

(b) The following guidelines are recommended by NIOSH for the evaluation and management of workers

exposed to cotton dust. It is important to note that employees who show reductions in FEV<sub>1</sub>/FVC ratio below .75 or drops in Monday FEV<sub>1</sub> of 5 percent or greater on their initial screening exam, should be reevaluated within a month of the first exam. Those who show consistent decrease in lung function, as shown on the following table, should be managed as recommended.

(4) **QUALIFICATIONS OF PERSONNEL ADMINISTERING THE TEST.**

Technicians who perform pulmonary function testing should have the basic knowledge required to produce meaningful results. Training consisting of approximately 16 hours of formal instruction should cover the following areas.

(a) Basic physiology of the forced vital capacity maneuver and the determinants of airflow limitation with emphasis on the relation to reproducibility of results.

(b) Instrumentation requirements including calibration procedures, sources of error and their correction.

(c) Performance of the testing including subject coaching, recognition of improperly performed maneuvers and corrective actions.

(d) Data quality with emphasis on reproducibility.

(e) Actual use of the equipment under supervised conditions.

(f) Measurement of tracings and calculations of results.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-14531 EXPOSURE TO COTTON DUST IN COTTON GINS.

WAC 296-62-146 APPENDICES.

WAC 296-62-14603 APPENDIX B-1—RESPIRATORY QUESTIONNAIRE.

**NEW SECTION**

WAC 296-62-07355 SCOPE AND APPLICATION. (1) WAC 296-62-07355 through 296-62-07389 applies to all occupational exposures to ethylene oxide (EtO), Chemical Abstracts Service Registry No. 75-21-8, except as provided in subsection (2) of this section.

(2) WAC 296-62-07355 through 296-62-07389 does not apply to the processing, use, or handling of products containing EtO where objective data are reasonably relied upon that demonstrate that the product is not capable of releasing EtO in airborne concentrations at or above the action level under the expected conditions of processing, use, or handling that will cause the greatest possible release.

(3) Where products containing EtO are exempted under subsection (2) of this section, the employer shall maintain records of the objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in WAC 296-62-07375(1).

**NEW SECTION**

WAC 296-62-07357 DEFINITIONS. For the purpose of WAC 296-62-07355 through 296-62-07389, the following definitions shall apply:

(1) "Action level" means a concentration of airborne EtO of 0.5 ppm calculated as an eight-hour time-weighted average.

(2) "Authorized person" means any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the right to observe monitoring and measuring procedures under WAC 296-62-07377, or any other person authorized by chapter 49.17 RCW or regulations issued under chapter 49.17 RCW.

(3) "Director" means the director of the department of labor and industries, or designee.

(4) "Emergency" means any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment that is likely to or does result in an unexpected significant release of EtO.

(5) "Employee exposure" means exposure to airborne EtO which would occur if the employee were not using respiratory protective equipment.

(6) "Ethylene oxide" or "EtO" means the three-membered ring organic compound with chemical formula C<sub>2</sub>H<sub>4</sub>O.

**NEW SECTION**

WAC 296-62-07359 PERMISSIBLE EXPOSURE LIMITS (PEL). Eight-hour time-weighted average (TWA). The employer shall ensure that no employee is exposed to an airborne concentration of EtO in excess of one part EtO per million parts of air (1 ppm) as an eight-hour time-weighted average. (Eight-hour TWA.)

**NEW SECTION**

WAC 296-62-07361 EXPOSURE MONITORING. (1) General.

(a) Determinations of employee exposure shall be made from breathing zone air samples that are representative of the eight-hour TWA of each employee.

(b) Representative eight-hour TWA employee exposure shall be determined on the basis of one or more samples representing full-shift exposure for each shift for each job classification in each work area.

(c) Where the employer can document that exposure levels are equivalent for similar operations in different work shifts, the employer need only determine representative employee exposure for that operation during one shift.

(2) Initial monitoring.

(a) Each employer who has a workplace or work operation covered by WAC 296-62-07355 through 296-62-07389, except as provided in WAC 296-62-07355(2) or 296-62-07361 (2)(b), shall perform initial monitoring to determine accurately the airborne concentrations of EtO to which employees may be exposed.

(b) Where the employer has monitored after June 15, 1983, and the monitoring satisfies all other requirements of WAC 296-62-07355 through 296-62-07389, the

employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection.

(3) Monitoring frequency (periodic monitoring).

(a) If the monitoring required by subsection (2) of this section reveals employee exposure at or above the action level but at or below the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every six months.

(b) If the monitoring required by subsection (2)(a) of this section reveals employee exposure above the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every three months.

(c) The employer may alter the monitoring schedule from quarterly to semiannually for any employee for whom two consecutive measurements taken at least seven days apart indicate that the employee's exposure has decreased to or below the eight-hour TWA.

(4) Termination of monitoring.

(a) If the initial monitoring required by subsection (2)(a) of this section reveals employee exposure to be below the action level, the employer may discontinue the monitoring for those employees whose exposures are represented by the initial monitoring.

(b) If the periodic monitoring required by subsection (3) of this section reveals that employee exposures, as indicated by at least two consecutive measurements taken at least seven days apart, are below the action level, the employer may discontinue the monitoring for those employees whose exposures are represented by such monitoring.

(5) Additional monitoring. Notwithstanding the provisions of subsection (4) of this section, the employer shall institute the exposure monitoring required under subsections (2)(a) and (3) of this section whenever there has been a change in the production, process, control equipment, personnel or work practices that may result in new or additional exposures to EtO or when the employer has any reason to suspect that a change may result in new or additional exposures.

(6) Accuracy of monitoring. Monitoring shall be accurate, to a confidence level of ninety-five percent, to within plus or minus twenty-five percent for airborne concentrations of EtO at the 1 ppm TWA and to within plus or minus thirty-five percent for airborne concentrations of EtO at the action level of 0.5 ppm.

(7) Employee notification of monitoring results.

(a) The employer shall, within fifteen working days after the receipt of the results of any monitoring performed under WAC 296-62-07355 through 296-62-07389, notify the affected employee of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(b) The written notification required by (a) of this subsection shall contain the corrective action being taken by the employer to reduce employee exposure to or below the PEL, wherever monitoring results indicated that the PEL has been exceeded.

#### NEW SECTION

WAC 296-62-07363 REGULATED AREAS. (1) The employer shall establish a regulated area wherever

occupational exposures to airborne concentrations of EtO may exceed the TWA.

(2) Access to regulated areas shall be limited to authorized persons.

(3) Regulated areas shall be demarcated in any manner that minimizes the number of employees within the regulated area.

#### NEW SECTION

WAC 296-62-07365 METHODS OF COMPLIANCE. (1) Engineering controls and work practices.

(a) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the TWA, except to the extent that such controls are not feasible.

(b) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the TWA, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of WAC 296-62-07367.

(c) Engineering controls are generally infeasible for the following operations: Collection of quality assurance sampling from sterilized materials removal of biological indicators from sterilized materials: Loading and unloading of tank cars; changing of ethylene oxide tanks on sterilizers; and vessel cleaning. For these operations, engineering controls are required only where the director demonstrates that such controls are feasible.

(2) Compliance program.

(a) Where the TWA is exceeded, the employer shall establish and implement a written program to reduce employee exposure to or below the TWA by means of engineering and work practice controls, as required by subsection (1) of this section, and by the use of respiratory protection where required or permitted under WAC 296-62-07355 through 296-62-07389.

(b) The compliance program shall include a schedule for periodic leak detection surveys and a written plan for emergency situations, as specified in WAC 296-62-07369 (1)(a).

(c) Written plans for a program required in this subsection shall be developed and furnished upon request for examination and copying to the director, affected employees and designated employee representatives. Such plans shall be reviewed at least every twelve months, and shall be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(d) The employer shall not implement a schedule of employee rotation as a means of compliance with the TWA.

#### NEW SECTION

WAC 296-62-07367 RESPIRATORY PROTECTION AND PERSONAL PROTECTIVE EQUIPMENT. (1) General. The employer shall provide respirators, and ensure that they are used, where required by

WAC 296-62-07355 through 296-62-07389. Respirators shall be used in the following circumstances.

(a) During the interval necessary to install or implement feasible engineering and work practice controls;

(b) In work operations, such as maintenance and repair activities, vessel cleaning, or other activities for which engineering and work practice controls are not feasible;

(c) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the TWA; and

(d) In emergencies.

(2) Respirator selection.

(a) Where respirators are required under WAC 296-62-07355 through 296-62-07389, the employer shall select and provide, at no cost to the employee, the appropriate respirator as specified in Table 1, and shall ensure that the employee uses the respirator provided.

(b) The employer shall select respirators from among those jointly approved as being acceptable for protection against EtO by the Mine Safety and Health Administration (MSHA) and by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(3) Respirator program. Where respiratory protection is required by WAC 296-62-07355 through 296-62-07389, the employer shall institute a respirator program in accordance with WAC 296-62-071.

(4) Protective clothing and equipment. Where eye or skin contact with liquid EtO or EtO solutions may occur, the employer shall select and provide, at no cost to the employee, appropriate protective clothing or other equipment in accordance with WAC 296-24-07501 and 296-24-07801 and to protect any area of the body that may come in contact with liquid EtO or EtO in solution, and shall ensure that the employee wears the protective clothing and equipment provided.

**NEW SECTION**

WAC 296-62-07369 EMERGENCY SITUATIONS. (1) Written plan.

(a) A written plan for emergency situations shall be developed for each workplace where there is a possibility of an emergency. Appropriate portions of the plan shall be implemented in the event of an emergency.

(b) The plan shall specifically provide that employees engaged in correcting emergency conditions shall be equipped with respiratory protection as required by WAC 296-62-07367 until the emergency is abated.

(c) The plan shall include the elements prescribed in WAC 296-24-567, "Employee emergency plans and fire prevention plans."

(2) Alerting employees. Where there is the possibility of employee exposure to EtO due to an emergency, means shall be developed to alert potentially affected employees of such occurrences promptly. Affected employees shall be immediately evacuated from the area in the event that an emergency occurs.

Table 1.—Minimum Requirements for Respiratory Protection for Airborne EtO

Condition of use or concentration of airborne EtO (ppm)	Minimum required respirator
Equal to or less than 50.	(a) Full facepiece respirator with EtO approved canister, front- or back-mounted.
Equal to or less than 2,000.	(a) Positive-pressure supplied air respirator, equipped with full facepiece, hood, or helmet, or (b) Continuous-flow supplied air respirator (positive pressure) equipped with hood, helmet or suit.
Concentration above 2,000 or unknown concentration (such as in emergencies).	(a) Positive-pressure self-contained breathing apparatus (SCBA), equipped with full facepiece, or (b) Positive-pressure full facepiece supplied air respirator equipped with an auxiliary positive-pressure self-contained breathing apparatus.
Firefighting .....	(a) Positive pressure self-contained breathing apparatus equipped with full facepiece.
Escape .....	(a) Any respirator described above.

Note.—Respirators approved for use in higher concentrations are permitted to be used in lower concentrations.

**NEW SECTION**

WAC 296-62-07371 MEDICAL SURVEILLANCE. (1) General.

(a) Employees covered.

(i) The employer shall institute a medical surveillance program for all employees who are or may be exposed to EtO at or above the action level, without regard to the use of respirators, for at least thirty days a year.

(ii) The employer shall make available medical examinations and consultations to all employees who have been exposed to EtO in an emergency situation.

(b) Examination by a physician. The employer shall ensure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and are provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(2) Medical examinations and consultations.

(a) Frequency. The employer shall make available medical examinations and consultations to each employee covered under subsection (1)(a) of this section on the following schedules:

(i) Prior to assignment of the employee to an area where exposure may be at or above the action level for at least thirty days a year.

(ii) At least annually each employee exposed at or above the action level for at least thirty days in the past year.

(iii) At termination of employment or reassignment to an area where exposure to EtO is not at or above the action level for at least thirty days a year.

(iv) As medically appropriate for any employee exposed during an emergency.

(v) As soon as possible, upon notification by an employee either (A) that the employee has developed signs or symptoms indicating possible overexposure to EtO, or (B) that the employee desires medical advice concerning

the effects of current or past exposure to EtO on the employee's ability to produce a healthy child.

(vi) If the examining physician determines that any of the examinations should be provided more frequently than specified, the employer shall provide such examinations to affected employees at the frequencies recommended by the physician.

(b) Content.

(i) Medical examinations made available pursuant to (a)(i) through (iv) of this subsection shall include:

(A) A medical and work history with special emphasis directed to symptoms related to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.

(B) A physical examination with particular emphasis given to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.

(C) A complete blood count to include at least a white cell count (including differential cell count), red cell count, hematocrit, and hemoglobin.

(D) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

(ii) The content of medical examinations or consultation made available pursuant to (a)(i)(v) of this subsection shall be determined by the examining physician, and shall include pregnancy testing or laboratory evaluation of fertility, if requested by the employee and deemed appropriate by the physician.

(3) Information provided to the physician. The employer shall provide the following information to the examining physician:

(a) A copy of WAC 296-62-07355 through 296-62-07389.

(b) A description of the affected employee's duties as they relate to the employee's exposure.

(c) The employee's representative exposure level or anticipated exposure level.

(d) A description of any personal protective and respiratory equipment used or to be used.

(e) Information from previous medical examinations of the affected employee that is not otherwise available to the examining physician.

(4) Physician's written opinion.

(a) The employer shall obtain a written opinion from the examining physician. This written opinion shall contain the results of the medical examination and shall include:

(i) The physician's opinion as to whether the employee has any detected medical conditions that would place the employee at an increased risk of material health impairment from exposure to EtO;

(ii) Any recommended limitations on the employee or upon the use of personal protective equipment such as clothing or respirators; and

(iii) A statement that the employee has been informed by the physician of the results of the medical examination and of any medical conditions resulting from EtO exposure that require further explanation or treatment.

(b) The employer shall instruct the physician not to reveal in the written opinion given to the employer specific findings or diagnoses unrelated to occupational exposure to EtO.

(c) The employer shall provide a copy of the physician's written opinion to the affected employee within fifteen days from its receipt.

### NEW SECTION

WAC 296-62-07373 COMMUNICATION OF ETO HAZARDS TO EMPLOYEES. (1) Signs and labels.

(a) The employer shall post and maintain legible signs demarcating regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER  
ETHYLENE OXIDE  
CANCER HAZARD AND REPRODUCTIVE HAZARD  
AUTHORIZED PERSONNEL ONLY  
RESPIRATORS AND PROTECTIVE CLOTHING MAY BE  
REQUIRED  
TO BE WORN IN THIS AREA

(b) The employer shall ensure that precautionary labels are affixed to all containers of EtO whose contents are capable of causing employee exposure at or above the action level, and that the labels remain affixed when the containers of EtO leave the workplace. For the purposes of this subsection, reaction vessels, storage tanks, and pipes or piping systems are not considered to be containers. The labels shall comply with the requirements of WAC 296-62-05411 of WISHA's hazard communication standard, and shall include the following legend:

(i)  
DANGER  
CONTAINS ETHYLENE OXIDE  
CANCER HAZARD AND REPRODUCTIVE HAZARD; and

(ii) A warning statement against breathing airborne concentrations of EtO.

(c) The labeling requirements under WAC 296-62-07355 through 296-62-07389 do not apply where EtO is used as a pesticide, as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when it is labeled pursuant to that act and regulations issued under that act by the Environmental Protection Agency.

(2) Material safety data sheets. Employers who are manufacturers or importers of EtO shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413 of the hazard communication standard.

(3) Information and training.

(a) The employer shall provide employees who are potentially exposed to EtO at or above the action level with information and training on EtO at the time of initial assignment and at least annually thereafter.

(b) Employees shall be informed of the following:

(i) The requirements of WAC 296-62-07353 through 296-62-07389 with an explanation of its contents, including Appendices A and B;

(ii) Any operations in their work area where EtO is present;



(iii) The location and availability of the written EtO final rule; and

(iv) The medical surveillance program required by WAC 296-62-07371 with an explanation of the information in Appendix C.

(c) Employee training shall include at least:

(i) Methods and observations that may be used to detect the presence or release of EtO in the work area (such as monitoring conducted by the employer, continuous monitoring devices, etc.);

(ii) The physical and health hazards of EtO;

(iii) The measures employees can take to protect themselves from hazards associated with EtO exposure, including specific procedures the employer has implemented to protect employees from exposure to EtO, such as work practices, emergency procedures, and personal protective equipment to be used; and

(iv) The details of the hazard communication program developed by the employer, including an explanation of the labeling system and how employees can obtain and use the appropriate hazard information.

#### NEW SECTION

WAC 296-62-07375 RECORDKEEPING. (1) Objective data for exempted operations.

(a) Where the processing, use, or handling of products made from or containing EtO are exempted from other requirements of WAC 296-62-07355 through 296-62-07389 under WAC 296-62-07355, or where objective data have been relied on in lieu of initial monitoring under WAC 296-62-07361 (2)(b), the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(b) This record shall include at least the following information:

(i) The product qualifying for exemption;

(ii) The source of the objective data;

(iii) The testing protocol, results of testing, and/or analysis of the material for the release of EtO;

(iv) A description of the operation exempted and how the data support the exemption; and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(2) Exposure measurements.

(a) The employer shall keep an accurate record of all measurements taken to monitor employee exposure to EtO as prescribed in WAC 296-62-07361.

(b) This record shall include at least the following information:

(i) The date of measurement;

(ii) The operation involving exposure to EtO which is being monitored;

(iii) Sampling and analytical methods used and evidence of their accuracy;

(iv) Number, duration, and results of samples taken;

(v) Type of protective devices worn, if any; and

(vi) Name, Social Security number and exposure of the employees whose exposures are represented.

(c) The employer shall maintain this record for at least thirty years, in accordance with WAC 296-62-05207.

(3) Medical surveillance.

(a) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance by WAC 296-62-07371 (1)(a), in accordance with WAC 296-62-05207.

(b) The record shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) Physicians' written opinions;

(iii) Any employee medical complaints related to exposure to EtO; and

(iv) A copy of the information provided to the physician as required by WAC 296-62-07371(3).

(c) The employer shall ensure that this record is maintained for the duration of employment plus thirty years, in accordance with WAC 296-62-05207.

(4) Availability.

(a) The employer, upon written request, shall make all records required to be maintained by WAC 296-62-07355 through 296-62-07389 available to the director for examination and copying.

(b) The employer, upon request, shall make any exemption and exposure records required by WAC 296-62-07377 (1) and (2) available for examination and copying to affected employees, former employees, designated representatives and the director, in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(c) The employer, upon request, shall make employee medical records required by subsection (3) of this section available for examination and copying to the subject employee, anyone having the specific written consent of the subject employee, and the director, in accordance with WAC 296-62-052.

(5) Transfer of records.

(a) The employer shall comply with the requirements concerning transfer of records set forth in WAC 296-62-05215.

(b) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director at least ninety days prior to disposal and transmit them to the director.

#### NEW SECTION

WAC 296-62-07377 OBSERVATION OF MONITORING. (1) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to EtO conducted in accordance with WAC 296-62-07361.

(2) Observation procedures. When observation of the monitoring of employee exposure to EtO requires entry into an area where the use of protective clothing or equipment is required, the observer shall be provided with and be required to use such clothing and equipment and shall comply with all other applicable safety and health procedures.

**NEW SECTION**

WAC 296-62-07379 DATES. (1) Effective date. WAC 296-62-07355 through 296-62-07389 shall become effective thirty days after filing with the code reviser.

(2) Start-up dates.

(a) The requirements of WAC 296-62-07359 through 296-62-07377, including feasible work practice controls but not including engineering controls specified in WAC 296-62-07365(1), shall be complied with within one hundred eighty days after the effective date of WAC 296-62-07355 through 296-62-07389.

(b) Engineering controls specified by WAC 296-62-07365(1) shall be implemented within one year after the effective date of WAC 296-62-07355 through 296-62-07389.

**NEW SECTION**

WAC 296-62-07381 APPENDICES. The information contained in the appendices is not intended by itself to create any additional obligations not otherwise imposed or to detract from any existing obligation.

**NEW SECTION**

WAC 296-62-07383 APPENDIX A—SUBSTANCE SAFETY DATA SHEET FOR ETHYLENE OXIDE (NONMANDATORY). I. Substance Identification

A. Substance: Ethylene oxide (C<sub>2</sub>H<sub>4</sub>O).

B. Synonyms: dihydrooxirene, dimethylene oxide, EO, 1,2-epoxyethane, EtO, ETO, oxacyclopropane, oxane, oxidoethane, alpha/beta-oxidoethane, oxiran, oxirane.

C. Ethylene oxide can be found as a liquid or vapor.

D. EtO is used in the manufacture of ethylene glycol, surfactants, ethanolamines, glycol ethers, and other organic chemicals. EtO is also used as a sterilant and fumigant.

E. Appearance and odor: Colorless liquid below 10.7°C (51.3°F) or colorless gas with ether-like odor detected at approximately 700 parts EtO per million parts of air (700 ppm).

F. Permissible exposure: Exposure may not exceed 1 part EtO per million parts of air averaged over the 8-hour work day.

**II. Health Hazard Data**

A. Ethylene oxide can cause bodily harm if you inhale the vapor, if it comes into contact with your eyes or skin, or if you swallow it.

B. Effects of overexposure:

1. Ethylene oxide in liquid form can cause eye irritation and injury to the cornea, frostbite, and severe irritation and blistering of the skin upon prolonged or confined contact. Ingestion of EtO can cause gastric irritation and liver injury. Acute effects from inhalation of EtO vapors include respiratory irritation and lung injury, headache, nausea, vomiting, diarrhea, shortness of breath, and cyanosis (blue or purple coloring of skin). Exposure has also been associated with the occurrence of cancer, reproductive effects, mutagenic changes, neurotoxicity, and sensitization.

1. EtO has been shown to cause cancer in laboratory animals and has been associated with higher incidences of cancer in humans. Adverse reproductive effects and chromosome damage may also occur from EtO exposure.

a. Reporting signs and symptoms: You should inform your employer if you develop any signs or symptoms and suspect that they are caused by exposure to EtO.

**III. Emergency First Aid Procedures**

A. Eye exposure: If EtO gets into your eyes, wash your eyes immediately with large amounts of water, lifting the lower and upper eyelids. Get medical attention immediately. Contact lenses should not be worn when working with this chemical.

B. Skin exposure: If EtO gets on your skin, immediately wash the contaminated skin with water. If EtO soaks through your clothing, especially your shoes, remove the clothing immediately and wash the skin with water using an emergency deluge shower. Get medical attention immediately. Thoroughly wash contaminated clothing before reusing. Contaminated leather shoes or other leather articles should not be reused and should be discarded.

C. Inhalation: If large amounts of EtO are inhaled, the exposed person must be moved to fresh air at once. If breathing has stopped, perform cardiopulmonary resuscitation. Keep the affected person warm and at rest. Get medical attention immediately.

D. Swallowing: When EtO has been swallowed, give the person large quantities of water immediately. After the water has been swallowed, try to get the person to vomit by having him or her touch the back of the throat with his or her finger. Do not make an unconscious person vomit. Get medical attention immediately.

E. Rescue: Move the affected person from the hazardous exposure. If the exposed person has been overcome, attempt rescue only after notifying at least one other person of the emergency and putting into effect established emergency procedures. Do not become a casualty yourself. Understand your emergency rescue procedures and know the location of the emergency equipment before the need arises.

**IV. Respirators and Protective Clothing**

A. Respirators: You may be required to wear a respirator for nonroutine activities, in emergencies, while your employer is in the process of reducing EtO exposure through engineering controls, and where engineering controls are not feasible. As of the effective date of the standard, only air supplied positive-pressure, full-face-piece respirators are approved for protection against EtO. If air-purifying respirators are worn in the future, they must have a joint Mine Safety and Health Administration (MSHA) and National Institute for Occupational Safety and Health (NIOSH) label of approval for use with ethylene oxide. For effective protection, respirators must fit your face and head snugly. Respirators should not be loosened or removed in work situations where their use is required.

EtO does not have a detectable odor except at levels well above the permissible exposure limits. If you can smell EtO while wearing a respirator, proceed immediately to

fresh air. If you experience difficulty breathing while wearing a respirator, tell your employer.

B. Protective clothing: You may be required to wear impermeable clothing, gloves, a face shield, or other appropriate protective clothing to prevent skin contact with liquid EtO or EtO-containing solutions. Where protective clothing is required, your employer must provide clean garments to you as necessary to assure that the clothing protects you adequately.

Replace or repair protective clothing that has become torn or otherwise damaged.

EtO must never be allowed to remain on the skin. Clothing and shoes which are not impermeable to EtO should not be allowed to become contaminated with EtO, and if they do, the clothing should be promptly removed and decontaminated. Contaminated leather shoes should be discarded. Once EtO penetrates shoes or other leather articles, they should not be worn again.

C. Eye protection: You must wear splashproof safety goggles in areas where liquid EtO or EtO-containing solutions may contact your eyes. In addition, contact lenses should not be worn in areas where eye contact with EtO can occur.

#### V. Precautions for Safe Use, Handling, and Storage

A. EtO is a flammable liquid, and its vapors can easily form explosive mixtures in air.

B. EtO must be stored in tightly closed containers in a cool, well-ventilated area, away from heat, sparks, flames, strong oxidizers, alkalines, and acids, strong bases, acetylide forming metals such as copper, silver, mercury and their alloys.

C. Sources of ignition such as smoking material, open flames and some electrical devices are prohibited wherever EtO is handled, used, or stored in a manner that could create a potential fire or explosion hazard.

D. You should use non-sparking tools when opening or closing metal containers of EtO, and containers must be bonded and grounded in the rare instances in which liquid EtO is poured or transferred.

E. Impermeable clothing wet with liquid EtO or EtO-containing solutions may be easily ignited. If you are wearing impermeable clothing and are splashed with liquid EtO or EtO-containing solution, you should immediately remove the clothing while under an emergency deluge shower.

F. If your skin comes into contact with liquid EtO or EtO-containing solutions, you should immediately remove the EtO using an emergency deluge shower.

G. You should not keep food, beverages, or smoking materials in regulated areas where employee exposures are above the permissible exposure limits.

H. Fire extinguishers and emergency deluge showers for quick drenching should be readily available, and you should know where they are and how to operate them.

I. Ask your supervisor where EtO is used in your work area and for any additional plant safety and health rules.

#### VI. Access to Information

A. Each year, your employer is required to inform you of the information contained in this standard and appendices for EtO. In addition, your employer must instruct you in the proper work practices for using EtO emergency procedures, and the correct use of protective equipment.

B. Your employer is required to determine whether you are being exposed to EtO. You or your representative has the right to observe employee measurements and to record the results obtained. Your employer is required to inform you of your exposure. If your employer determines that you are being overexposed, he or she is required to inform you of the actions which are being taken to reduce your exposure to within permissible exposure limits.

C. Your employer is required to keep records of your exposures and medical examinations. These exposure records must be kept by the employer for at least thirty (30) years. Medical records must be kept for the period of your employment plus thirty (30) years.

D. Your employer is required to release your exposure and medical records to your physician or designated representative upon your written request.

#### VII. Sterilant Use of EtO in Hospitals and Health Care Facilities.

This section of Appendix A, for informational purposes, sets forth EPA's recommendations for modifications in workplace design and practice in hospitals and health care facilities for which the Environmental Protection Agency has registered EtO for uses as a sterilant or fumigant under the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136 et seq. These new recommendations, published in the Federal Register by EPA at 49 FR 15268, as modified in today's Register, are intended to help reduce the exposure of hospital and health care workers to EtO to 1 ppm. EPA's recommended workplace design and workplace practice are as follows:

##### 1. Workplace Design

a. Installation of gas line hand valves. Hand valves must be installed on the gas supply line at the connection to the supply cylinders to minimize leakage during cylinder change.

b. Installation of capture boxes. Sterilizer operations result in a gas/water discharge at the completion of the process. This discharge is routinely piped to a floor drain which is generally located in an equipment or an adjacent room. When the floor drain is not in the same room as the sterilizer and workers are not normally present, all that is necessary is that the room be well ventilated.

The installation of a "capture box" will be required for those work place layouts where the floor drain is located in the same room as the sterilizer or in a room where workers are normally present. A "capture box" is a piece of equipment that totally encloses the floor drain where the discharge from the sterilizer is pumped. The

"capture box" is to be vented directly to a non-recirculating or dedicated ventilation system. Sufficient air intake should be allowed at the bottom of the box to handle the volume of air that is ventilated from the top of the box. The "capture box" can be made of metal, plastic, wood or other equivalent material. The box is intended to reduce levels of EtO discharged into the work room atmosphere. The use of a "capture box" is not required if: (1) The vacuum pump discharge floor drain is located in a well ventilated equipment or other room where workers are not normally present or (2) the water sealed vacuum pump discharges directly to a closed sealed sewer line (check local plumbing codes).

If it is impractical to install a vented "capture box" and a well ventilated equipment or other room is not feasible, a box that can be sealed over the floor drain may be used if: (1) The floor drain is located in a room where workers are not normally present and EtO cannot leak into an occupied area, and (2) the sterilizer in use is less than 12 cubic feet in capacity (check local plumbing codes.)

#### c. Ventilation of aeration units.

i. Existing aeration units. Existing units must be vented to a non-recirculating or dedicated system or vented to an equipment or other room where workers are not normally present and which is well ventilated. Aerator units must be positioned as close as possible to the sterilizer to minimize the exposure from the off-gassing of sterilized items.

ii. Installation of new aerator units (where none exist). New aerator units must be vented as described above for existing aerators. Aerators must be in place by July 1, 1986.

d. Ventilation during cylinder change. Workers may be exposed to short but relatively high levels of EtO during the change of gas cylinders. To reduce exposure from this route, users must select one of three alternatives designed to draw off gas that may be released when the line from the sterilizer to the cylinder is disconnected:

i. Location of cylinders in a well ventilated equipment room or other room where workers are not normally present.

ii. Installation of a flexible hose (at least 4" in diameter) to a non-recirculating or dedicated ventilation system and located in the area of cylinder change in such a way that the hose can be positioned at the point where the sterilizer gas line is disconnected from the cylinder.

iii. Installation of a hood that is part of a non-recirculating or dedicated system and positioned no more than one foot above the point where the change of cylinders takes place.

e. Ventilation of sterilizer door area. One of the major sources of exposure to EtO occurs when the sterilizer door is opened following the completion of the sterilization process. In order to reduce this avenue of exposure, a hood or metal canopy closed on each end must be installed over the sterilizer door. The hood or metal canopy must be connected to a non-recirculating or dedicated ventilation system or one that exhausts gases to a well ventilated equipment or other room where workers are

not normally present. A hood or canopy over the sterilizer door is required for use even with those sterilizers that have a purge cycle and must be in place by July 1, 1986.

f. Ventilation of sterilizer relief valve. Sterilizers are typically equipped with a safety relief device to release gas in case of increased pressure in the sterilizer. Generally, such relief devices are used on pressure vessels. Although these pressure relief devices are rarely opened for hospital and health care sterilizers, it is suggested that they be designed to exhaust vapor from the sterilizer by one of the following methods:

i. Through a pipe connected to the outlet of the relief valve ventilated directly outdoors at a point high enough to be away from passers by, and not near any windows that open, or near any air conditioning or ventilation air intakes.

ii. Through a connection to an existing or new nonrecirculating or dedicated ventilation system.

iii. Through a connection to a well ventilated equipment or other room where workers are not normally present.

g. Ventilation systems. Each hospital and health care facility affected by this notice that uses EtO for the sterilization of equipment and supplies must have a ventilation system which enables compliance with the requirements of section (b) through (f) in the manner described in these sections and within the timeframes allowed. Thus, each affected hospital and health care facility must have or install a nonrecirculating or dedicated ventilation equipment or other room where workers are not normally present in which to vent EtO.

h. Installation of alarm systems. An audible and visual indicator alarm system must be installed to alert personnel of ventilation system failures, i.e., when the ventilation fan motor is not working.

#### 2. Workplace Practices

All the workplace practices discussed in this unit must be permanently posted near the door of each sterilizer prior to use by any operator.

##### a. Changing of supply line filters.

Filters in the sterilizer liquid line must be changed when necessary, by the following procedure:

i. Close the cylinder valve and the hose valve.

ii. Disconnect the cylinder hose (piping) from the cylinder.

iii. Open the hose valve and bleed slowly into a proper ventilating system at or near the in-use supply cylinders.

iv. Vacate the area until the line is empty.

v. Change the filter.

vi. Reconnect the lines and reverse the valve position.

vii. Check hoses, filters, and valves for leaks with a fluorocarbon leak detector (for those sterilizers using the 88 percent chlorofluorocarbon, 12 percent ethylene oxide mixture (12/88)).

##### b. Restricted access area.

i. Areas involving use of EtO must be designated as restricted access areas. They must be identified with signs or floor marks near the sterilizer door, aerator, vacuum pump floor drain discharge, and in-use cylinder storage.

ii. All personnel must be excluded from the restricted area when certain operations are in progress, such as discharging a vacuum pump, emptying a sterilizer liquid line, or venting a non-purge sterilizer with the door ajar or other operations where EtO might be released directly into the face of workers.

c. Door opening procedures.

i. Sterilizers with purge cycles. A load treated in a sterilizer equipped with a purge cycle should be removed immediately upon completion of the cycle (provided no time is lost opening the door after cycle is completed). If this is not done, the purge cycle should be repeated before opening door.

ii. Sterilizers without purge cycles. For a load treated in a sterilizer not equipped with a purge cycle, the sterilizer door must be ajar 6" for 15 minutes, and then fully opened for at least another 15 minutes before removing the treated load. The length of time of the second period should be established by peak monitoring for one hour after the two 15-minute periods suggested. If the level is above 10 ppm time-weighted average for 8 hours, more time should be added to the second waiting period (door wide open). However, in no case may the second period be shortened to less than 15 minutes.

d. Chamber unloading procedures.

i. Procedures for unloading the chamber must include the use of baskets or rolling carts, or baskets and rolling tables to transfer treated loads quickly, thus avoiding excessive contact with treated articles, and reducing the duration of exposures.

ii. If rolling carts are used, they should be pulled not pushed by the sterilizer operators to avoid offgassing exposure.

e. Maintenance. A written log should be instituted and maintained documenting the date of each leak detection and any maintenance procedures undertaken. This is a suggested use practice and is not required.

i. Leak detection. Sterilizer door gaskets, cylinder and vacuum piping, hoses, filters, and valves must be checked for leaks under full pressure with a Fluorocarbon leak detector (for 12/88 systems only) every two weeks by maintenance personnel. Also, the cylinder piping connections must be checked after changing cylinders. Particular attention in leak detection should be given to the automatic solenoid valves that control the flow of EtO to the sterilizer. Specifically, a check should be made at the EtO gasline entrance port to the sterilizer, while the sterilizer door is open and the solenoid valves are in a closed position.

ii. Maintenance procedures. Sterilizer/aerator door gaskets, valves, and fittings must be replaced when necessary as determined by maintenance personnel in their biweekly checks; in addition, visual inspection of the door gaskets for cracks, debris, and other foreign substances should be conducted daily by the operator.

## NEW SECTION

WAC 296-62-07385 APPENDIX B—SUBSTANCE TECHNICAL GUIDELINES FOR ETHYLENE OXIDE (NONMANDATORY). I. Physical and Chemical Data

A. Substance identification:

1. Synonyms: dihydrooxirene, dimethylene oxide, EO, 1,2-epoxyethane, EtO, ETO, oxacyclopropane, oxane, oxidoethane, alpha/beta-oxidoethane, oxiran, oxirane.

2. Formula: (C<sub>2</sub>H<sub>4</sub>O).

3. Molecular weight: 44.06

B. Physical data:

1. Boiling point (760 mm Hg): 10.70°C (51.3°F);

2. Specific gravity (water = 1): 0.87 (at 20°C or 68°F);

3. Vapor density (air = 1): 1.49;

4. Vapor pressure (at 20°C): 1,095 mm Hg;

5. Solubility in water: complete;

6. Appearance and odor: colorless liquid; gas at temperature above 10.7°F or 51.3°C with ether-like odor above 700 ppm.

II. Fire, Explosion, and Reactivity Hazard Data

A. Fire;

1. Flash point; less than 0°F (open cup);

2. Stability: decomposes violently at temperatures above 800°F;

3. Flammable limits in air, percent by volume: Lower: 3, Upper: 100;

4. Extinguishing media: Carbon dioxide for small fires, polymer or alcohol foams for large fires;

5. Special fire fighting procedures: Dilution of ethylene oxide with 23 volumes of water renders it non-flammable;

6. Unusual fire and explosion hazards: Vapors of EtO will burn without the presence of air or other oxidizers. EtO vapors are heavier than air and may travel along the ground and be ignited by open flames or sparks at locations remote from the site at which EtO is being used.

7. For purposes of compliance with the requirements of 29 CFR 1910.106, EtO is classified as a flammable gas. For example, 7,500 ppm, approximately one-fourth of the lower flammable limit, would be considered to pose a potential fire and explosion hazard.

8. For purposes of compliance with 29 CFR 1910.155, EtO is classified as a Class B fire hazard.

9. For purpose of compliance with 29 CFR 1919.307, locations classified as hazardous due to the presence of EtO shall be Class I.

B. Reactivity:

1. Conditions contributing to instability: EtO will polymerize violently if contaminated with aqueous alkalis, amines, mineral acids, metal chlorides, or metal oxides. Violent decomposition will also occur at temperatures above 800 °F;

2. Incompatibilities: Alkalines and acids;

3. Hazardous decomposition products: Carbon monoxide and carbon dioxide.

### III. Spill, Leak, and Disposal Procedures

A. If EtO is spilled or leaked, the following steps should be taken:

1. Remove all ignition sources.
2. The area should be evacuated at once and re-entered only after the area has been thoroughly ventilated and washed down with water.

B. Persons not wearing appropriate protective equipment should be restricted from areas of spills or leaks until cleanup has been completed.

C. Waste disposal method: Waste material should be disposed of in a manner that is not hazardous to employees or to the general population. In selecting the method of waste disposal, applicable local, State, and Federal regulations should be consulted.

### IV. Monitoring and Measurement Procedures

A. Exposure above the Permissible Exposure limit:

1. Eight-hour exposure evaluation: Measurements taken for the purpose of determining employee exposure under this section are best taken with consecutive samples covering the full shift. Air samples should be taken in the employee's breathing zone (air that would most nearly represent that inhaled by the employee.)

2. Monitoring techniques: The sampling and analysis under this section may be performed by collection of the EtO vapor on charcoal adsorption tubes or other composition adsorption tubes, with subsequent chemical analysis. Sampling and analysis may also be performed by instruments such as real time continuous monitoring systems, portable direct reading instruments, or passive dosimeters as long as measurements taken using these methods accurately evaluate the concentration of EtO in employees' breathing zones.

Appendix D describes the validated method of sampling and analysis which has been tested by OSHA for use with EtO. Other available methods are also described in Appendix D. The employer has the obligation of selecting a monitoring method which meets the accuracy and precision requirements of the standard under his unique field conditions. The standard requires that the method of monitoring should be accurate, to a 95 percent confidence level, to plus or minus 25 percent for concentrations of EtO at 1 ppm, and to plus or minus 35 percent for concentrations at 0.5 ppm. In addition to the method described in Appendix D, there are numerous other methods available for monitoring for EtO in the workplace. Details on these other methods have been submitted by various companies to the rulemaking record, and are available at the OSHA Docket Office.

B. Since many of the duties relating to employee exposure are dependent on the results of measurement procedures, employers should assure that the evaluation of employee exposures is performed by a technically qualified person.

### V. Protective Clothing and Equipment

Employees should be provided with and be required to wear appropriate protective clothing wherever there is significant potential for skin contact with liquid EtO or EtO-containing solutions. Protective clothing shall include impermeable coveralls or similar full-body work

clothing, gloves, and head coverings, as appropriate to protect areas of the body which may come in contact with liquid EtO or EtO-containing solutions.

Employers should ascertain that the protective garments are impermeable to EtO. Permeable clothing, including items made of rubber, and leather shoes should not be allowed to become contaminated with liquid EtO. If permeable clothing does become contaminated, it should be immediately removed, while the employer is under an emergency deluge shower. If leather footwear or other leather garments become wet from EtO they should be discarded and not be worn again, because leather absorbs EtO and holds it against the skin.

Any protective clothing that has been damaged or is otherwise found to be defective should be repaired or replaced. Clean protective clothing should be provided to the employee as necessary to assure employee protection. Whenever impermeable clothing becomes wet with liquid EtO, it should be washed down with water before being removed by the employee. Employees are also required to wear splashproof safety goggles where there is any possibility of EtO contacting the eyes.

### VI. Miscellaneous Precautions

A. Store EtO in tightly closed containers in a cool, well-ventilated area and take all necessary precautions to avoid any explosion hazard.

B. Non-sparking tools must be used to open and close metal containers. These containers must be effectively grounded and bonded.

C. Do not incinerate EtO cartridges, tanks or other containers.

D. Employers should advise employees of all areas and operations where exposure to EtO occurs.

### VII. Common Operations

Common operations in which exposure to EtO is likely to occur include the following: Manufacture of EtO, surfactants, ethanalamines, glycol ethers, and specialty chemicals, and use as a sterilant in the hospital, health product and spice industries.

### NEW SECTION

WAC 296-62-07387 APPENDIX C—MEDICAL SURVEILLANCE GUIDELINES FOR ETHYLENE OXIDE (NONMANDATORY).

#### I. Route of Entry

Inhalation.

#### II. Toxicology

Clinical evidence of adverse effects associated with the exposure to EtO is present in the form of increased incidence of cancer in laboratory animals (leukemia, stomach, brain), mutation in offspring in animals, and resorptions and spontaneous abortions in animals and human populations respectively. Findings in humans and experimental animals exposed to airborne concentrations of EtO also indicate damage to the genetic material (DNA). These include hemoglobin alkylation, unscheduled DNA synthesis, sister chromatid exchange

chromosomal aberration, and functional sperm abnormalities.

Ethylene oxide in liquid form can cause eye irritation and injury to the cornea, frostbite, severe irritation, and blistering of the skin upon prolonged or confined contact. Ingestion of EtO can cause gastric irritation and liver injury. Other effects from inhalation of EtO vapors include respiratory irritation and lung injury, headache, nausea, vomiting, diarrhea, dyspnea and cyanosis.

### III. Signs and Symptoms of Acute Overexposure

The early effects of acute overexposure to EtO are nausea and vomiting, headache, and irritation of the eyes and respiratory passages. The patient may notice a "peculiar taste" in the mouth. Delayed effects can include pulmonary edema, drowsiness, weakness, and incoordination. Studies suggest that blood cell changes, an increase in chromosomal aberrations, and spontaneous abortion may also be casually related to acute overexposure to EtO.

Skin contact with liquid or gaseous EtO causes characteristic burns and possible even an allergic-type sensitization. The edema and erythema occurring from skin contact with EtO progress to vesiculation with a tendency to coalesce into blebs with desquamation. Healing occurs within three weeks, but there may be a residual brown pigmentation. A 40-80% solution is extremely dangerous, causing extensive blistering after only brief contact. Pure liquid EtO causes frostbite because of rapid evaporation. In contrast, the eye is relatively insensitive to EtO, but there may be some irritation of the cornea.

Most reported acute effects of occupational exposure to EtO are due to contact with EtO in liquid phase. The liquid readily penetrates rubber and leather, and will produce blistering if clothing or footwear contaminated with EtO are not removed.

### IV. Surveillance and Preventive Considerations

As noted above, exposure to EtO has been linked to an increased risk of cancer and reproductive effects including decreased male fertility, fetotoxicity, and spontaneous abortion. EtO workers are more likely to have chromosomal damage than similar groups not exposed to EtO. At the present, limited studies of chronic effects in humans resulting from exposure to EtO suggest a causal association with leukemia. Animal studies indicate leukemia and cancers at other sites (brain, stomach) as well. The physician should be aware of the findings of these studies in evaluating the health of employees exposed to EtO.

Adequate screening tests to determine an employee's potential for developing serious chronic diseases, such as cancer, from exposure to EtO do not presently exist. Laboratory tests may, however, give evidence to suggest that an employee is potentially overexposed to EtO. It is important for the physician to become familiar with the operating conditions in which exposure to EtO is likely to occur. The physician also must become familiar with the signs and symptoms that indicate a worker is receiving otherwise unrecognized and unacceptable exposure

to EtO. These elements are especially important in evaluating the medical and work histories and in conducting the physical exam. When an unacceptable exposure in an active employee is identified by the physician, measures taken by the employer to lower exposure should also lower the risk of serious long-term consequences.

The employer is required to institute a medical surveillance program for all employees who are or will be exposed to EtO at or above the action level (0.5 ppm) for at least 30 days per year, without regard to respirator use. All examinations and procedures must be performed by or under the supervision of a licensed physician at a reasonable time and place for the employee and at no cost to the employee.

Although broad latitude in prescribing specific tests to be included in the medical surveillance program is extended to the examining physician, OSHA requires inclusion of the following elements in the routine examination:

- (i) Medical and work histories with special emphasis directed to symptoms related to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.
- (ii) Physical examination with particular emphasis given to the pulmonary, hematologic, neurologic, and reproductive systems and to the eyes and skin.
- (iii) Complete blood count to include at least a white cell count (including differential cell count), red cell count, hematocrit, and hemoglobin.
- (iv) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

If requested by the employee, the medical examinations shall include pregnancy testing or laboratory evaluation of fertility as deemed appropriate by the physician.

In certain cases, to provide sound medical advice to the employer and the employee, the physician must evaluate situations not directly related to EtO. For example, employees with skin diseases may be unable to tolerate wearing protective clothing. In addition those with chronic respiratory diseases may not tolerate the wearing of negative pressure (air purifying) respirators. Additional tests and procedures that will help the physician determine which employees are medically unable to wear such respirators should include: An evaluation of cardiovascular function, a baseline chest x-ray to be repeated at five year intervals, and a pulmonary function test to the repeated every three years. The pulmonary function test should include measurement of the employee's forced vital capacity (FVC), forced expiratory volume at one second (FEV1), as well as calculation of the ratios of FEV1 to FVC, and measured FVC and measured FEV1 to expected values corrected for variation due to age, sex, race, and height.

The employer is required to make the prescribed tests available at least annually to employees who are or will be exposed to or above the action level, for 30 or more days per year; more often than specified if recommended by the examining physician; and upon the employee's termination of employment or reassignment to another work area. While little is known about the long-term consequences of high short-term exposures, it appears



prudent to monitor such affected employees closely in light of existing health data. The employer shall provide physician recommended examinations to any employee exposed to EtO in emergency conditions. Likewise, the employer shall make available medical consultations including physician recommended exams to employees who believe they are suffering signs or symptoms of exposure to EtO.

The employer is required to provide the physician with the following information: a copy of this standard and its appendices; a description of the affected employee's duties as they relate to the employee exposure level; and information from the employee's previous medical examinations which is not readily available to the examining physician. Making this information available to the physician will aid in the evaluation of the employee's health in relation to assigned duties and fitness to wear personal protective equipment, when required.

The employer is required to obtain a written opinion from the examining physician containing the results of the medical examinations; the physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of his or her health from exposure to EtO; any recommended restrictions upon the employee's exposure to EtO, or upon the use of protective clothing or equipment such as respirators; and a statement that the employee has been informed by the physician of the results of the medical examination and of any medical conditions which require further explanation or treatment. This written opinion must not reveal specific findings or diagnoses unrelated to occupational exposure to EtO, and a copy of the opinion must be provided to the affected employee.

The purpose in requiring the examining physician to supply the employer with a written opinion is to provide the employer with a medical basis to aid in the determination of initial placement of employees and to assess the employee's ability to use protective clothing and equipment.

#### NEW SECTION

WAC 296-62-07389 APPENDIX D—SAMPLING AND ANALYTICAL METHODS FOR ETHYLENE OXIDE (NONMANDATORY). A number of methods are available for monitoring employee exposures to EtO. Most of these involve the use of charcoal tubes and sampling pumps, followed by analysis of the samples by gas chromatograph. The essential differences between the charcoal tube methods include, among others, the use of different desorbing solvents, the use of different lots of charcoal, and the use of different equipment for analysis of the samples.

Besides charcoal, methods using passive dosimeters, gas sampling bags, impingers, and detector tubes have been utilized for determination of EtO exposure. In addition, there are several commercially available portable gas analyzers and monitoring units.

This appendix contains details for the method which has been tested at the OSHA Analytical Laboratory in Salt Lake City. Inclusion of this method in the appendix does not mean that this method is the only one which

will be satisfactory. Copies of descriptions of other methods available are available in the rulemaking record, and may be obtained from the OSHA Docket Office. These include the Union Carbide, Dow Chemical, 3M, and DuPont methods, as well as NIOSH Method S-286. These methods are briefly described at the end of this appendix.

Employers who note problems with sample breakthrough using the OSHA or other charcoal methods should try larger charcoal tubes. Tubes of larger capacity are available. In addition, lower flow rates and shorter sampling times should be beneficial in minimizing breakthrough problems. Whatever method the employer chooses, he must assure himself of the method's accuracy and precision under the unique conditions present in his workplace.

#### Ethylene Oxide

Method No.: 30.

Matrix: Air.

Target Concentration: 1.0 ppm (1.8 mg/m<sup>3</sup>)

Procedure: Samples are collected on two charcoal tubes in series and desorbed with 1% CS<sub>2</sub> in benzene. The samples are derivatized with HBr and treated with sodium carbonate. Analysis is done by gas chromatography with an electron capture detector.

Recommended Air Volume and Sampling Rate: 1 liter and 0.05 Lpm.

Detection Limit of the Overall Procedure: 13.3 ppb (0.024 mg/m<sup>3</sup>) (Based on 1.0 liter air sample).

Reliable Quantitation Limit: 52.2 ppb (0.094 mg/m<sup>3</sup>) (Based on 1.0 liter air sample).

Standard Error of Estimate: 6.59% (See Backup Section 4.6).

Special Requirements: Samples must be analyzed within 15 days of sampling date.

Status of Method: The sampling and analytical method has been subject to the established evaluation procedures of the Organic Method Evaluations Branch.

Date: August 1981.

Chemist: Wayne D. Potter

Organic Solvents Branch, OSHA Analytical Laboratory, Salt Lake City, Utah

#### 1. General Discussion.

##### 1.1 Background.

##### 1.1.1 History of Procedure.

Ethylene oxide samples analyzed at the OSHA Laboratory have normally been collected on activated charcoal and desorbed with carbon disulfide. The analysis is performed with a gas chromatograph equipped with a FID (Flame ionization detector) as described in NIOSH Method S286 (Ref. 5.1). This method is based on a PEL of 50 ppm and has a detection limit of about 1 ppm.

Recent studies have prompted the need for a method to analyze and detect ethylene oxide at very low concentrations.

Several attempts were made to form an ultraviolet (UV) sensitive derivative with ethylene oxide for analysis with HPLC. Among those tested that gave no detectable product were: p-anisidine, methylimidazole, aniline, and 2,3,6-trichlorobenzoic acid. Each was tested with catalysts such as triethylamine, aluminum chloride,



methylene chloride and sulfuric acid but no detectable derivative was produced.

The next derivatization attempt was to react ethylene oxide with HBr to form 2-bromoethanol. This reaction was successful. An ECD (electron capture detector) gave a very good response for 2-bromoethanol due to the presence of bromine. The use of carbon disulfide as the desorbing solvent gave too large a response and masked the 2-bromoethanol. Several other solvents were tested for both their response on the ECD and their ability to desorb ethylene oxide from the charcoal. Among those tested were toluene, xylene, ethyl benzene, hexane, cyclohexane and benzene. Benzene was the only solvent tested that gave a suitable response on the ECD and a high desorption. It was found that the desorption efficiency was improved by using 1% CS<sub>2</sub> with the benzene. The carbon disulfide did not significantly improve the recovery with the other solvents. SKC Lot 120 was used in all tests done with activated charcoal.

#### 1.1.2 Physical Properties (Ref. 5.2-5.4).

Synonyms: Oxirane; dimethylene oxide; 1,2-epoxyethane; oxane; C<sub>2</sub>H<sub>4</sub>O; ETO;

Molecular Weight: 44.06

Boiling Point: 10.7°C (51.3°)

Melting Point: -111°C

Description: Colorless, flammable gas

Vapor Pressure: 1095 mm. at 20 °C

Odor: Ether-like odor

Lower Explosive Limits: 3.0% (by volume)

Flash Point (TOC): Below 0°F

Molecular Structure: CH<sub>2</sub>-CH<sub>2</sub>

### 1.2 Limit Defining Parameters.

#### 1.2.1 Detection Limit of the Analytical Procedure.

The detection limit of the analytical procedure is 12.0 picograms of ethylene oxide per injection. This is the amount of analyte which will give a peak whose height is five times the height of the baseline noise. (See Backup Data Section 4.1).

#### 1.2.2 Detection Limit of the Overall Procedure.

The detection limit of the overall procedure is 24.0 ng of ethylene oxide per sample.

This is the amount of analyte spiked on the sampling device which allows recovery of an amount of analyte equivalent to the detection limit of the analytical procedure. (See Backup Data Section 4.2).

#### 1.2.3 Reliable Quantitation Limit.

The reliable quantitation limit is 94.0 nanograms of ethylene oxide per sample. This is the smallest amount of analyte which can be quantitated within the requirements of 75% recovery and 95% confidence limits. (See Backup Data Section 4.2).

It must be recognized that the reliable quantitation limit and detection limits reported in the method are based upon optimization of the instrument for the smallest possible amount of analyte. When the target concentration of an analyte is exceptionally higher than these limits, they may not be attainable at the routine operating parameters. In this case, the limits reported on analysis reports will be based on the operating parameters used during the analysis of the samples.

#### 1.2.4 Sensitivity.

The sensitivity of the analytical procedure over a concentration range representing 0.5 to 2 times the target concentration based on the recommended air volume is 34105 area units per ug/mL. The sensitivity is determined by the slope of the calibration curve (See Backup Data Section 4.3).

The sensitivity will vary somewhat with the particular instrument used in the analysis.

#### 1.2.5 Recovery.

The recovery of analyte from the collection medium must be 75% or greater. The average recovery from spiked samples over the range of 0.5 to 2 times the target concentration is 88.0% (See Backup Section 4.4). At lower concentrations the recovery appears to be non-linear.

#### 1.2.6 Precision (Analytical Method Only).

The pooled coefficient of variation obtained from replicate determination of analytical standards at 0.5X, 1X and 2X the target concentration is 0.036 (See Backup Data Section 4.5).

#### 1.2.7 Precision (Overall Procedure).

The overall procedure must provide results at the target concentration that are 25% or better at the 95% confidence level. The precision at the 95% confidence level for the 15 day storage test is plus or minus 12.9% (See Backup Data Section 4.6).

This includes an additional plus or minus 5% for sampling error.

### 1.3 Advantages.

1.3.1 The sampling procedure is convenient.

1.3.2 The analytical procedure is very sensitive and reproducible.

1.3.3 Reanalysis of samples is possible.

1.3.4 Samples are stable for at least 15 days at room temperature.

1.3.5 Interferences are reduced by the longer GC retention time of the new derivative.

### 1.4 Disadvantages.

1.4.1 Two tubes in series must be used because of possible breakthrough and migration.

1.4.2 The precision of the sampling rate may be limited by the reproducibility of the pressure drop across the tubes. The pumps are usually calibrated for one tube only.

1.4.3 The use of benzene as the desorption solvent increases the hazards of analysis because of the potential carcinogenic effects of benzene.

1.4.4 After repeated injections there can be a buildup of residue formed on the electron capture detector which decreases sensitivity.

1.4.5 Recovery from the charcoal tubes appears to be non-linear at low concentrations.

## 2. Sampling Procedure.

### 2.1 Apparatus.

2.1.1 A calibrated personal sampling pump whose flow can be determined within plus or minus 5% of the recommended flow.

2.1.2 SKC Lot 120 Charcoal tubes: glass tube with both ends flame sealed, 7 cm long with a 6 mm O.D. and a 4-mm I.D., containing 2 sections of coconut shell charcoal separated by a 2-mm portion of urethane foam. The adsorbing section contains 100 mg of charcoal, the

backup section 50 mg. A 3-mm portion of urethane foam is placed between the outlet end of the tube and the backup section. A plug of silylated glass wool is placed in front of the adsorbing section.

## 2.2 Reagents.

2.2.1 None required.

## 2.3 Sampling Technique.

2.3.1 Immediately before sampling, break the ends of the charcoal tubes. All tubes must be from the same lot.

2.3.2 Connect two tubes in series to the sampling pump with a short section of flexible tubing. A minimum amount of tubing is used to connect the two sampling tubes together. The tube closer to the pump is used as a backup. This tube should be identified as the backup tube.

2.3.3 The tubes should be placed in a vertical position during sampling to minimize channeling.

2.3.4 Air being sampled should not pass through any hose or tubing before entering the charcoal tubes.

2.3.5 Seal the charcoal tubes with plastic caps immediately after sampling. Also, seal each sample with OSHA seals lengthwise.

2.3.6 With each batch of samples, submit at least one blank tube from the same lot used for samples. This tube should be subjected to exactly the same handling as the samples (break, seal, transport) except that no air is drawn through it.

2.3.7 Transport the samples (and corresponding paperwork) to the lab for analysis.

2.3.8 If bulk samples are submitted for analysis, they should be transported in glass containers with Teflon-lined caps. These samples must be mailed separately from the container used for the charcoal tubes.

## 2.4 Breakthrough.

2.4.1 The breakthrough (5% breakthrough) volume for a 3.0 mg/m ethylene oxide sample stream at approximately 85% relative humidity, 22°C and 633 mm is 2.6 liters sampled at 0.05 liters per minute. This is equivalent to 7.8 µg of ethylene oxide. Upon saturation of the tube it appeared that the water may be displacing ethylene oxide during sampling.

## 2.5 Desorption Efficiency.

2.5.1 The desorption efficiency, from liquid injection onto charcoal tubes, averaged 88.0% from 0.5 to 2.0 x the target concentration for a 1.0 liter air sample. At lower ranges it appears that the desorption efficiency is non-linear (See Backup Data Section 4.2).

2.5.2 The desorption efficiency may vary from one laboratory to another and also from one lot of charcoal to another. Thus, it is necessary to determine the desorption efficiency for a particular lot of charcoal.

## 2.6 Recommended Air Volume and Sampling Rate.

2.6.1 The recommended air volume is 1.0 liter.

2.6.2 The recommended maximum sampling rate is 0.05 Lpm.

## 2.7 Interferences.

2.7.1 Ethylene glycol and Freon 12 at target concentration levels did not interfere with the collection of ethylene oxide.

2.7.2 Suspected interferences should be listed on the sample data sheets.

2.7.3 The relative humidity may affect the sampling procedure.

## 2.8 Safety Precautions.

2.8.1 Attach the sampling equipment to the employee so that it does not interfere with work performance.

2.8.2 Wear safety glasses when breaking the ends of the sampling tubes.

2.8.3 If possible, place the sampling tubes in a holder so the sharp end is not exposed while sampling.

## 3. Analytical Method.

### 3.1 Apparatus.

3.1.1 Gas chromatograph equipped with a linearized electron capture detector.

3.1.2 GC column capable of separating the derivative of ethylene oxide (2-bromoethanol) from any interferences and the 1% CS<sub>2</sub> in benzene solvent. The column used for validation studies was: 10 ft x 1/8 inch stainless steel 20% SP-2100, .1% Carbowax 1500 on 100/120 Supelcoport.

3.1.3 An electronic integrator or some other suitable method of measuring peak areas.

3.1.4 Two milliliter vials with Teflon-lined caps.

3.1.5 Gas tight syringe—500 µL or other convenient sizes for preparing standards.

3.1.6 Microliter syringes—10 µL or other convenient sizes for diluting standards and 1 µL for sample injections.

3.1.7 Pipets for dispensing the 1% CS<sub>2</sub> in benzene solvent. The Glenco 1 mL dispenser is adequate and convenient.

3.1.8 Volumetric flasks—5 mL and other convenient sizes for preparing standards.

3.1.9 Disposable Pasteur pipets.

### 3.2 Reagents.

3.2.1 Benzene, reagent grade.

3.2.2 Carbon Disulfide, reagent grade.

3.2.3 Ethylene oxide, 99.7% pure.

3.2.4 Hydrobromic Acid, 48% reagent grade.

3.2.5 Sodium Carbonate, anhydrous, reagent grade.

3.2.6 Desorbing reagent, 99% Benzene/1% CS<sub>2</sub>.

### 3.3 Sample Preparation.

3.3.1 The front and back sections of each sample are transferred to separate 2-mL vials.

3.3.2 Each sample is desorbed with 1.0 mL of desorbing reagent.

3.3.3 The vials are sealed immediately and allowed to desorb for one hour with occasional shaking.

3.3.4 Desorbing reagent is drawn off the charcoal with a disposable pipet and put into clean 2-mL vials.

3.3.5 One drop of HBr is added to each vial. Vials are resealed and HBr is mixed well with the desorbing reagent.

3.3.6 About 0.15 gram of sodium carbonate is carefully added to each vial. Vials are again resealed and mixed well.

### 3.4 Standard Preparation.

3.4.1 Standards are prepared by injecting the pure ethylene oxide gas into the desorbing reagent.

3.4.2 A range of standards are prepared to make a calibration curve. A concentration of 1.0 µL of ethylene oxide gas per 1 mL desorbing reagent is equivalent to 1.0 ppm air concentration (all gas volumes at 25°C and 760

mm) for the recommended 1 liter air sample. This amount is uncorrected for desorption efficiency (See Backup Data Section 4.2, for desorption efficiency corrections).

3.4.3 One drop of HBr per mL of standard is added and mixed well.

3.4.4 About 0.15 grams of sodium carbonate is carefully added for each drop of HBr (A small reaction will occur).

3.5 Analysis.

3.5.1 GC conditions.

Nitrogen flow rate—10mL/min.

Injector Temperature—250°C

Detector Temperature—300°C

Column Temperature—100°C

Injection size—0.8 µL

Elution time—3.9 minutes

3.5.2 Peak areas are measured by an integrator or other suitable means.

3.5.3 The integrator results are in area units and a calibration curve is set up with concentration vs. area units.

3.6 Interferences.

3.6.1 Any compound having the same retention time of 2-bromoethanol is a potential interference. Possible interferences should be listed on the sample data sheets.

3.6.2 GC parameters may be changed to circumvent interferences.

3.6.3 There are usually trace contaminants in benzene. These contaminants, however, posed no problem of interference.

3.6.4 Retention time data on a single column is not considered proof of chemical identity. Samples over the 1.0 ppm target level should be confirmed by GC/Mass Spec or other suitable means.

3.7 Calculations.

3.7.1 The concentration in µg/mL for a sample is determined by comparing the area of a particular sample to the calibration curve, which has been prepared from analytical standards.

3.7.2 The amount of analyte in each sample is corrected for desorption efficiency by use of a desorption curve.

3.7.3 Analytical results (A) from the two tubes that compose a particular air sample are added together.

3.7.4 The concentration for a sample is calculated by the following equation:

$$\text{ETO, mg/m}^3 = \frac{AXB}{C}$$

where:

A = µg/mL

B = desorption volume in milliliters

C = air volume in liters.

3.7.5 To convert mg/m<sup>3</sup> to parts per million (ppm) the following relationship is used:

$$\text{ppm} = \frac{\text{ETO, mg/m}^3 \times 24.45}{44.05}$$

where:

mg/m<sup>3</sup> = results from 3.7.4

24.45 = molar volume at 25°C and 760mm Hg

44.05 = molecular weight of ETO.

3.8 Safety Precaution

3.8.1 Ethylene oxide and benzene are potential carcinogens and care must be exercised when working with these compounds.

3.8.2 All work done with the solvents (preparation of standards, desorption of samples, etc.) should be done in a hood.

3.8.3 Avoid any skin contact with all of the solvents.

3.8.4 Wear safety glasses at all times.

3.8.5 Avoid skin contact with HBr because it is highly toxic and a strong irritant to eyes and skin.

4. Backup Data.

4.1 Detection Limit Data.

The detection limit was determined by injecting 0.8 µL of a 0.015 µg/mL standard of ethylene oxide into 1% CS<sub>2</sub> in Benzene. The detection limit of the analytical procedure is taken to be 1.20 x 10<sup>-5</sup> µg per injection. This is equivalent to 8.3 ppb (0.015 mg/m<sup>3</sup>) for the recommended air volume.

4.2 Desorption Efficiency.

Ethylene oxide was spiked into charcoal tubes and the following recovery data was obtained.

Amount spiked (µg)	Amount recovered (µg)	Percent recovery
4.5	4.32	96.0
3.0	2.61	87.0
2.25	2.025	90.0
1.5	1.365	91.0
1.5	1.38	92.0
.75	.6525	87.0
.375	.315	84.0
.375	.312	83.2
.1875	.151	80.5
.094	.070	74.5

At lower amounts the recovery appears to be non-linear.

4.3 Sensitivity Data.

The following data was used to determine the calibration curve.

Injection	0.5 x .75 µg/mL	1 x 1.5 µg/mL	2 x 3.0 µg/mL
1	30904	59567	111778
2	30987	62914	106016
3	32555	58578	106122
4	32242	57173	109716
X	31672	59558	108408

Slope = 34.105.

4.4 Recovery.

The recovery was determined by spiking ethylene oxide onto lot 120 charcoal tubes and desorbing with 1% CS<sub>2</sub> in Benzene. Recoveries were done at 0.5, 1.0, and 2.0 X the target concentration (1 ppm) for the recommended air volume.

Percent Recovery

Sample	0.5x	1.0x	2.0x
1	88.7	95.0	91.7
2	83.8	95.0	87.3
3	84.2	91.0	86.0
4	88.0	91.0	83.0
5	88.0	86.0	85.0
X	86.5	90.5	87.0

Weighted Average = 88.2

4.5 Precision of the Analytical Procedure.

The following data was used to determine the precision of the analytical method:

Concentration	0.5 x .75 µg/mL	1 x 1.5 µg/mL	2 x 3.0 µg/mL
Injection	.7421	1.4899	3.1184
	.7441	1.5826	3.0447
	.7831	1.4628	2.9149
	.7753	1.4244	2.9185
Average	.7612	1.4899	2.9991
Standard Deviation	.0211	.0674	.0998
CV	.0277	.0452	.0333

$$CV = \frac{3(.0277)^2 + 3(.0452)^2 + 3(.0333)^2}{3 + 3 + 3}$$

CV + 0.036

4.6 Storage Data.

Samples were generated at 1.5 mg/m<sup>3</sup> ethylene oxide at 85% relative humidity, 22°C and 633 mm. All samples were taken for 20 minutes at 0.05 Lpm. Six samples were analyzed as soon as possible and fifteen samples were stored at refrigerated temperature (5°C) and fifteen samples were stored at ambient temperature (23°C). These stored samples were analyzed over a period of nineteen days.

Percent Recovery

Day analyzed	Refrigerated	Ambient
1	87.0	87.0
1	93.0	93.0
1	94.0	94.0
1	92.0	92.0
4	92.0	91.0
4	93.0	88.0
4	91.0	89.0
6	92.0	
6	92.0	
8		92.0
8		86.0
10	91.7	
10	95.5	
10	95.7	
11		90.0
11		82.0
13	78.0	
13	81.4	
13	82.4	
14		78.5
14		72.1
18	66.0	
18	68.0	
19		64.0
19		77.0

4.7 Breakthrough Data.

Breakthrough studies were done at 2 ppm (3.6 mg/m<sup>3</sup>) at approximately 85% relative humidity at 22°C (ambient temperature). Two charcoal tubes were used in series. The backup tube was changed every 10 minutes and analyzed for breakthrough. The flow rate was 0.050 Lpm.

Tube No.	Time (minutes)	Percent breakthrough
1	10	(1)
2	20	(1)
3	30	(1)
4	40	1.23
5	50	3.46
6	60	18.71
7	70	39.2
8	80	53.3
9	90	72.0
10	100	96.0
11	110	113.0
12	120	133.9

<sup>1</sup>None.

The 5% breakthrough volume was reached when 2.6 liters of test atmosphere were drawn through the charcoal tubes.

5. References.

- 5.1 "NIOSH Manual of Analytical Methods," 2nd ed. NIOSH: Cincinnati, 1977; Method S 286.
- 5.2 "IARC Monographs on the Evaluation of Carcinogenic Risk of Chemicals to Man." International Agency for Research on Cancer: Lyon, 1976; Vol. II, p. 157.
- 5.3 Sax., N.I. "Dangerous Properties of Industrial Materials," 4th ed.; Van Nostrand Reinhold Company, New York, 1975; p. 741.
- 5.4 "The Condensed Chemical Dictionary", 9th ed.; Hawley, G.G., ed.; Van Nostrand Reinhold Company, New York, 1977; p. 361.

Summary of Other Sampling Procedures

OSHA believes that several other types of monitoring equipment and techniques exist for monitoring time-weighted averages. Considerable research and method development is currently being performed, which will lead to improvements and a wider variety of monitoring techniques. A combination of monitoring procedures can be used. There probably is no one best method for monitoring personal exposure to ethylene oxide in all cases. There are advantages, disadvantages, and limitations to each method. The method of choice will depend on the need and requirements. Some commonly used methods include the use of charcoal tubes, passive dosimeters, Tedler gas sampling bags, detector tubes, photoionization detection units, infrared detection units and gas chromatographs. A number of these methods are described below.

A. Charcoal Tube Sampling Procedures

Qazi-Ketcham method (Ex-11-133)—This method consists of collecting EtO on Columbia JXC activated carbon, desorbing the EtO with carbon disulfide and analyzing by gas chromatography with flame ionization detection. Union Carbide has recently updated and

revalidated this monitoring procedure. This method is capable of determining both eight-hour time-weighted average exposures and short-term exposures. The method was validated to 0.5 ppm. Like other charcoal collecting procedures, the method requires considerable analytical expertise.

**ASTM-proposed method**—The Ethylene Oxide Industry Council (EOIC) has contracted with Clayton Environmental Consultants, Inc. to conduct a collaborative study for the proposed method. The ASTM-Proposed method is similar to the method published by Qazi and Ketcham in the November 1977 American Industrial Hygiene Association Journal, and to the method of Pilney and Coyne, presented at the 1979 American Industrial Hygiene Conference. After the air to be sampled is drawn through an activated charcoal tube, the ethylene oxide is desorbed from the tube using carbon disulfide and is quantitated by gas chromatography utilizing a flame ionization detector. The ASTM-proposed method specifies a large two-section charcoal tube, shipment in dry ice, storage at less than  $-5^{\circ}\text{C}$ , and analysis within three weeks to prevent migration and sample loss. Two types of charcoal tubes are being tested—Pittsburgh Coconut-Based (PCB) and Columbia JXC charcoal. This collaborative study will give an indication of the inter- and intralaboratory precision and accuracy of the ASTM/proposed method. Several laboratories have considerable expertise using the Qazi-Ketcham and Dow methods.

**B. Passive Monitors**—Ethylene oxide diffuses into the monitor and is collected in the sampling media. The DuPont Pro-Tek badge collects EtO in an absorbing solution, which is analyzed colorimetrically to determine the amount of EtO present. The 3M 350 badge collects the EtO on chemically treated charcoal. Other passive monitors are currently being developed and tested. Both 3M and DuPont have submitted data indicating their dosimeters meet the precision and accuracy requirements of the proposed ethylene oxide standard. Both presented laboratory validation data to 0.2 ppm (Exs. 11-65, 4-20, 108, 109, 130).

**C. Tedlar Gas Sampling Bags**—Samples are collected by drawing a known volume of air into a Tedlar gas sampling bag. The ethylene oxide concentration is often determined on-site using a portable gas chromatograph or portable infrared spectrometer.

**D. Detector tubes**—A known volume of air is drawn through a detector tube using a small hand pump. The concentration of EtO is related to the length of stain developed in the tube. Detector tubes are economical, easy to use, and give an immediate readout. Unfortunately, partly because they are nonspecific, their accuracy is often questionable. Since the sample is taken over a short period of time, they may be useful for determining the source of leaks.

**E. Direct Reading Instruments**—There are numerous types of direct reading instruments, each having its own strengths and weaknesses (Exs. 135B, 135C, 107, 11-78, 11-153). Many are relatively new, offering greater sensitivity and specificity. Popular ethylene oxide direct reading instruments include infrared detection units, photoionization detection units, and gas chromatographs.

Portable infrared analyzers provide an immediate, continuous indication of a concentration value; making them particularly useful for locating high concentration pockets, in leak detection and in ambient air monitoring. In infrared detection units, the amount of infrared light absorbed by the gas being analyzed at selected infrared wavelengths is related to the concentration of a particular component. Various models have either fixed or variable infrared filters, differing cell pathlengths, and microcomputer controls for greater sensitivity, automation, and interference elimination.

A fairly recent detection system is photoionization detection. The molecules are ionized by high energy ultraviolet light. The resulting current is measured. Since different substances have different ionization potentials, other organic compounds may be ionized. The lower the lamp energy, the better the selectivity. As a continuous monitor, photoionization detection can be useful for locating high concentration pockets, in leak detection, and continuous ambient air monitoring. Both portable and stationary gas chromatographs are available with various types of detectors, including photoionization detectors. A gas chromatograph with a photoionization detector retains the photoionization sensitivity, but minimizes or eliminates interferences. For several GC/PID units, the sensitivity is in the 0.1-0.2 ppm EtO range. The GC/PID with microprocessors can sample up to 20 sample points sequentially, calculate and record data, and activate alarms or ventilation systems. Many are quite flexible and can be configured to meet the specific analysis needs for the workplace.

DuPont presented their laboratory validation data of the accuracy of the Qazi-Ketcham charcoal tube, the PCB charcoal tube, Miran 103 IR analyzer, 3M #3550 monitor and the DuPont C-70 badge. Quoting Elbert V. Kring:

We also believe that OSHA's proposed accuracy in this standard is appropriate. At plus or minus 25 percent at one part per million, and plus or minus 35 percent below that. And, our data indicates there's only one monitoring method, right now, that we've tested thoroughly, that meets that accuracy requirements. That is the DuPont Pro-Tek badge\* \* \*. We also believe that this kind of data should be confirmed by another independent laboratory, using the same type dynamic chamber testing (Tr. 1470).

Additional data by an independent laboratory following their exact protocol was not submitted. However, information was submitted on comparisons and precision and accuracy of those monitoring procedures which indicate far better precision and accuracy of those monitoring procedures than that obtained by DuPont (Ex. 4-20, 130, 11-68, 11-133, 130, 135A)

The accuracy of any method depends to a large degree upon the skills and experience of those who not only collect the samples but also those who analyze the samples. Even for methods that are collaboratively tested, some laboratories are closer to the true values than others. Some laboratories may meet the precision and accuracy requirements of the method; others may consistently far exceed them for the same method.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-62-07353 ETHYLENE OXIDE.

**AMENDATORY SECTION** (Amending Order 80-20, filed 11/13/80)

WAC 296-350-500 CITATION AND NOTICE—COPY TO EMPLOYEE REPRESENTATIVE. (1) RCW 49.17.120 provides in pertinent part

"The director shall provide by rule for procedures to be followed by an employee representative upon written application to receive copies of CITATIONS AND NOTICES issued to any employer having employees who are represented by such employee representative. Such rule may prescribe the forms of such application, the time for renewal of applications, and the eligibility of the applicant to receive copies of CITATIONS AND NOTICES."

(2) "Employee representative" means:

(a) Any officer of the recognized bargaining agent of employees, acting on behalf of the employees of the employer.

(b) Any employee representative of an employer-employee safety committee within an establishment or the firm of the employer.

(c) Any employee of an employer who has been selected by the employees of that employer to act as their representative for the purposes indicated in subsection (1) of this section. Such selection shall be evidenced by a letter or other written communication to the division of industrial safety and health stating the name of the employee so selected and signed by not less than one-half of the employees of the employer so represented.

(3) An employee representative may receive copies of CITATIONS AND NOTICES issued to any employer having employees who are represented by such employee representative upon the filing of a complete application Form ((LI-418-23)) F418-023-000, a facsimile of which constitutes Appendix A of this section, with the division of industrial safety and health, Department of Labor and Industries, Olympia, Washington 98504.

(4) In the event that the director or his/her authorized representative finds that application for copies of the CITATION AND NOTICE have been received by more than one employee representative of the same employees of the employer, the director or his/her authorized representative may elect which of the applicants to which the copies of the CITATION AND NOTICE shall be sent.

(5) The director or his/her authorized representative may deny an application for copies of CITATIONS AND NOTICES upon finding that the applicant is not an employee representative as defined in subsection (2) of this section or upon finding that more than one employee representative of the same employees has applied for copies of CITATIONS AND NOTICES.

(6) An application for copies of CITATIONS AND NOTICES may be granted for a period not exceeding one year and may be renewed upon re-application for another one year period. The director or his/her authorized representative may, at the request of the applicant, waive the one year limitation.

(7) Upon the granting of the application for copies of CITATIONS AND NOTICES, the applicant shall be informed of the granting and of the date on which that grant shall expire.

**AMENDATORY SECTION** (Amending Order 80-20, filed 11/13/80)

WAC 296-350-990 APPENDIX A—FORM ((LI-418-23)) F418-023-000—APPLICATION FOR COPIES OF CITATIONS AND NOTICES.

APPENDIX A

~~((APPLICATION FOR COPIES OF CITATIONS AND NOTICES ISSUED PURSUANT TO THE WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT~~

~~DIVISION OF INDUSTRIAL SAFETY AND HEALTH  
P.O. BOX 207, OLYMPIA, WA 98504  
DEPARTMENT OF LABOR AND INDUSTRIES~~

~~1) Name and address of employer having employees who are represented by the applicant:~~

~~2) Name and address of applicant to which copies of CITATIONS AND NOTICES should be sent:~~

~~3) Applicant is an employee representative by virtue of (see WAC 296-350-500 reproduced below) (check the appropriate category):  
(3)(a) ..... (3)(b) ..... (3)(c) .....~~

~~4) How long does applicant desire to receive copies of CITATIONS AND NOTICES? (Unless a longer time is requested, application will be granted for not longer than one year.)  
.....~~

.....  
For departmental use only

Application received .....  
Application granted by .....  
Date application granted .....  
Applicant notified .....  
Expiration date .....  
Comment

~~CERTIFICATION: I hereby certify under penalty of perjury that the above entries are true to the best of my knowledge.~~

~~(Signed) .....~~

~~Position .....~~

~~Date .....~~

~~(1) If employee representative is such by virtue of WAC 296-350-500, evidence of that capacity, such as a letter indicating the number of employees and signed by at least one-half of them, as specified in WAC 296-27-400 (2)(c), must accompany this application.~~

~~(2) The director or his authorized representative may deny this application if he finds that more than one employee representative has applied or if the applicant does not qualify as an employee representative.~~

~~(3) WAC 296-350-500 "Employee representative" means:~~

~~(a) Any officer of the recognized bargaining agent of employees, acting on behalf of the employees of the employer.~~

~~(b) Any employee representative of an employer-employee safety committee within an establishment or the firm of the employer.~~

~~(c) Any employee of an employer who has been selected by the employees of that employer to act as their representative for the purposes indicated in subsection (1) of this section. Such selection shall be evidenced by a letter or other written communication to the division of industrial safety and health stating the name of the employee so selected and signed by not less than one-half of the employees of the employer:))~~

DEPT. OF LABOR & INDUSTRIES  
Div. of Industrial Safety & Health  
P.O. Box 207  
Olympia, WA 98504

**APPLICATION FOR COPIES OF CITATION AND NOTICES**  
ISSUED PURSUANT TO THE WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT

Any employee of an employer who has been selected by the employees of that employer to act as their representative as defined in WAC 296-350-500 may apply for copies of CITATION AND NOTICES issued to said employer.

DEFINITION:

WAC 296-350-500(2) - "Employee representative" means:

- (a) Any officer of the recognized bargaining unit of employees, acting on behalf of the employees of the employer.
- (b) Any employee representative of an employer-employee safety committee within an establishment of the firm of the employer.
- (c) Any employee of an employer who has been selected by the employees of that employer to act as their representative for the purposes indicated in subsection (1) of this section. Such selection shall be evidenced by a letter or other written communication to the Division of Industrial Safety and Health stating the name of the employee so selected and signed by not less than one-half of the employees of the employer.

Applicant certifies he/she is an employee representative by virtue of WAC 296-350-500(2)

**CERTIFICATION: I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE.**

Signature	position	date
-----------	----------	------

Name and address of applicant to which copies of CITATION AND NOTICES should be sent:

Name, address and Labor & Industries account I.D. and/or Unified Business Identifier of EMPLOYER HAVING EMPLOYEES WHO ARE REPRESENTED by the applicant (please give full information for each employer you represent - use extra paper if required):

The director or his/her authorized representative may deny this application if more than one employee representative has applied or if the applicant does not qualify as an employee representative.

For Department Use Only		
Application Rcvd. _____	Application Granted by _____	Date Application Granted _____
Applicant Notified _____	Expiration Date _____	
Comment:		

F418-023-000 app for copies of citation and notice 4-87 (Wish 300)



**AMENDATORY SECTION** (Amending Order 81-32, filed 12/24/81)

WAC 296-24-12007 TOILET FACILITIES. (1) General.

(a) Except as otherwise indicated in this section, toilet facilities, in toilet rooms separate for each sex, shall be provided in all places of employment in accordance with Table B-1 of this section. The number of facilities to be provided for each sex shall be based on the number of employees of that sex for whom the facilities are furnished. Where toilet rooms will be occupied by no more than one person at a time, can be locked from the inside, and contain at least one water closet, separate toilet rooms for each sex need not be provided. Where such single-occupancy rooms have more than one toilet facility, only one such facility in each toilet room shall be counted for the purpose to Table B-1.

TABLE B-1

Number of employees:	Minimum number of water closets
1 to 15	1
16 to 35	2
36 to 55	3
56 to 80	4
81 to 110	5
111 to 150	6
Over 150	One additional fixture for each additional 40 employees

Where toilet facilities will not be used by women, urinals may be provided instead of water closets, except that the number of water closets in such cases shall not be reduced to less than 2/3 of the minimum specified.

(b) The requirements of subdivision (a) of this subsection do not apply to mobile crews or to normally unattended work locations so long as employees working at these locations have transportation immediately available to nearby toilet facilities which meet the other requirements of this section.

(c) The sewage disposal method shall not endanger the health of employees.

(d) Toilet paper with holder shall be provided for every water closet.

(2) Construction of toilet rooms. Each water closet shall occupy a separate compartment with a door and walls or partitions between fixtures sufficiently high to assure privacy.

**AMENDATORY SECTION** (Amending Order 82-10, filed 3/30/82)

WAC 296-24-95601 DEFINITIONS APPLICABLE TO WAC 296-24-956 THROUGH 296-24-95615. Unless the context indicates otherwise, words used in this section shall have the meaning given.

(1) Acceptable. An installation or equipment is acceptable to the director of labor and industries, and approved within the meaning of this section:

(a) If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory, such as, but not limited to, Underwriters' Laboratories, Inc. and Factory Mutual Engineering Corp; or

(b) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or

(c) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his authorized representatives.

(2) Accepted. An installation is "accepted" if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

(3) Accessible. (As applied to wiring methods.) Capable of being removed or exposed without damaging the building structure of finish, or not permanently closed in by the structure or finish of the building. (See "concealed" and "exposed.")

(4) Accessible. (As applied to equipment.) Admitting close approach; not guarded by locked doors, elevation, or other effective means. (See "readily accessible.")

(5) Ampacity. Current-carrying capacity of electric conductors expressed in amperes.

(6) Appliances. Utilization equipment, generally other than industrial, normally built in standardized sizes or types, which is installed or connected as a unit to perform one or more functions such as clothes washing, air conditioning, food mixing, deep frying, etc.

(7) Approved. Acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of "acceptable" indicates what is acceptable to the director and therefore approved within the meaning of this section.

(8) Approved for the purpose. Approved for a specific purpose, environment, or application described in a particular standard requirement.

Suitability of equipment or materials for a specific purpose, environment or application may be determined by a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation as part of its listing and labeling program. (See "labeled" or "listed.")

(9) Armored cable. Type AC armored cable is a fabricated assembly of insulated conductors in a flexible metallic enclosure.

(10) Askarel. A generic term for a group of nonflammable synthetic chlorinated hydrocarbons used as electrical insulating media. Askarels of various compositional types are used. Under arcing conditions the gases

produced, while consisting predominantly of noncombustible hydrogen chloride, can include varying amounts of combustible gases depending upon the askarel type.

(11) Attachment plug (plug cap) (cap). A device which, by insertion in a receptacle, establishes connection between the conductors of the attached flexible cord and the conductors connected permanently to the receptacle.

(12) Automatic. Self-acting, operating by its own mechanism when actuated by some impersonal influence, as, for example, a change in current strength, pressure, temperature, or mechanical configuration.

(13) Bare conductor, see "conductor."

(14) Bonding. The permanent joining of metallic parts to form an electrically conductive path which will assure electrical continuity and the capacity to conduct safely any current likely to be imposed.

(15) Bonding jumper. A reliable conductor to assure the required electrical conductivity between metal parts required to be electrically connected.

(16) Branch circuit. The circuit conductors between the final overcurrent device protecting the circuit and the outlet(s).

(17) Building. A structure which stands alone or which is cut off from adjoining structures by fire walls with all openings therein protected by approved fire doors.

(18) Cabinet. An enclosure designed either for surface or flush mounting, and provided with a frame, mat, or trim in which a swinging door or doors are or may be hung.

(19) Cable tray system. A cable tray system is a unit or assembly of units or sections, and associated fittings, made of metal or other noncombustible materials forming a rigid structural system used to support cables. Cable tray systems include ladders, troughs, channels, solid bottom trays, and other similar structures.

(20) Cablebus. Cablebus is an approved assembly of insulated conductors with fittings and conductor terminations in a completely enclosed, ventilated, protective metal housing.

(21) Center pivot irrigation machine. A center pivot irrigation machine is a multimotored irrigation machine which revolves around a central pivot and employs alignment switches or similar devices to control individual motors.

(22) Certified. Equipment is "certified" if it (a) has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner, or (b) is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and (c) it bears a label, tag, or other record of certification.

(23) Circuit breaker.

(a) (600 volts nominal, or less.) A device designed to open and close a circuit by nonautomatic means and to open the circuit automatically on a predetermined overcurrent without injury to itself when properly applied within its rating.

(b) (Over 600 volts, nominal.) A switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for

a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit.

(24) Class I locations. Class I locations are those in which flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitable mixtures. Class I locations include the following:

(a) Class I, Division 1. A Class I, Division 1 location is a location:

(i) In which hazardous concentrations of flammable gases or vapors may exist under normal operating conditions; or

(ii) In which hazardous concentrations of such gases or vapors may exist frequently because of repair or maintenance operations or because of leakage; or

(iii) In which breakdown or faulty operation of equipment or processes might release hazardous concentrations of flammable gases or vapors, and might also cause simultaneous failure of electric equipment.

Note: This classification usually includes locations where volatile flammable liquids or liquefied flammable gases are transferred from one container to another; interiors of spray booths and areas in the vicinity of spraying and painting operations where volatile flammable solvents are used; locations containing open tanks or vats of volatile flammable liquids; drying rooms or compartments for the evaporation of flammable solvents; locations containing fat and oil extraction equipment using volatile flammable solvents; portions of cleaning and dyeing plants where flammable liquids are used; gas generator rooms and other portions of gas manufacturing plants where flammable gas may escape; inadequately ventilated pump rooms for flammable gas or for volatile flammable liquids; the interiors of refrigerators and freezers in which volatile flammable materials are stored in open, lightly stoppered, or easily ruptured containers; and all other locations where ignitable concentrations of flammable vapors or gases are likely to occur in the course of normal operations.

(b) Class I, Division 2. A Class I, Division 2 location is a location:

(i) In which volatile flammable liquids or flammable gases are handled, processed, or used, but in which the hazardous liquids, vapors, or gases will normally be confined within closed containers or closed systems from which they can escape only in case of accidental rupture or breakdown of such containers or systems, or in case of abnormal operation of equipment; or

(ii) In which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation, and which might become hazardous through failure or abnormal operations of the ventilating equipment; or

(iii) That is adjacent to a Class I, Division 1 location, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clean air, and effective safeguards against ventilation failure are provided.

Note: This classification usually includes locations where volatile flammable liquids or flammable gases or vapors are used, but which would become hazardous only in case of an accident or of some unusual operating condition. The quantity of flammable material that might escape in case of accident, the adequacy of ventilating equipment, the total area involved, and the record of the industry or business with respect to explosions or

fires are all factors that merit consideration in determining the classification and extent of each location.

Piping without valves, checks, meters, and similar devices would not ordinarily introduce a hazardous condition even though used for flammable liquids or gases. Locations used for the storage of flammable liquids or a liquefied or compressed gases in sealed containers would not normally be considered hazardous unless also subject to other hazardous conditions.

Electrical conduits and their associated enclosures separated from process fluids by a single seal or barrier are classed as a Division 2 location if the outside of the conduit and enclosures is a nonhazardous location.

(25) Class II locations. Class II locations are those that are hazardous because of the presence of combustible dust. Class II locations include the following:

(a) Class II, Division 1. A Class II, Division 1 location is a location:

(i) In which combustible dust is or may be in suspension in the air under normal operating conditions, in quantities sufficient to produce explosives or ignitable mixtures; or

(ii) Where mechanical failure or abnormal operation of machinery or equipment might cause such explosive or ignitable mixtures to be produced, and might also provide a source of ignition through simultaneous failure of electric equipment, operation of protection devices, or from other causes; or

(iii) In which combustible dusts of an electrically conductive nature may be present.

Note: This classification may include areas of grain handling and processing plants, starch plants, sugar-pulverizing plants, malting plants, hay-grinding plants, coal pulverizing plants, areas where metal dusts and powders are produced or processed, and other similar locations which contain dust producing machinery and equipment (except where the equipment is dust-tight or vented to the outside). These areas would have combustible dust in the air, under normal operating conditions, in quantities sufficient to produce explosive or ignitable mixtures. Combustible dusts which are electrically nonconductive include dusts produced in the handling and processing of grain and grain products, pulverized sugar and cocoa, dried egg and milk powders, pulverized spices, starch and pastes, potato and woodflour, oil meal from beans and seed, dried hay, and other organic materials which may produce combustible dusts when processed or handled. Dusts containing magnesium or aluminum are particularly hazardous and the use of extreme caution is necessary to avoid ignition and explosion.

(b) Class II, Division 2. A Class II, Division 2 location is a location in which:

(i) Combustible dust will not normally be in suspension in the air in quantities sufficient to produce explosive or ignitable mixtures; and dust accumulations are normally insufficient to interfere with the normal operation of electrical equipment or other apparatus; or

(ii) Dust may be in suspension in the air as a result of infrequent malfunctioning of handling or processing equipment, and dust accumulations resulting therefrom may be ignitable by abnormal operation or failure of electrical equipment or other apparatus.

Note: This classification includes locations where dangerous concentrations of suspended dust would not be likely but where dust accumulations might form on or in the vicinity of electric equipment. These areas may contain equipment from which appreciable quantities of dust would escape under abnormal

operating conditions or be adjacent to a Class II Division 1 location, as described above, into which an explosive or ignitable concentration of dust may be put into suspension under abnormal operating conditions.

(26) Class III locations. Class III locations are those that are hazardous because of the presence of easily ignitable fibers or flyings but in which such fibers or flyings are not likely to be in suspension in the air in quantities sufficient to produce ignitable mixtures. Class III locations include the following:

(a) Class III, Division 1. A Class III, Division 1 location is a location in which easily ignitable fibers or materials producing combustible flyings are handled, manufactured, or used.

Note: Such locations usually include some parts of rayon, cotton, and other textile mills; combustible fiber manufacturing and processing plants; cotton gins and cottonseed mills; flax-processing plants; clothing manufacturing plants; woodworking plants, and establishments; and industries involving similar hazardous processes or conditions.

Easily ignitable fibers and flyings include rayon, cotton (including cotton linters and cotton waste), sisal or henequen, istle, jute, hemp, tow, cocoa fiber, oakum, baled waste kapok, Spanish moss, excelsior, and other materials of similar nature.

(b) Class III, Division 2. A Class III, Division 2 location is a location in which easily ignitable fibers are stored or handled, except in process of manufacture.

(27) Collector ring. A collector ring is an assembly of slip rings for transferring electrical energy from a stationary to a rotating member.

(28) Concealed. Rendered inaccessible by the structure or finish of the building. Wires in concealed raceways are considered concealed, even though they may become accessible by withdrawing them. (See "accessible. (As applied to wiring methods.)")

(29) Conductor.

(a) Bare. A conductor having no covering or electrical insulation whatsoever.

(b) Covered. A conductor encased within material of composition or thickness that is not recognized as electrical insulation.

(c) Insulated. A conductor encased within material of composition and thickness that is recognized as electrical insulation.

(30) Conduit body. A separate portion of a conduit or tubing system that provides access through a removable cover(s) to the interior of the system at a junction of two or more sections of the system or at a terminal point of the system. Boxes such as FS and FD or larger cast or sheet metal boxes are not classified as conduit bodies.

(31) Controller. A device or group of devices that serves to govern, in some predetermined manner, the electric power delivered to the apparatus to which it is connected.

(32) Cooking unit, counter-mounted. A cooking appliance designed for mounting in or on a counter and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "oven, wall-mounted.")

(33) Covered conductor. See "conductor."

(34) Cutout. (Over 600 volts, nominal.) An assembly of a fuse support with either a fuseholder, fuse carrier,

or disconnecting blade. The fuseholder or fuse carrier may include a conducting element (fuse link), or may act as the disconnecting blade by the inclusion of a nonfusible member.

(35) Cutout box. An enclosure designed for surface mounting and having swinging doors or covers secured directly to and telescoping with the walls of the box proper. (See "cabinet.")

(36) Damp location. See "location."

(37) Dead front. Without live parts exposed to a person on the operating side of the equipment.

(38) Device. A unit of an electrical system which is intended to carry but not utilize electric energy.

(39) Dielectric heating. Dielectric heating is the heating of a nominally insulating material due to its own dielectric losses when the material is placed in a varying electric field.

(40) Disconnecting means. A device, or group of devices, or other means by which the conductors of a circuit can be disconnected from their source of supply.

(41) Disconnecting (or isolating) switch. (Over 600 volts, nominal.) A mechanical switching device used for isolating a circuit or equipment from a source of power.

(42) Dry location. See "location."

(43) Electric sign. A fixed, stationary, or portable self-contained, electrically illuminated utilization equipment with words or symbols designed to convey information or attract attention.

(44) Enclosed. Surrounded by a case, housing, fence or walls which will prevent persons from accidentally contacting energized parts.

(45) Enclosure. The case or housing of apparatus, or the fence or walls surrounding an installation to prevent personnel from accidentally contacting energized parts, or to protect the equipment from physical damage.

(46) Equipment. A general term including material, fittings, devices, appliances, fixtures, apparatus, and the like, used as a part of, or in connection with, an electrical installation.

(47) Equipment grounding conductor. See "grounding conductor, equipment."

(48) Explosion-proof apparatus. Apparatus enclosed in a case that is capable of withstanding an explosion of a specified gas or vapor which may occur within it and of preventing the ignition of a specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas or vapor within, and which operates at such an external temperature that it will not ignite a surrounding flammable atmosphere.

(49) Exposed. (As applied to live parts.) Capable of being inadvertently touched or approached nearer than a safe distance by a person. It is applied to parts not suitably guarded, isolated, or insulated. (See "accessible" and "concealed.")

(50) Exposed. (As applied to wiring methods.) On or attached to the surface or behind panels designed to allow access. (See "accessible. (As applied to wiring methods.)")

(51) Exposed. (For the purpose of WAC 296-24-95615(5), communications systems.) Where the circuit

is in such a position that in case of failure of supports or insulation, contact with another circuit may result.

(52) Externally operable. Capable of being operated without exposing the operator to contact with live parts.

(53) Feeder. All circuit conductors between the service equipment, or the generator switchboard of an isolated plant, and the final branch-circuit overcurrent device.

(54) Fitting. An accessory such as a locknut, bushing, or other part of a wiring system that is intended primarily to perform a mechanical rather than an electrical function.

(55) Fuse. (Over 600 volts, nominal.) An overcurrent protective device with a circuit opening fusible part that is heated and severed by the passage of overcurrent through it. A fuse comprises all the parts that form a unit capable of performing the prescribed functions. It may or may not be the complete device necessary to connect it into an electrical circuit.

(56) Ground. A conducting connection, whether intentional or accidental, between an electrical circuit or equipment and the earth, or to some conducting body that serves in place of the earth.

(57) Grounded. Connected to earth or to some conducting body that serves in place of the earth.

(58) Grounded, effectively. (Over 600 volts, nominal.) Permanently connected to earth through a ground connection of sufficiently low impedance and having sufficient ampacity that ground fault current which may occur cannot build up to voltages dangerous to personnel.

(59) Grounded conductor. A system or circuit conductor that is intentionally grounded.

(60) Grounding conductor. A conductor used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

(61) Grounding conductor, equipment. The conductor used to connect the noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

(62) Grounding electrode conductor. The conductor used to connect the grounding electrode to the equipment grounding conductor and/or to the grounded conductor of the circuit at the service equipment or at the source of a separately derived system.

(63) Ground-fault circuit-interrupter. A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

(64) Guarded. Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of approach to a point of danger or contact by persons or objects.

(65) Health care facilities. Buildings or portions of buildings and mobile homes that contain, but are not limited to, hospitals, nursing homes, extended care facilities, clinics, and medical and dental offices, whether fixed or mobile.

(66) Heating equipment. For the purposes of WAC 296-24-95611(7), the term "heating equipment" includes any equipment used for heating purposes if heat is generated by induction or dielectric methods.

(67) Hoistway. Any shaftway, hatchway, well hole, or other vertical opening or space in which an elevator or dumbwaiter is designed to operate.

(68) Identified. Identified, as used in reference to a conductor or its terminal, means that such conductor or terminal can be readily recognized as grounded.

(69) Induction heating. Induction heating is the heating of a nominally conductive material due to its own  $I^2R$  losses when the material is placed in a varying electromagnetic field.

(70) Insulated conductor. See "conductor."

(71) Interrupter switch. (Over 600 volts, nominal.) A switch capable of making, carrying, and interrupting specified currents.

(72) Irrigation machine. An irrigation machine is an electrically driven or controlled machine, with one or more motors, not hand portable, and used primarily to transport and distribute water for agricultural purposes.

(73) Isolated. Not readily accessible to persons unless special means for access are used.

(74) Isolated power system. A system comprising an isolating transformer or its equivalent, a line isolation monitor, and its ungrounded circuit conductors.

(75) Labeled. Equipment is "labeled" if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which, (a) makes periodic inspections of the production of such equipment, and (b) whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

(76) Lighting outlet. An outlet intended for the direct connection of a lampholder, a lighting fixture, or a pendant cord terminating in a lampholder.

(77) Listed. Equipment is "listed" if it is of a kind mentioned in a list which, (a) is published by a nationally recognized laboratory which makes periodic inspection of the production of such equipment, and (b) states such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner.

(78) Location.

(a) Damp location. Partially protected locations under canopies, marquees, roofed open porches, and like locations, and interior locations subject to moderate degrees of moisture, such as some basements, some barns, and some cold-storage warehouses.

(b) Dry location. A location not normally subject to dampness or wetness. A location classified as dry may be temporarily subject to dampness or wetness, as in the case of a building under construction.

(c) Wet location. Installations underground or in concrete slabs or masonry in direct contact with the earth, and locations subject to saturation with water or other liquids, such as vehicle-washing areas, and locations exposed to weather and unprotected.

(79) Medium voltage cable. Type MV medium voltage cable is a single or multiconductor solid dielectric insulated cable rated 2000 volts or higher.

(80) Metal-clad cable. Type MC cable is a factory assembly of one or more conductors, each individually insulated and enclosed in a metallic sheath of interlocking tape, or a smooth or corrugated tube.

(81) Mineral-insulated metal-sheathed cable. Type MI mineral-insulated metal-sheathed cable is a factory assembly of one or more conductors insulated with a highly compressed refractory mineral insulation and enclosed in a liquidtight and ((gaslight)) gastight continuous copper sheath.

(82) Mobile x-ray. X-ray equipment mounted on a permanent base with wheels and/or casters for moving while completely assembled.

(83) Nonmetallic-sheathed cable. Nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors having an outer sheath of moisture resistant, flame-retardant, nonmetallic material. Nonmetallic sheathed cable is manufactured in the following types:

(a) Type NM. The overall covering has a flame-retardant and moisture-resistant finish.

(b) Type NMC. The overall covering is flame-retardant, moisture-resistant, fungus-resistant, and corrosion-resistant.

(84) Oil (filled) cutout. (Over 600 volts, nominal.) A cutout in which all or part of the fuse support and its fuse link or disconnecting blade are mounted in oil with complete immersion of the contacts and the fusible portion of the conducting element (fuse link), so that arc interruption by severing of the fuse link or by opening of the contacts will occur under oil.

(85) Open wiring on insulators. Open wiring on insulators is an exposed wiring method using cleats, knobs, tubes, and flexible tubing for the protection and support of single insulated conductors run in or on buildings, and not concealed by the building structure.

(86) Outlet. A point on the wiring system at which current is taken to supply utilization equipment.

(87) Outline lighting. An arrangement of incandescent lamps or electric discharge tubing to outline or call attention to certain features such as the shape of a building or the decoration of a window.

(88) Oven, wall-mounted. An oven for cooking purposes designed for mounting in or on a wall or other surface and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "cooking unit, counter-mounted.")

(89) Overcurrent. Any current in excess of the rated current of equipment or the ampacity of a conductor. It may result from overload (see definition), short circuit, or ground fault. A current in excess of rating may be accommodated by certain equipment and conductors for a given set of conditions. Hence the rules for overcurrent protection are specific for particular situations.

(90) Overload. Operation of equipment in excess of normal, full load rating, or of a conductor in excess of rated ampacity which, when it persists for a sufficient length of time, would cause damage or dangerous overheating. A fault, such as a short circuit or ground fault, is not an overload. (See "overcurrent.")

(91) Panelboard. A single panel or group of panel units designed for assembly in the form of a single panel;

including buses, automatic overcurrent devices, and with or without switches for the control of light, heat, or power circuits; designed to be placed in a cabinet or cutout box placed in or against a wall or partition and accessible only from the front. (See "switchboard.")

(92) Permanently installed decorative fountains and reflection pools. Those that are constructed in the ground, on the ground, or in a building in such a manner that the pool cannot be readily disassembled for storage and are served by electrical circuits of any nature. These units are primarily constructed for their aesthetic value and not intended for swimming or wading.

(93) Permanently installed swimming pools, wading and therapeutic pools. Those that are constructed in the ground, on the ground, or in a building in such a manner that the pool cannot be readily disassembled for storage whether or not served by electrical circuits of any nature.

(94) Portable x-ray. X-ray equipment designed to be hand-carried.

(95) Power and control tray cable. Type TC power and control tray cable is a factory assembly of two or more insulated conductors, with or without associated bare or covered grounding conductors under a nonmetallic sheath, approved for installation in cable trays, in raceways, or where supported by a messenger wire.

(96) Power fuse. (Over 600 volts, nominal.) See "fuse."

(97) Power-limited tray cable. Type PLTC nonmetallic-sheathed power limited tray cable is a factory assembly of two or more insulated conductors under a nonmetallic jacket.

(98) Power outlet. An enclosed assembly which may include receptacles, circuit breakers, fuseholders, fused switches, buses and watt-hour meter mounting means; intended to supply and control power to mobile homes, recreational vehicles or boats, or to serve as a means for distributing power required to operate mobile or temporarily installed equipment.

(99) Premises wiring system. That interior and exterior wiring, including power, lighting, control, and signal circuit wiring together with all of its associated hardware, fittings, and wiring devices, both permanently and temporarily installed, which extends from the load end of the service drop, or load end of the service lateral conductors to the outlet(s). Such wiring does not include wiring internal to appliances, fixtures, motors, controllers, motor control centers, and similar equipment.

(100) Qualified person. One familiar with the construction and operation of the equipment and the hazards involved.

(101) Raceway. A channel designed expressly for holding wires, cables, or busbars, with additional functions as permitted in this subpart. Raceways may be of metal or insulating material, and the term includes rigid metal conduit, rigid nonmetallic conduit, intermediate metal conduit, liquidtight flexible metal conduit, flexible metallic tubing, flexible metal conduit, electrical metallic tubing, underfloor raceways, cellular concrete floor raceways, cellular metal floor raceways, surface raceways, wireways, and busways.

(102) Readily accessible. Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See "accessible.")

(103) Receptacle. A receptacle is a contact device installed at the outlet for the connection of a single attachment plug. A single receptacle is a single contact device with no other contact device on the same yoke. A multiple receptacle is a single device containing two or more receptacles.

(104) Receptacle outlet. An outlet where one or more receptacles are installed.

(105) Remote-control circuit. Any electric circuit that controls any other circuit through a relay or an equivalent device.

(106) Sealable equipment. Equipment enclosed in a case or cabinet that is provided with a means of sealing or locking so that live parts cannot be made accessible without opening the enclosure. The equipment may or may not be operable without opening the enclosure.

(107) Separately derived system. A premises wiring system whose power is derived from generator, transformer, or converter winding and has no direct electrical connection, including a solidly connected grounded circuit conductor, to supply conductors originating in another system.

(108) Service. The conductors and equipment for delivering energy from the electricity supply system to the wiring system of the premises served.

(109) Service cable. Service conductors made up in the form of a cable.

(110) Service conductors. The supply conductors that extend from the street main or from transformers to the service equipment of the premises supplied.

(111) Service drop. The overhead service conductors from the last pole or other aerial support to and including the splices, if any, connecting to the service-entrance conductors at the building or other structure.

(112) Service-entrance cable. Service-entrance cable is a single conductor or multiconductor assembly provided with or without an overall covering, primarily used for services and of the following types:

(a) Type SE, having a flame-retardant, moisture-resistant covering, but not required to have inherent protection against mechanical abuse.

(b) Type USE, recognized for underground use, having a moisture-resistant covering, but not required to have a flame-retardant covering or inherent protection against mechanical abuse. Single-conductor cables having an insulation specifically approved for the purpose do not require an outer covering.

(113) Service-entrance conductors, overhead system. The service conductors between the terminals of the service equipment and a point usually outside the building, clear of building walls, where joined by tap or splice to the servicedrap.

(114) Service entrance conductors, underground system. The service conductors between the terminals of the service equipment and the point of connection to the

service lateral. Where service equipment is located outside the building walls, there may be no service-entrance conductors, or they may be entirely outside the building.

(115) Service equipment. The necessary equipment, usually consisting of a circuit breaker or switch and fuses, and their accessories, located near the point of entrance of supply conductors to a building or other structure, or an otherwise defined area, and intended to constitute the main control and means of cutoff of the supply.

(116) Service raceway. The raceway that encloses the service-entrance conductors.

(117) Shielded nonmetallic-sheathed cable. Type SNM, shielded nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors in an extruded core of moisture-resistant, flame-resistant (~~metallic~~) nonmetallic material, covered with an overlapping spiral metal tape and wire shield and jacketed with an extruded moisture-resistant, flame-resistant, oil-resistant, corrosion-resistant, fungus-resistant, and sunlight-resistant nonmetallic material.

(118) Show window. Any window used or designed to be used for the display of goods or advertising material, whether it is fully or partly enclosed or entirely open at the rear and whether or not it has a platform raised higher than the street floor level.

(119) Sign. See "electric sign."

(120) Signaling circuit. Any electric circuit that energizes signaling equipment.

(121) Special permission. The written consent of the authority having jurisdiction.

(122) Storable swimming or wading pool. A pool with a maximum dimension of 15 feet and a maximum wall height of 3 feet and is so constructed that it may be readily disassembled for storage and reassembled to its original integrity.

(123) Switchboard. A large single panel, frame, or assembly of panels which have switches, buses, instruments, overcurrent and other protective devices mounted on the face or back or both. Switchboards are generally accessible from the rear as well as from the front and are not intended to be installed in cabinets. (See "panelboard.")

(124) Switches.

(a) General-use switch. A switch intended for use in general distribution and branch circuits. It is rated in amperes, and it is capable of interrupting its rated current at its rated voltage.

(b) General-use snap switch. A form of general-use switch so constructed that it can be installed in flush device boxes or on outlet box covers, or otherwise used in conjunction with wiring systems recognized by this subpart.

(c) Isolating switch. A switch intended for isolating an electric circuit from the source of power. It has no interrupting rating, and it is intended to be operated only after the circuit has been opened by some other means.

(d) Motor-circuit switch. A switch, rated in horsepower, capable of interrupting the maximum operating overload current of a motor of the same horsepower rating as the switch at the rated voltage.

(125) Switching devices. (Over 600 volts, nominal.) Devices designed to close and/or open one or more electric circuits. Included in this category are circuit breakers, cutouts, disconnecting (or isolating) switches, disconnecting means, interrupter switches, and oil (filled) cutouts.

(126) Transportable x-ray. X-ray equipment installed in a vehicle or that may readily be disassembled for transport in a vehicle.

(127) Utilization equipment. Utilization equipment means equipment which utilizes electric energy for mechanical, chemical, heating, lighting, or similar useful purpose.

(128) Utilization system. A utilization system is a system which provides electric power and light for employee workplaces, and includes the premises wiring system and utilization equipment.

(129) Ventilated. Provided with a means to permit circulation of air sufficient to remove an excess of heat, fumes, or vapors.

(130) Volatile flammable liquid. A flammable liquid having a flash point below 38 degrees C (100 degrees F) or whose temperature is above its flash point.

(131) Voltage (of a circuit). The greatest root-mean-square (effective) difference of potential between any two conductors of the circuit concerned.

(132) Voltage, nominal. A nominal value assigned to a circuit or system for the purpose of conveniently designating its voltage class (as 120/240, 480Y/277, 600, etc.). The actual voltage at which a circuit operates can vary from the nominal within a range that permits satisfactory operation of equipment.

(133) Voltage to ground. For grounded circuits, the voltage between the given conductor and that point or conductor of the circuit that is grounded; for ungrounded circuits, the greatest voltage between the given conductor and any other conductor of the circuit.

(134) Watertight. So constructed that moisture will not enter the enclosure.

(135) Weatherproof. So constructed or protected that exposure to the weather will not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

(136) Wet location. See "location."

(137) Wireways. Wireways are sheet-metal troughs with hinged or removable covers for housing and protecting electric wires and cable and in which conductors are laid in place after the wireway has been installed as a complete system.

#### AMENDATORY SECTION (Amending Order 82-10, filed 3/30/82)

#### WAC 296-24-95603 ELECTRIC UTILIZATION SYSTEMS. (1) Scope.

(a) Covered. The provisions of WAC 296-24-95603 through 296-24-95617 cover electrical installations and utilization equipment installed or used within or on buildings, structures, and other premises including:

(i) Yards;



- (ii) Carnivals;
- (iii) Parking and other lots;
- (iv) Mobile homes;
- (v) Recreational vehicles;
- (vi) Industrial substations under 750 volts (~~and over~~). Chapter 296-44 WAC, Safety standards—Electrical Construction Code, shall apply to industrial substations of 750 volts or more;

(vii) Conductors that connect the installations to a supply of electricity; and

(viii) Other outside conductors on the premises.

(b) Not covered. The provisions of WAC 296-24-95603 through 296-24-95617 do not cover:

(i) Installations in ships, watercraft, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.

(ii) Installations underground in mines.

(iii) Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes.

(iv) Installations of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.

(v) Installations under the exclusive control of electric utilities for the purpose of communication or metering; or for the generation, control, transformation, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.

(2) Extent of application.

(a) The requirements contained in the sections listed below shall apply to all electrical installations and utilization equipment, regardless of when they were designed or installed:

Sections:

WAC 296-24-95605(2) _____	Examination, installation, and use of equipment.
" " (3) _____	Splices.
" " (4) _____	Arcing parts.
" " (5) _____	Marking.
" " (6) _____	Identification of disconnecting means.
" " (7)(b) _____	Guarding of live parts.
WAC 296-24-95607 (5)(a)(i) _____	Protection of conductors and equipment.
" " (5)(a)(iv) _____	Location in or on premises.
" " (5)(a)(v) _____	Arcing or suddenly moving parts.
" " (6)(a)(ii) _____	2-Wire DC systems to be grounded.
" " (6)(a)(iii) and (iv) _____	AC systems to be grounded.
" " (6)(a)(v) _____	AC systems 50 to 1000 volts not required to be grounded.
" " (6)(c) _____	Grounding connections.
" " (6)(d) _____	Grounding path.
WAC 296-24-95607 (6)(e)(iv)(A) through (D) _____	Fixed equipment required to be grounded.

Sections:

" " (6)(e)(v) _____	Grounding of equipment connected by cord and plug.
" " (6)(e)(vi) _____	Grounding or nonelectrical equipment.
" " (6)(f)(i) _____	Methods of grounding fixed equipment.
WAC 296-24-95609 (7)(a)(i) and (ii) _____	Flexible cords and cables, uses.
" " (7)(a)(iii) _____	Flexible cords and cables prohibited.
" " (7)(b)(ii) _____	Flexible cords and cables, splices.
" " (7)(b)(iii) _____	Pull at joints and terminals of flexible cords and cables.
WAC 296-24-95613 _____	Hazardous (classified) locations.

(b) Every electric utilization system and all utilization equipment installed after March 15, 1972, and every major replacement, modification, repair, or rehabilitation, after March 15, 1972, of any part of any electric utilization system or utilization equipment installed before March 15, 1972, shall comply with the provisions of WAC 296-24-956 through 296-24-95617.

Note: "Major replacements, modifications, repairs, or rehabilitations" include work similar to that involved when a new building or facility is built, a new wing is added, or an entire floor is renovated.

(c) The following provisions apply to electric utilization systems and utilization equipment installed after ~~((effective date of this section))~~ April 16, 1981:

WAC 296-24-95605 (8)(d)(i) and (ii) _____	Entrance and access to work space (over 600 volts).
WAC 296-24-95607 (5)(a)(vi)(B) _____	Circuit breakers operated vertically.
" " (5)(a)(vi)(C) _____	Circuit breakers used as switches.
" " (6)(g)(ii) _____	Grounding of systems of 1000 volts or more supplying portable or mobile equipment.
<u>WAC 296-24-95609 (10)(f)(ii)(B) _____</u>	<u>Switching series capacitors over 600 volts.</u>
WAC 296-24-95611 (3)(b) _____	Warning signs for elevators and escalators.
" " (9) _____	Electrically controlled irrigation machines.
" " (10)(e) _____	Ground-fault circuit interrupters for fountains.
WAC 296-24-95615 (1)(a)(ii) _____	Physical protection of conductors over 600 volts.
" " (3)(b) _____	Marking of Class 2 and Class 3 power supplies.
" " (4) _____	Fire protective signaling circuits.

AMENDATORY SECTION (Amending Order 82-10, filed 3/30/82)

WAC 296-24-95605 GENERAL REQUIREMENTS. (1) Approval. The conductors and equipment required or permitted by this section shall be acceptable only if approved.

(2) Examination, installation, and use of equipment.

(a) Examination. Electrical equipment shall be free from recognized hazards that are likely to cause death



or serious physical harm to employees. Safety of equipment shall be determined using the following considerations:

- (i) Suitability for installation and use in conformity with the provisions of this subpart. Suitability of equipment for an identified purpose may be evidenced by listing or labeling for that identified purpose.
- (ii) Mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection thus provided.
- (iii) Electrical insulation.
- (iv) Heating effects under conditions of use.
- (v) Arcing effects.
- (vi) Classification by type, size, voltage, current capacity, specific use.
- (vii) Other factors which contribute to the practical safeguarding of employees using or likely to come in contact with the equipment.

(b) Installation and use. Listed or labeled equipment shall be used or installed in accordance with any instructions included in the listing or labeling.

(3) Splices. Conductors shall be spliced or joined with splicing devices suitable for the use or by brazing, welding, or soldering with a fusible metal or alloy. Soldered splices shall first be so spliced or joined as to be mechanically and electrically secure without solder and then soldered. All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an insulating device suitable for the purpose.

(4) Arcing parts. Parts of electric equipment which in ordinary operation produce arcs, sparks, flames, or molten metal shall be enclosed or separated and isolated from all combustible material.

(5) Marking. Electrical equipment may not be used unless the manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product may be identified is placed on the equipment. Other markings shall be provided giving voltage, current, wattage, or other ratings as necessary. The marking shall be of sufficient durability to withstand the environment involved.

(6) Identification of disconnecting means and circuits. Each disconnecting means required by this subpart for motors and appliances shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident. Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident. These markings shall be of sufficient durability to withstand the environment involved.

(7) 600 volts, nominal, or less.

(a) Working space about electric equipment. Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

(i) Working clearances. Except as required or permitted elsewhere in this chapter, the dimension of the working space in the direction of access to live parts operating at 600 volts or less and likely to require examination, adjustment, servicing, or maintenance while

alive may not be less than indicated in Table S-1. In addition to the dimensions shown in Table S-1, workspace may not be less than 30 inches wide in front of the electric equipment. Distances shall be measured from the live parts if they are exposed, or from the enclosure front or opening if the live parts are enclosed. Concrete, brick, or tile walls are considered to be grounded. Working space is not required in back of assemblies such as dead-front switchboards or motor control centers where there are no renewable or adjustable parts such as fuses or switches on the back and where all connections are accessible from locations other than the back.

Table S-1—Working clearances

Nominal voltage to ground	Minimum clear distance for condition <sup>2</sup> (ft)		
	(a)	(b)	(c)
0-150	1/3	1/3	3
151-600	1/3	3 1/2	4

<sup>1</sup>Minimum clear distances may be 2 feet 6 inches for installations built prior to effective date of this section.

<sup>2</sup>Conditions (a), (b), (c), are as follows: (a) Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other insulating material. Insulated wire or insulated busbars operating at not over 300 volts are not considered live parts. (b) Exposed live parts on one side and grounded parts on the other side (c) Exposed live parts on both sides of the workspace (not guarded as provided in condition (a)) with the operator between.

(ii) Clear spaces. Working space required by this subpart may not be used for storage. When normally enclosed live parts are exposed for inspection or servicing, the working space, if in a passageway or general open space, shall be suitably guarded.

(iii) Access and entrance to working space. At least one entrance of sufficient area shall be provided to give access to the working space about electric equipment.

(iv) Front working space. Where there are live parts normally exposed on the front of switchboards or motor control centers, the working space in front of such equipment may not be less than 3 feet.

(v) Illumination. Illumination shall be provided for all working spaces about service equipment, switchboards, panelboards, and motor control centers installed indoors.

(vi) Headroom. The minimum headroom of working spaces about service equipment, switchboards, panelboards, or motor control centers shall be 6 feet 3 inches.

Note: As used in this section, a motor control center is an assembly of one or more enclosed sections having a common power bus and principally containing motor control units.

(b) Guarding of live parts.

(i) Except as required or permitted elsewhere in this section, live parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact

by approved cabinets or other forms of approved enclosures, or by any of the following means:

(A) By location in a room, vault, or similar enclosure that is accessible only to qualified persons.

(B) By suitable permanent, substantial partitions or screens so arranged that only qualified persons will have access to the space within reach of the live parts. Any openings in such partitions or screens shall be so sized and located that persons are not likely to come into accidental contact with live parts or to bring conducting objects into contact with them.

(C) By location on a suitable balcony, gallery, or platform so elevated and arranged as to exclude unqualified persons.

(D) By elevation of 8 feet or more above the floor or other working surface.

(ii) In locations where electric equipment would be exposed to physical damage, enclosures or guards shall be so arranged and of such strength as to prevent such damage.

(iii) Entrances to rooms and other guarded locations containing exposed live parts shall be marked with conspicuous warning signs forbidding unqualified persons to enter.

(8) Over 600 volts, nominal.

(a) General. Conductors and equipment used on circuits exceeding 600 volts, nominal, shall comply with all applicable provisions of subsections (1) through (7) of this section and with the following provisions which supplement or modify those requirements. The provisions of (b), (c) and (d) of this subsection do not apply to equipment on the supply side of the service conductors.

(b) Enclosure for electrical installations. Electrical installations in a vault, room, closet or in an area surrounded by a wall, screen, or fence, access to which is controlled by lock and key or other approved means, are considered to be accessible to qualified persons only. A wall, screen, or fence less than 8 feet in height is not considered to prevent access unless it has other features that provide a degree of isolation equivalent to an 8 foot fence. The entrances to all buildings, rooms, or enclosures containing exposed live parts or exposed conductors operating at over 600 volts, nominal, shall be kept locked or shall be under the observation of a qualified person at all times.

(i) Installations accessible to qualified persons only. Electrical installations having exposed live parts shall be accessible to qualified persons only and shall comply with the applicable provisions of (c) of this subsection.

(ii) Installations accessible to unqualified persons. Electrical installations that are open to unqualified persons shall be made with metal-enclosed equipment or shall be enclosed in a vault or in an area, access to which is controlled by a lock. If metal-enclosed equipment is installed so that the bottom of the enclosure is less than 8 feet above the floor, the door or cover shall be kept locked. Metal-enclosed switchgear, unit substations, transformers, pull boxes, connection boxes, and other similar associated equipment shall be marked with appropriate caution signs. If equipment is exposed to physical damage from vehicular traffic, suitable guards shall

be provided to prevent such damage. Ventilating or similar openings in metal-enclosed equipment shall be designed so that foreign objects inserted through these openings will be deflected from energized parts.

(c) Workspace about equipment. Sufficient space shall be provided and maintained about electric equipment to permit ready and safe operation and maintenance of such equipment. Where energized parts are exposed, the minimum clear workspace may not be less than 6 feet 6 inches high (measured vertically from the floor or platform), or less than 3 feet wide (measured parallel to the equipment). The depth shall be as required in Table S-2. The workspace shall be adequate to permit at least a 90-degree opening of doors or hinged panels.

(i) Working space. The minimum clear working space in front of electric equipment such as switchboards, control panels, switches, circuit breakers, motor controllers, relays, and similar equipment may not be less than specified in Table S-2 unless otherwise specified in this subpart. Distances shall be measured from the live parts if they are exposed, or from the enclosure front or opening if the live parts are enclosed. However, working space is not required in back of equipment such as deadfront switchboards or control assemblies where there are no renewable or adjustable parts (such as fuses or switches) on the back and where all connections are accessible from locations other than the back. Where rear access is required to work on deenergized parts on the back of enclosed equipment, a minimum working space of 30 inches horizontally shall be provided.

Table S-2—Minimum Depth of Clear Working Space in Front of Electric Equipment

Nominal voltage to ground	Conditions <sup>2</sup> (ft)		
	(a)	(b)	(c)
601 to 2,500	3	4	5
2,501 to 9,000	4	5	6
9,001 to 25,000	5	6	9
25,001 to 75kV <sup>1</sup>	6	8	10
Above 75kV <sup>1</sup>	8	10	12

<sup>1</sup>Minimum depth of clear working space in front of electric equipment with a nominal voltage to ground above 25,000 volts may be the same as for 25,000 volts under conditions (a), (b) and (c) for installations built prior to April 16, 1981. (2) Conditions (a), (b) and (c) are as follows: (a) Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other insulating materials. Insulated wire or insulated busbars operating at not over 300 volts are not considered live parts. (b) Exposed live parts on one side and grounded parts on the other side. Concrete, brick, or tile walls will be considered as grounded surfaces. (c) Exposed live parts on both sides of the workspace not guarded as provided in condition (a) with the operator between.

(ii) Illumination. Adequate illumination shall be provided for all working spaces about electric equipment. The lighting outlets shall be so arranged that persons

changing lamps or making repairs on the lighting system will not be endangered by live parts or other equipment. The points of control shall be so located that persons are not likely to come in contact with any live part or moving part of the equipment while turning on the lights.

(iii) Elevation of unguarded live parts. Unguarded live parts above working space shall be maintained at elevations not less than specified in Table S-3.

Table S-3—Elevation of Unguarded Energized Parts Above Working Space

Nominal voltage between phases	Minimum elevation
601 to 7,500	*8 feet 6 inches.
7,501 to 35,000	9 feet.
Over 35kV	9 feet + 0.37 inches per kV above 35kV.

\*Note: Minimum elevation may be 8 feet 0 inches for installations built prior to April 16, 1981, if the nominal voltage between phases is in the range of 601-6600 volts.

(d) Entrance and access to workspace. (See WAC 296-24-95603 (2)(c).)

(i) At least one entrance not less than 24 inches wide and 6 feet 6 inches high shall be provided to give access to the working space about electric equipment. On switchboard and control panels exceeding 48 inches in width, there shall be one entrance at each end of such board where practicable. Where bare energized parts at any voltage or insulated energized parts above 600 volts are located adjacent to such entrance, they shall be suitably guarded.

(ii) Permanent ladders or stairways shall be provided to give safe access to the working space around electric equipment installed on platforms, balconies, mezzanine floors, or in attic or roof rooms or spaces.

**AMENDATORY SECTION** (Amending Order 82-10, filed 3/30/82)

WAC 296-24-95607 WIRING DESIGN AND PROTECTION. (1) Use and identification of grounded and grounding conductors.

(a) Identification of conductors. A conductor used as a grounded conductor shall be identifiable and distinguishable from all other conductors. A conductor used as an equipment grounding conductor shall be identifiable and distinguishable from all other conductors.

(b) Polarity of connections. No grounded conductor may be attached to any terminal or lead so as to reverse designated polarity.

(c) Use of grounding terminals and devices. A grounding terminal or grounding-type device on a receptacle, cord connector, or attachment plug may not be used for purposes other than grounding.

(2) Branch circuits.

(a) Ground-fault protection for personnel on construction sites. The employer shall use either ground-fault circuit interrupters as specified in item (a)(i) of this subsection or an assured equipment grounding conductor program as specified in item (a)(ii) of this subsection, to protect employees on construction sites. These

requirements are in addition to any other requirements for equipment grounding conductors.

(i) Ground-fault circuit interrupters. All 120-volt, single-phase, 15-ampere and 20-ampere receptacle outlets on construction sites, which are not a part of the permanent wiring of the building or structure and which are in use by employees, shall have approved ground-fault circuit interrupters for personnel protection. Receptacles on a two-wire, single-phase portable or vehicle-mounted generator rated not more than 5 kW, where the circuit conductors of the generator are insulated from the generator frame and all other grounded surfaces, need not be protected with ground-fault circuit interrupters.

(ii) Assured equipment grounding conductor program. The employer shall establish and implement an assured equipment grounding conductor program on construction sites covering all cord sets, receptacles which are not a part of the permanent wiring of the building or structure, and equipment connected by cord and plug, which are available for use or used by employees. This program shall comply with the following minimum requirements:

(A) A written description of the program, including the specific procedures adopted by the employer, shall be available at the jobsite for inspection and copying by the director and any affected employee.

(B) The employer shall designate one or more competent persons (as defined in WAC ((296-155-012)) 296-24-012) to implement the program.

(C) Each cord set, attachment cap, plug and receptacle of cord sets, and any equipment connected by cord and plug, except cord sets and receptacles which are fixed and not exposed to damage, shall be visually inspected before each day's use for external defects, such as deformed or missing pins or insulation damage, and for indication of possible internal damage. Equipment found damaged or defective may not be used until repaired.

(D) The following tests shall be performed on all cord sets, receptacles which are not a part of the permanent wiring of the building or structure, and cord-connected and plug-connected equipment required to be grounded:

(I) All equipment grounding conductors shall be tested for continuity and shall be electrically continuous.

(II) Each receptacle and attachment cap or plug shall be tested for correct attachment of the equipment grounding conductor. The equipment grounding conductor shall be connected to its proper terminal.

(E) All required tests shall be performed:

(I) Before first use;

(II) Before equipment is returned to service following any repairs;

(III) Before equipment is used after any incident which can be reasonably suspected to have caused damage (for example, when a cord set is run over); and

(IV) At intervals not to exceed 3 months, except that cord sets and receptacles which are fixed and not exposed to damage shall be tested at intervals not exceeding 6 months.

(F) The employer may not make available or permit the use by employees of any equipment which has not

met the requirements of this item (a)(ii) of this subsection.

(G) Tests performed as required in this section shall be recorded. This test record shall identify each receptacle, cord set, and cord-connected and plug-connected equipment that passed the test, and shall indicate the last date it was tested or the interval for which it was tested. This record shall be kept by means of logs, color coding, or other effective means, and shall be maintained until replaced by a more current record. The record shall be made available on the jobsite for inspection by the director and any affected employee.

(b) Outlet devices. Outlet devices shall have an ampere rating not less than the load to be served.

(3) Outside conductors, 600 volts, nominal, or less. Subdivisions (a), (b), (c) and (d) of this subsection apply to branch circuit, feeder, and service conductors rated 600 volts, nominal, or less and run outdoors as open conductors. Subdivision (e) of this subsection applies to lamps installed under such conductors.

(a) Conductors on poles. Conductors supported on poles shall provide a horizontal climbing space not less than the following:

(i) Power conductors below communication conductors—30 inches.

(ii) Power conductors alone or above communication conductors: 300 volts or less—24 inches; more than 300 volts—30 inches.

(iii) Communication conductors below power conductors with power conductors 300 volts or less—24 inches; more than 300 volts—30 inches.

(b) Clearance from ground. Open conductors shall conform to the following minimum clearances:

(i) 10 feet—above finished grade, sidewalks, or from any platform or projection from which they might be reached.

(ii) 12 feet—over areas subject to vehicular traffic other than truck traffic.

(iii) 15 feet—over areas other than those specified in item (b)(iv) of this subsection that are subject to truck traffic.

(iv) 18 feet—over public streets, alleys, roads, and driveways.

(c) Clearance from building openings. Conductors shall have a clearance of at least 3 feet from windows, doors, porches, fire escapes, or similar locations. Conductors run above the top level of a window are considered to be out of reach from that window and, therefore, do not have to be 3 feet away.

(d) Clearance over roofs. Conductors shall have a clearance of not less than 8 feet from the highest point of roofs over which they pass, except that:

(i) Where the voltage between conductors is 300 volts or less and the roof has a slope of not less than 4 inches in 12, the clearance from the roofs shall be at least 3 feet; or

(ii) Where the voltage between conductors is 300 volts or less and the conductors do not pass over more than 4 feet of the overhang portion of the roof and they are terminated at a through-the-roof raceway or approved support, the clearance from the roofs shall be at least 18 inches.

(e) Location of outdoor lamps. Lamps for outdoor lighting shall be located below all live conductors, transformers, or other electric equipment, unless such equipment is controlled by a disconnecting means that can be locked in the open position or unless adequate clearances or other safeguards are provided for relamping operations.

(4) Services.

(a) Disconnecting means.

(i) General. Means shall be provided to disconnect all conductors in a building or other structure from the service-entrance conductors. The disconnecting means shall plainly indicate whether it is in the open or closed position and shall be installed at a readily accessible location nearest the point of entrance of the service-entrance conductors.

(ii) Simultaneous opening of poles. Each service disconnecting means shall simultaneously disconnect all ungrounded conductors.

(b) Services over 600 volts, nominal. The following additional requirements apply to services over 600 volts, nominal.

(i) Guarding. Service-entrance conductors installed as open wires shall be guarded to make them accessible only to qualified persons.

(ii) Warning signs. Signs warning of high voltage shall be posted where other than qualified employees might come in contact with live parts.

(5) Overcurrent protection.

(a) 600 volts, nominal, or less. The following requirements apply to overcurrent protection of circuits rated 600 volts, nominal, or less.

(i) Protection of conductors and equipment. Conductors and equipment shall be protected from overcurrent in accordance with their ability to safely conduct current.

(ii) Grounded conductors. Except for motor running overload protection, overcurrent devices may not interrupt the continuity of the grounded conductor unless all conductors of the circuit are opened simultaneously.

(iii) Disconnection of fuses and thermal cutouts. Except for service fuses, all cartridge fuses which are accessible to other than qualified persons and all fuses and thermal cutouts on circuits over 150 volts to ground shall be provided with disconnecting means. This disconnecting means shall be installed so that the fuse or thermal cutout can be disconnected from its supply without disrupting service to equipment and circuits unrelated to those protected by the overcurrent device.

(iv) Location in or on premises. Overcurrent devices shall be readily accessible to each employee or authorized building management personnel. These overcurrent devices may not be located where they will be exposed to physical damage nor in the vicinity of easily ignitable material.

(v) Arcing or suddenly moving parts. Fuses and circuit breakers shall be so located or shielded that employees will not be burned or otherwise injured by their operation.

(vi) Circuit breakers.

(A) Circuit breakers shall clearly indicate whether they are in the open (off) or closed (on) position.

(B) Where circuit breaker handles on switchboards are operated vertically rather than horizontally or rotationally, the up position of the handle shall be the closed (on) position. (See WAC 296-24-95603 (2)(c).)

(C) If used as switches in 120-volt, fluorescent lighting circuits, circuit breakers shall be approved for the purpose and marked "SWD." (See WAC 296-24-95603 (2)(c).)

(b) Over 600 volts, nominal. Feeders and branch circuits over 600 volts, nominal, shall have short-circuit protection.

(6) Grounding. Subdivisions (a) through (g) of this subsection contain grounding requirements for systems, circuits, and equipment.

(a) Systems to be grounded. The following systems which supply premises wiring shall be grounded:

(i) All 3-wire DC systems shall have their neutral conductor grounded.

(ii) Two-wire DC systems operating at over 50 volts through 300 volts between conductors shall be grounded unless:

(A) They supply only industrial equipment in limited areas and are equipped with a ground detector; or

(B) They are rectifier-derived from an AC system complying with items (a)(iii), (a)(iv), and (a)(v) of this subsection; or

(C) They are fire-protective signaling circuits having a maximum current of 0.030 amperes.

(iii) AC circuits of less than 50 volts shall be grounded if they are installed as overhead conductors outside of buildings or if they are supplied by transformers and the transformer primary supply system is ungrounded or exceeds 150 volts to ground.

(iv) AC systems of 50 volts to 1000 volts shall be grounded under any of the following conditions, unless exempted by item (a)(v) of this subsection:

(A) If the system can be so grounded that the maximum voltage to ground on the ungrounded conductors does not exceed 150 volts;

(B) If the system is nominally rated 480Y/277 volt, 3-phase, 4-wire in which the neutral is used as a circuit conductor;

(C) If the system is nominally rated 240/120 volt, 3-phase, 4-wire in which the midpoint of one phase is used as a circuit conductor; or

(D) If a service conductor is uninsulated.

(v) AC systems of 50 volts to 1000 volts are not required to be grounded under any of the following conditions:

(A) If the system is used exclusively to supply industrial electric furnaces for melting, refining, tempering, and the like.

(B) If the system is separately derived and is used exclusively for rectifiers supplying only adjustable speed industrial drives.

(C) If the system is separately derived and is supplied by a transformer that has a primary voltage rating less than 1000 volts, provided all of the following conditions are met:

(I) The system is used exclusively for control circuits;

(II) The conditions of maintenance and supervision assure that only qualified persons will service the installation;

(III) Continuity of control power is required; and

(IV) Ground detectors are installed on the control system.

(D) If the system is an isolated power system that supplies circuits in health care facilities.

(b) Conductors to be grounded. For AC premises wiring systems the identified conductor shall be grounded.

(c) Grounding connections.

(i) For a grounded system, a grounding electrode conductor shall be used to connect both the equipment grounding conductor and the grounded circuit conductor to the grounding electrode. Both the equipment grounding conductor and the grounding electrode conductor shall be connected to the grounded circuit conductor on the supply side of the service disconnecting means, or on the supply side of the system disconnecting means or overcurrent devices if the system is separately derived.

(ii) For an ungrounded service-supplied system, the equipment grounding conductor shall be connected to the grounding electrode conductor at the service equipment. For an ungrounded separately derived system, the equipment grounding conductor shall be connected to the grounding electrode conductor at, or ahead of, the system disconnecting means or overcurrent devices.

(iii) On extensions of existing branch circuits which do not have an equipment grounding conductor, grounding-type receptacles may be grounded to a grounded cold water pipe near the equipment.

(d) Grounding path. The path to ground from circuits, equipment, and enclosures shall be permanent and continuous.

(e) Supports, enclosures, and equipment to be grounded.

(i) Supports and enclosures for conductors. Metal cable trays, metal raceways, and metal enclosures for conductors shall be grounded, except that:

(A) Metal enclosures such as sleeves that are used to protect cable assemblies from physical damage need not be grounded; or

(B) Metal enclosures for conductors added to existing installations of open wire, knob-and-tube wiring, and nonmetallic-sheathed cable need not be grounded if all of the following conditions are met:

(I) Runs are less than 25 feet;

(II) Enclosures are free from probable contact with ground, grounded metal, metal laths, or other conductive materials; and

(III) Enclosures are guarded against employee contact.

(ii) Service equipment enclosures. Metal enclosures for service equipment shall be grounded.

(iii) Frames of ranges and clothes dryers. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and metal outlet or junction boxes which are part of the circuit for these appliances shall be grounded.

(iv) Fixed equipment. Exposed noncurrent-carrying metal parts of fixed equipment which may become energized shall be grounded under any of the following conditions:

(A) If within 8 feet vertically or 5 feet horizontally of ground or grounded metal objects and subject to employee contact.

(B) If located in a wet or damp location and not isolated.

(C) If in electrical contact with metal.

(D) If in a hazardous (classified) location.

(E) If supplied by a metal-clad, metal-sheathed, or grounded metal raceway wiring method.

(F) If equipment operates with any terminal at over 150 volts to the ground; however, the following need not be grounded:

(I) Enclosures for switches or circuit breakers used for other than service equipment and accessible to qualified persons only;

(II) Metal frames of electrically heated appliances which are permanently and effectively insulated from ground; and

(III) The cases of distribution apparatus such as transformers and capacitors mounted on wooden poles at a height exceeding 8 feet above ground or grade level.

(v) Equipment connected by cord and plug. Under any of the conditions described in subitems (e)(v)(A) through (e)(v)(C) of this subsection, exposed noncurrent-carrying metal parts of cord-connected and plug-connected equipment which may become energized shall be grounded.

(A) If in hazardous (classified) locations (see WAC 296-24-95613).

(B) If operated at over 150 volts to ground, except for guarded motors and metal frames of electrically heated appliances if the appliance frames are permanently and effectively insulated from ground.

(C) If the equipment is of the following types:

(I) Refrigerators, freezers, and air conditioners;

(II) Clothes-washing, clothes-drying and dishwashing machines, sump pumps, and electrical aquarium equipment;

(III) Hand-held motor-operated tools;

(IV) Motor-operated appliances of the following types: Hedge clippers, lawn mowers, snow blowers, and wet scrubbers;

(V) Cord-connected and plug-connected appliances used in damp or wet locations or by employees standing on the ground or on metal floors or working inside of metal tanks or boilers;

(VI) Portable and mobile x-ray and associated equipment;

(VII) Tools likely to be used in wet and conductive locations; and

(VIII) Portable hand lamps. Tools likely to be used in wet and conductive locations need not be grounded if supplied through an isolating transformer with an ungrounded secondary of not over 50 volts. Listed or labeled portable tools and appliances protected by an approved system of double insulation, or its equivalent, need not be grounded. If such a system is employed, the equipment shall be distinctively marked to indicate that

the tool or appliance utilizes an approved system of double insulation.

(vi) Nonelectrical equipment. The metal parts of the following nonelectrical equipment shall be grounded: Frames and tracks of electrically operated cranes; frames of nonelectrically driven elevator cars to which electric conductors are attached; hand operated metal shifting ropes or cables of electric elevators, and metal partitions, grill work, and similar metal enclosures around equipment of over 750 volts between conductors.

(f) Methods of grounding fixed equipment.

(i) Noncurrent-carrying metal parts of fixed equipment, if required to be grounded by this section, shall be grounded by an equipment grounding conductor which is contained within the same raceway, cable, or cord, or runs with or encloses the circuit conductors. For DC circuits only, the equipment grounding conductor may be run separately from the circuit conductors.

(ii) Electric equipment is considered to be effectively grounded if it is secured to, and in electrical contact with, a metal rack or structure that is provided for its support and the metal rack or structure is grounded by the method specified for the noncurrent-carrying metal parts of fixed equipment in item (f)(i) of this subsection. For installations made before ~~((eff. date))~~ May 30, 1982, only, electric equipment is also considered to be effectively grounded if it is secured to, and in metallic contact with, the grounded structural metal frame of a building. Metal car frames supported by metal hoisting cables attached to or running over metal sheaves or drums of grounded elevator machines are also considered to be effectively grounded.

(g) Grounding of systems and circuits of 1000 volts and over (high voltage).

(i) General. If high voltage systems are grounded, they shall comply with all applicable provisions of subdivisions (a) through (f) of this subsection as supplemented and modified by the subdivision (g) of this subsection.

(ii) Grounding of systems supplying portable or mobile equipment. (See WAC 296-24-95603 (2)(c).) Systems supplying portable or mobile high voltage equipment, other than substations installed on a temporary basis, shall comply with the following:

(A) Portable and mobile high voltage equipment shall be supplied from a system having its neutral grounded through an impedance. If a delta-connected high voltage system is used to supply the equipment, a system neutral shall be derived.

(B) Exposed noncurrent-carrying metal parts of portable and mobile equipment shall be connected by an equipment grounding conductor to the point at which the system neutral impedance is grounded.

(C) Ground-fault detection and relaying shall be provided to automatically deenergize any high voltage system component which has developed a ground fault. The continuity of the equipment grounding conductor shall be continuously monitored so as to deenergize automatically the high voltage feeder to the portable equipment upon loss of continuity of the equipment grounding conductor.

(D) The grounding electrode to which the portable or mobile equipment system neutral impedance is connected shall be isolated from and separated in the ground by at least 20 feet from any other system or equipment grounding electrode, and there shall be no direct connection between the grounding electrodes, such as buried pipe, fence, etc.

(iii) Grounding of equipment. All noncurrent-carrying metal parts of portable equipment and fixed equipment including their associated fences, housings, enclosures, and supporting structures shall be grounded. However, equipment which is guarded by location and isolated from ground need not be grounded. Additionally, pole-mounted distribution apparatus at a height exceeding 8 feet above ground or grade level need not be grounded.

**AMENDATORY SECTION** (Amending Order 82-10, filed 3/30/82)

**WAC 296-24-95609 WIRING METHODS, COMPONENTS, AND EQUIPMENT FOR GENERAL USE.** (1) Wiring methods. The provisions of this section do not apply to the conductors that are an integral part of factory-assembled equipment.

(a) General requirements.

(i) Electrical continuity of metal raceways and enclosures. Metal raceways, cable armor, and other metal enclosures for conductors shall be metallically joined together into a continuous electric conductor and shall be so connected to all boxes, fittings, and cabinets as to provide effective electrical continuity.

(ii) Wiring in ducts. No wiring systems of any type shall be installed in ducts used to transport dust, loose stock or flammable vapors. No wiring system of any type may be installed in any duct used for vapor removal or for ventilation of commercial-type cooking equipment, or in any shaft containing only such ducts.

(b) Temporary wiring. Temporary electrical power and lighting wiring methods may be of a class less than would be required for a permanent installation. Except as specifically modified in this paragraph, all other requirements of this subpart for permanent wiring shall apply to temporary wiring installations.

(i) Uses permitted, 600 volts, nominal or less. Temporary electrical power and lighting installations 600 volts, nominal, or less may be used only:

(A) During and for remodeling, maintenance, repair, or demolition of buildings, structures, or equipment, and similar activities;

(B) For experimental or development work; and

(C) For a period not to exceed 90 days for Christmas decorative lighting, carnivals, and similar purposes.

(ii) Uses permitted, over 600 volts, nominal. Temporary wiring over 600 volts, nominal, may be used only during periods of tests, experiments, or emergencies.

(iii) General requirements for temporary wiring.

(A) Feeders shall originate in an approved distribution center. The conductors shall be run as multiconductor cord or cable assemblies, or, where not subject to physical damage, they may be run as open conductors on insulators not more than 10 feet apart.

(B) Branch circuits shall originate in an approved power outlet or panelboard. Conductors shall be multiconductor cord or cable assemblies or open conductors. If run as open conductors they shall be fastened at ceiling height every 10 feet. No branch-circuit conductor may be laid on the floor. Each branch circuit that supplies receptacles or fixed equipment shall contain a separate equipment grounding conductor if run as open conductors.

(C) Receptacles shall be of the grounding type. Unless installed in a complete metallic raceway, each branch circuit shall contain a separate equipment grounding conductor and all receptacles shall be electrically connected to the grounding conductor.

(D) No bare conductors nor earth returns may be used for the wiring of any temporary circuit.

(E) Suitable disconnecting switches or plug connectors shall be installed to permit the disconnection of all ungrounded conductors of each temporary circuit.

(F) Lamps for general illumination shall be protected from accidental contact or breakage. Protection shall be provided by elevation of at least 7 feet from normal working surface or by a suitable fixture or lampholder with a guard.

(G) Flexible cords and cables shall be protected from accidental damage. Sharp corners and projections shall be avoided. Where passing through doorways or other pinch points, flexible cords and cables shall be provided with protection to avoid damage.

(c) Cable trays.

(i) Uses permitted.

(A) Only the following may be installed in cable tray systems:

(I) Mineral-insulated metal-sheathed cable (Type MI);

(II) Armored cable (Type AC);

(III) Metal-clad cable (Type MC);

(IV) Power-limited tray cable (Type PLTC);

(V) Nonmetallic-sheathed cable (Type NM or NMC);

(VI) Shielded nonmetallic-sheathed cable (Type SNM);

(VII) Multiconductor service-entrance cable (Type SE or USE);

(VIII) Multiconductor underground feeder and branch-circuit cable (Type UF);

(IX) Power and control tray cable (Type TC);

(X) Other factory-assembled, multiconductor control, signal, or power cables which are specifically approved for installation in cable trays; or

(XI) Any approved conduit or raceway with its contained conductors.

(B) In industrial establishments only, where conditions of maintenance and supervision assure that only qualified persons will service the installed cable tray system, the following cables may also be installed in ladder, ventilated trough, or 4 inch ventilated channel-type cable trays:

(I) Single conductor cables which are 250 MCM or larger and are Types RHH, RHW, MV, USE, or THW, and other 250 MCM or larger single conductor cables if specifically approved for installation in cable trays.



Where exposed to direct rays of the sun, cables shall be sunlight-resistant.

(II) Type MV cables, where exposed to direct rays of the sun, shall be sunlight-resistant.

(C) Cable trays in hazardous (classified) locations shall contain only the cable types permitted in such locations.

(ii) Uses not permitted. Cable tray systems may not be used in hoistways or where subjected to severe physical damage.

(d) Open wiring on insulators.

(i) Uses permitted. Open wiring on insulators is only permitted on systems of 600 volts, nominal, or less for industrial or agricultural establishments and for services.

(ii) Conductor supports. Conductors shall be rigidly supported on noncombustible, nonabsorbent insulating materials and may not contact any other objects.

(iii) Flexible nonmetallic tubing. In dry locations where not exposed to severe physical damage, conductors may be separately enclosed in flexible nonmetallic tubing. The tubing shall be in continuous lengths not exceeding 15 feet and secured to the surface by straps at intervals not exceeding 4 feet 6 inches.

(iv) Through walls, floors, wood cross members, etc. Open conductors shall be separated from contact with walls, floors, and wood cross members, or partitions through which they pass by tubes or bushings of noncombustible, nonabsorbent insulating material. If the bushing is shorter than the hole, a waterproof sleeve of nonconductive material shall be inserted in the hole and an insulating bushing slipped into the sleeve at each end in such a manner as to keep the conductors absolutely out of contact with the sleeve. Each conductor shall be carried through a separate tube or sleeve.

(v) Protection from physical damage. Conductors within 7 feet from the floor are considered exposed to physical damage. Where open conductors cross ceiling joints and wall studs and are exposed to physical damage, they shall be protected.

(2) Cabinets, boxes, and fittings.

(a) Conductors entering boxes, cabinets, or fittings. Conductors entering boxes, cabinets, or fittings shall be protected from abrasion, and openings through which conductors enter shall be effectively closed. Unused openings in cabinets, boxes, and fittings shall also be effectively closed.

(b) Covers and canopies. All pull boxes, junction boxes, and fittings shall be provided with covers approved for the purpose. If metal covers are used they shall be grounded. In completed installations each outlet box shall have a cover, faceplate, or fixture canopy. Covers of outlet boxes having holes through which flexible cord pendants pass shall be provided with bushings designed for the purpose or shall have smooth, well-rounded surfaces on which the cords may bear.

(c) Pull and junction boxes for systems over 600 volts, nominal. In addition to other requirements in this section for pull and junction boxes, the following shall apply to these boxes for systems over 600 volts, nominal:

(i) Boxes shall provide a complete enclosure for the contained conductors or cables.

(ii) Boxes shall be closed by suitable covers securely fastened in place. Underground box covers that weight over 100 pounds meet this requirement. Covers for boxes shall be permanently marked "HIGH VOLTAGE." The marking shall be on the outside of the box cover and shall be readily visible and legible.

(3) Switches.

(a) Knife switches. Single-throw knife switches shall be so connected that the blades are dead when the switch is in the open position. Single-throw knife switches shall be so placed that gravity will not tend to close them. Single-throw knife switches approved for use in the inverted position shall be provided with a locking device that will ensure that the blades remain in the open position when so set. Double-throw knife switches may be mounted so that the throw will be either vertical or horizontal. However, if the throw is vertical a locking device shall be provided to ensure that the blades remain in the open position when so set.

(b) Faceplates for flush-mounted snap switches. Flush snap switches that are mounted in ungrounded metal boxes and located within reach of conducting floors or other conducting surfaces shall be provided with faceplates of nonconducting, noncombustible material.

(4) Switchboards and panelboards. Switchboards that have any exposed live parts shall be located in permanently dry locations and accessible only to qualified persons. Panelboards shall be mounted in cabinets, cutout boxes, or enclosures approved for the purpose and shall be dead front. However, panelboards other than the dead front externally-operable type are permitted where accessible only to qualified persons. Exposed blades of knife switches shall be dead when open.

(5) Enclosures for damp or wet locations.

(a) Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations shall be installed so as to prevent moisture or water from entering and accumulating within the enclosures. In wet locations the enclosures shall be weatherproof.

(b) Switches, circuit breakers, and switchboards installed in wet locations shall be enclosed in weatherproof enclosures.

(6) Conductors for general wiring. All conductors used for general wiring shall be insulated unless otherwise permitted in this section. The conductor insulation shall be of a type that is approved for the voltage, operating temperature, and location of use. Insulated conductors shall be distinguishable by appropriate color or other suitable means as being grounded conductors, ungrounded conductors, or equipment grounding conductors.

(7) Flexible cords and cables.

(a) Use of flexible cords and cables.

(i) Flexible cords and cables shall be approved and suitable for conditions of use and location. Flexible cords and cables shall be used only for:

(A) Pendants;

(B) Wiring of fixtures;

(C) Connection of portable lamps or appliances;

(D) Elevator cables;

(E) Wiring of cranes and hoists;



(F) Connection of stationary equipment to facilitate their frequent interchange;

(G) Prevention of the transmission of noise or vibration;

(H) Appliances where the fastening means and mechanical connections are designed to permit removal for maintenance and repair; or

(I) Data processing cables approved as a part of the ((date)) data processing system.

(ii) If used as permitted in subitem (a)(i)(C), (a)(i)(F) or (a)(i)(H) of this subsection, the flexible cord shall be equipped with an attachment plug and shall be energized from an approved receptacle outlet.

(iii) Unless specifically permitted in item (a)(i) of this subsection, flexible cords and cables may not be used:

(A) As a substitute for the fixed wiring of a structure;

(B) Where run through holes in walls, ceilings, or floors;

(C) Where run through doorways, windows, or similar openings;

(D) Where attached to building surfaces; or

(E) Where concealed behind building walls, ceilings, or floors.

(iv) Flexible cords used in show windows and show-cases shall be Type S, SO, SJ, SJO, ST, STO, SJT, SJTO, or AFS except for the wiring of chain-supported lighting fixtures and supply cords for portable lamps and other merchandise being displayed or exhibited.

(b) Identification, splices, and terminations.

(i) A conductor of a flexible cord or cable that is used as a grounded conductor or an equipment grounding conductor shall be distinguishable from other conductors. Types SJ, SJO, SJT, SJTO, S, SO, ST, and STO shall be durably marked on the surface with the type designation, size, and number of conductors.

(ii) Flexible cords shall be used only in continuous lengths without splice or tap. Hard service flexible cords No. 12 or larger may be repaired if spliced so that the splice retains the insulation, outer sheath properties, and usage characteristics of the cord being spliced.

(iii) Flexible cords shall be connected to devices and fittings so that strain relief is provided which will prevent pull from being directly transmitted to joints or terminal screws.

(8) Portable cables over 600 volts, nominal. Multiconductor portable cable for use in supplying power to portable or mobile equipment at over 600 volts, nominal, shall consist of No. 8 or larger conductors employing flexible stranding. Cables operated at over 2,000 volts shall be shielded for the purpose of confining the voltage stresses to the insulation. Grounding conductors shall be provided. Connectors for these cables shall be of a locking type with provisions to prevent their opening or closing while energized. Strain relief shall be provided at connections and terminations. Portable cables may not be operated with splices unless the splices are of the permanent molded, vulcanized, or other approved type. Termination enclosures shall be suitably marked with a high voltage hazard warning, and terminations shall be accessible only to authorized and qualified personnel.

(9) Fixture wires.

(a) General. Fixture wires shall be approved for the voltage, temperature, and location of use. A fixture wire which is used as a grounded conductor shall be identified.

(b) Uses permitted. Fixture wires may be used:

(i) For installation in lighting fixtures and in similar equipment where enclosed or protected and not subject to bending or twisting in use; or

(ii) For connecting lighting fixtures to the branch-circuit conductors supplying the fixtures.

(c) Uses not permitted. Fixture wires may not be used as branch-circuit conductors except as permitted for Class 1 power limited circuits.

(10) Equipment for general use.

(a) Lighting fixtures, lampholders, lamps, and receptacles.

(i) Fixtures, lampholders, lamps, rosettes, and receptacles may have no live parts normally exposed to employee contact. However, rosettes and cleat-type lampholders and receptacles located at least 8 feet above the floor may have exposed parts.

(ii) Handlamps of the portable type supplied through flexible cords shall be equipped with a handle of molded composition or other material approved for the purpose, and a substantial guard shall be attached to the lampholder or the handle.

(iii) Lampholders of the screw-shell type shall be installed for use as lampholders only. Lampholders installed in wet or damp locations shall be of the weather-proof type.

(iv) Fixtures installed in wet or damp locations shall be approved for the purpose and shall be so constructed or installed that water cannot enter or accumulate in wireways, lampholders, or other electrical parts.

(b) Receptacles, cord connectors, and attachment plugs (caps).

(i) Receptacles, cord connectors, and attachment plugs shall be constructed so that no receptacle or cord connector will accept an attachment plug with a different voltage or current rating than that for which the device is intended. However, a 20-ampere T-slot receptacle or cord connector may accept a 15-ampere attachment plug of the same voltage rating.

(ii) A receptacle installed in a wet or damp location shall be suitable for the location.

(c) Appliances.

(i) Appliances, other than those in which the current-carrying parts at high temperatures are necessarily exposed, may have no live parts normally exposed to employee contact.

(ii) A means shall be provided to disconnect each appliance.

(iii) Each appliance shall be marked with its rating in volts and amperes or volts and watts.

(d) Motors. This paragraph applies to motors, motor circuits, and controllers.

(i) In sight from. If specified that one piece of equipment shall be "in sight from" another piece of equipment, one shall be visible and not more than 50 feet from the other.

(ii) Disconnecting means.

(A) A disconnecting means shall be located in sight from the controller location. However, a single disconnecting means may be located adjacent to a group of coordinated controllers mounted adjacent to each other or a multimotor continuous process machine. The controller disconnecting means for motor branch circuits over 600 volts, nominal, may be out of sight of the controller, if the controller is marked with a warning label giving the location and identification of the disconnecting means which is to be locked in the open position.

(B) The disconnecting means shall disconnect the motor and the controller from all ungrounded supply conductors and shall be so designed that no pole can be operated independently.

(C) If a motor and the driven machinery are not in sight from the controller location, the installation shall comply with one of the following conditions:

(I) The controller disconnecting means shall be capable of being locked in the open position.

(II) A manually operable switch that will disconnect the motor from its source of supply shall be placed in sight from the motor location.

(D) The disconnecting means shall plainly indicate whether it is in the open (off) or closed (on) position.

(E) The disconnecting means shall be readily accessible. If more than one disconnect is provided for the same equipment, only one need be readily accessible.

(F) An individual disconnecting means shall be provided for each motor, but a single disconnecting means may be used for a group of motors under any one of the following conditions:

(I) If a number of motors drive special parts of a single machine or piece of apparatus, such as a metal or woodworking machine, crane, or hoist;

(II) If a group of motors is under the protection of one set of branch-circuit protective devices; or

(III) If a group of motors is in a single room in sight from the location of the disconnecting means.

(iii) Motor overload, short-circuit, and ground-fault protection. Motors, motor-control apparatus, and motor branch-circuit conductors shall be protected against overheating due to motor overloads or failure to start, and against short-circuits or ground faults. These provisions shall not require overload protection that will stop a motor where a shutdown is likely to introduce additional or increased hazards, as in the case of fire pumps, or where continued operation of a motor is necessary for a safe shutdown of equipment or process and motor overload sensing devices are connected to a supervised alarm.

(iv) Protection of live parts—all voltages.

(A) Stationary motors having commutators, collectors, and brush rigging located inside of motor end brackets and not conductively connected to supply circuits operating at more than 150 volts to ground need not have such parts guarded. Exposed live parts of motors and controllers operating at 50 volts or more between terminals shall be guarded against accidental contact by any of the following:

(I) By installation in a room or enclosure that is accessible only to qualified persons;

(II) By installation on a suitable balcony, gallery, or platform, so elevated and arranged as to exclude unqualified persons; or

(III) By elevation 8 feet or more above the floor.

(B) Where live parts of motors or controllers operating at over 150 volts to ground are guarded against accidental contact only by location, and where adjustment or other attendance may be necessary during the operation of the apparatus, suitable insulating mats or platforms shall be provided so that the attendant cannot readily touch live parts unless standing on the mats or platforms.

(e) Transformers.

(i) The following paragraphs cover the installation of all transformers except the following:

(A) Current transformers;

(B) Dry-type transformers installed as a component part of other apparatus;

(C) Transformers which are an integral part of an x-ray, high frequency, or electrostatic-coating apparatus;

(D) Transformers used with Class 2 and Class 3 circuits, sign and outline lighting, electric discharge lighting, and power-limited fire-protective signalling circuits; and

(E) Liquid-filled or dry-type transformers used for research, development, or testing, where effective safeguard arrangements are provided.

(ii) The operating voltage of exposed live parts of transformer installations shall be indicated by warning signs or visible markings on the equipment or structure.

(iii) Dry-type, high fire point liquid-insulated, and askarel-insulated transformers installed indoors and rated over 35kV shall be in a vault.

(iv) If they present a fire hazard to employees, oil-insulated transformers installed indoors shall be in a vault.

(v) Combustible material, combustible buildings and parts of buildings, fire escapes, and door and window openings shall be safeguarded from fires which may originate in oil-insulated transformers attached to or adjacent to a building or combustible material.

(vi) Transformer vaults shall be constructed so as to contain fire and combustible liquids within the vault and to prevent unauthorized access. Locks and latches shall be so arranged that a vault door can be readily opened from the inside.

(vii) Any pipe or duct system foreign to the vault installation may not enter or pass through a transformer vault.

(viii) Materials may not be stored in transformer vaults.

(f) Capacitors.

(i) All capacitors, except surge capacitors or capacitors included as a component part of other apparatus, shall be provided with an automatic means of draining the stored charge after the capacitor is disconnected from its source of supply.

(ii) Capacitors rated over 600 volts, nominal, shall comply with the following additional requirements:

(A) Isolating or disconnecting switches (with no interrupting rating) shall be interlocked with the load interrupting device or shall be provided with prominently

displayed caution signs to prevent switching load current.

(B) For series capacitors (see WAC 296-24-95603 (2)(c)), the proper switching shall be assured by use of at least one of the following:

(I) Mechanically sequenced isolating and bypass switches;

(II) Interlocks; or

(III) Switching procedure prominently displayed at the switching location.

(g) Storage batteries. Provisions shall be made for sufficient diffusion and ventilation of gases from storage batteries to prevent the accumulation of explosive mixtures.

**AMENDATORY SECTION** (Amending Order 82-10, filed 3/30/82)

WAC 296-24-95611 SPECIFIC PURPOSE EQUIPMENT AND INSTALLATIONS. (1) Electric signs and outline lighting.

(a) Disconnecting means. Signs operated by electronic or electromechanical controllers located outside the sign shall have a disconnecting means located inside the controller enclosure or within sight of the controller location, and it shall be capable of being locked in the open position. Such disconnecting means shall have no pole that can be operated independently, and it shall open all ungrounded conductors that supply the controller and sign. All other signs, except the portable type, and all outline lighting installations shall have an externally operable disconnecting means which can open all ungrounded conductors and is within the sight of the sign or outline lighting it controls.

(b) Doors or covers giving access to uninsulated parts of indoor signs or outline lighting exceeding 600 volts and accessible to other than qualified persons shall either be provided with interlock switches to disconnect the primary circuit or shall be so fastened that the use of other than ordinary tools will be necessary to open them.

(2) Cranes and hoists. This subsection applies to the installation of electric equipment and wiring used in connection with cranes, monorail hoists, hoists, and all runways.

(a) Disconnecting means.

(i) A readily accessible disconnecting means shall be provided between the runway contact conductors and the power supply.

(ii) Another disconnecting means, capable of being locked in the open position, shall be provided in the leads from the runway contact conductors or other power supply on any crane or monorail hoist.

(A) If this additional disconnection means is not readily accessible from the crane or monorail hoist operating station means shall be provided at the operating station, to open the power circuit to all motors of the crane or monorail hoist.

(B) The additional disconnect may be omitted if a monorail hoist or hand-propelled crane bridge installation meets all of the following:

(I) The unit is floor controlled;

(II) The unit is within view of the power supply disconnecting means; and

(III) No fixed work platform has been provided for servicing the unit.

(b) Control. A limit switch or other device shall be provided to prevent the load block from passing the safe upper limit of travel of any hoisting mechanism.

(c) Clearance. The dimension of the working space in the direction of access to live parts which may require examination, adjustment, servicing, or maintenance while alive shall be a minimum of 2 feet 6 inches. Where controls are enclosed in cabinets, the door(s) shall either open at least 90 degrees or be removable.

(3) Elevators, dumbwaiters, escalators, and moving walks.

(a) Disconnecting means. Elevators, dumbwaiters, escalators, and moving walks shall have a single means for disconnecting all ungrounded main power supply conductors for each unit.

(b) Warning signs. If interconnections between control panels are necessary for operation of the system on a multicar installation that remains energized from a source other than the disconnecting means, a warning sign shall be mounted on or adjacent to the disconnecting means. The sign shall be clearly legible and shall read "Warning—Parts of the control panel are not de-energized by this switch." (See WAC 296-24-95603 (2)(c).)

(c) Control panels. If control panels are not located in the same space as the drive machine, they shall be located in cabinets with doors or panels capable of being locked closed.

(4) Electric welders—disconnecting means.

(a) A disconnecting means shall be provided in the supply circuit for each motor-generator arc welder, and for each AC transformer and DC rectifier arc welder which is not equipped with a disconnect mounted as an integral part of the welder.

(b) A switch or circuit breaker shall be provided by which each resistance welder and its control equipment can be isolated from the supply circuit. The ampere rating of this disconnecting means may not be less than the supply conductor ampacity.

(5) Data processing systems—disconnecting means. A disconnecting means shall be provided to disconnect the power to all electronic equipment in data processing or computer rooms. This disconnecting means shall be controlled from locations readily accessible to the operator at the principal exit doors. There shall also be a similar disconnecting means to disconnect the air conditioning system serving this area.

(6) X-ray equipment. This subsection applies to x-ray equipment for other than medical or dental use.

(a) Disconnecting means.

(i) A disconnecting means shall be provided in the supply circuit. The disconnecting means shall be operable from a location readily accessible from the x-ray control. For equipment connected to a 120-volt branch circuit of 30 amperes or less, a grounding-type attachment plug cap and receptacle of proper rating may serve as a disconnecting means.

(ii) If more than one piece of equipment is operated from the same high-voltage circuit, each piece or each group of equipment as a unit shall be provided with a

high-voltage switch or equivalent disconnecting means. This disconnecting means shall be constructed, enclosed, or located so as to avoid contact by employees with its live parts.

(b) Control.

(i) Radiographic and fluoroscopic types. Radiographic and fluoroscopic-type equipment shall be effectively enclosed or shall have interlocks that de-energize the equipment automatically to prevent ready access to live current-carrying parts.

(ii) Diffraction and irradiation types. Diffraction-type and irradiation-type equipment shall be provided with a means to indicate when it is energized unless the equipment or installation is effectively enclosed or is provided with interlocks to prevent access to live current-carrying parts during operation.

(7) Induction and dielectric heating equipment.

(a) Scope. Subdivisions (b) and (c) of this subsection cover induction and dielectric heating equipment and accessories for industrial and scientific applications, but not for medical dental applications or for appliances.

(b) Guarding and grounding.

(i) Enclosures. The converting apparatus (including the DC line) and high-frequency electric circuits (excluding the output circuits and remote-control circuits) shall be completely contained within enclosures of non-combustible material.

(ii) Panel controls. All panel controls shall be of dead-front construction.

(iii) Access to internal equipment. Where doors are used for access to voltages from 500 to 1000 volts AC or DC, either door locks or interlocks shall be provided. Where doors are used for access to voltages of over 1000 volts AC or DC, either mechanical lockouts with a disconnecting means to prevent access until voltage is removed from the cubicle, or both door interlocking and mechanical door locks, shall be provided.

(iv) Warning labels. "Danger" labels shall be attached on the equipment and shall be plainly visible even when doors are open or panels are removed from compartments containing voltages of over 250 volts AC or DC.

(v) Work applicator shielding. Protective cages or adequate shielding shall be used to guard work applicators other than induction heating coils. Induction heating coils shall be protected by insulation and/or refractory materials. Interlock switches shall be used on all hinged access doors, sliding panels, or other such means of access to the applicator. Interlock switches shall be connected in such a manner as to remove all power from the applicator when any one of the access doors or panels is open. Interlocks on access doors or panels are not required if the applicator is an induction heating coil at DC ground potential or operating at less than 150 volts AC.

(vi) Disconnecting means. A readily accessible disconnecting means shall be provided by which each unit of heating equipment can be isolated from its supply circuit.

(c) Remote control. If remote controls are used for applying power, a selector switch shall be provided and interlocked to provide power from only one control point at a time. Switches operated by foot pressure shall be

provided with a shield over the contact button to avoid accidental closing the switch.

(8) Electrolytic cells.

(a) Scope. These provisions for electrolytic cells apply to the installation of the electrical components and accessory equipment of electrolytic cells, electrolytic cell lines, and process power supply for the production of aluminum, cadmium, chlorine, copper, fluorine, hydrogen peroxide, magnesium, sodium, sodium chlorate, and zinc. Cells used as a source of electric energy and for electroplating processes and cells used for production of hydrogen are not covered by these provisions.

(b) Definitions applicable to this subsection.

Cell line: An assembly of electrically interconnected electrolytic cells supplied by a source of direct-current power.

Cell line attachments and auxiliary equipment: Cell line attachments and auxiliary equipment include, but are not limited to: Auxiliary tanks; process piping; duct work; structural supports; exposed cell line conductors; conduits and other raceways; pumps; positioning equipment and cell cutout or bypass electrical devices. Auxiliary equipment also includes tools, welding machines, crucibles, and other portable equipment used for operation and maintenance within the electrolytic cell line working zone. In the cell line working zone, auxiliary equipment includes the exposed conductive surfaces of ungrounded cranes and crane-mounted cell-servicing equipment.

Cell line working zone: The cell line working zone is the space envelope wherein operation or maintenance is normally performed on or in the vicinity of exposed energized surfaces of cell lines or their attachments.

Electrolytic cells: A receptacle or vessel in which electrochemical reactions are caused by applying energy for the purpose of refining or producing usable materials.

(c) Application. Installations covered by subsection (8) of this section shall comply with all applicable provisions of this section except as follows:

(i) Overcurrent protection of electrolytic cell DC process power circuits need not comply with the requirements of WAC 296-24-95607(5).

(ii) Equipment located or used within the cell line working zone or associated with the cell line DC power circuits need not comply with the provisions of WAC 296-24-95607(6).

(iii) Electrolytic cells, cell line conductors, cell line attachments, and the wiring of auxiliary equipment and devices within the cell line working zone need not comply with the provisions of WAC 296-24-95605 and 296-24-95607 (2) and (3).

(d) Disconnecting means.

(i) If more than one DC cell line process power supply serves the same cell line, a disconnecting means shall be provided on the cell line circuit side of each power supply to disconnect it from the cell line circuit.

(ii) Removable links or removable conductors may be used as the disconnecting means.

(e) Portable electric equipment.

(i) The frames and enclosures of portable electric equipment used within the cell line working zone may not be grounded. However, these frames and enclosures

may be grounded if the cell line circuit voltage does not exceed 200 volts DC or if the frames are guarded.

(ii) Ungrounded portable electric equipment shall be distinctively marked and may not be interchangeable with grounded portable electric equipment.

(f) Power supply circuits and receptacles for portable electric equipment.

(i) Circuits supplying power to ungrounded receptacles for hand-held, cord-and plug-connected equipment shall be electrically isolated from any distribution system supplying areas other than the cell line working zone and shall be ungrounded. Power for these circuits shall be supplied through isolating transformers.

(ii) Receptacles and their mating plugs for ungrounded equipment may not have provision for a grounding conductor and shall be of a configuration which prevents their use for equipment required to be grounded.

(iii) Receptacles on circuits supplied by an isolating transformer with an ungrounded secondary shall have a distinctive configuration, shall be distinctively marked, and may not be used in any other location in the plant.

(g) Fixed and portable electric equipment.

(i) AC systems supplying fixed and portable electric equipment within the cell line working zone need not be grounded.

(ii) Exposed conductive surfaces, such as electric equipment housings, cabinets, boxes, motors, raceways and the like that are within the cell line working zone need not be grounded.

(iii) Auxiliary electrical devices, such as motors, transducers, sensors, control devices, and alarms, mounted on an electrolytic cell or other energized surface, shall be connected by any of the following means:

(A) Multiconductor hard usage or extra hard usage flexible cord;

(B) Wire or cable in suitable raceways; or

(C) Exposed metal conduit, cable tray, armored cable, or similar metallic systems installed with insulating breaks such that they will not cause a potentially hazardous electrical condition.

(iv) Fixed electric equipment may be bonded to the energized conductive surfaces of the cell line, its attachments, or auxiliaries. If fixed electric equipment is mounted on an energized conductive surface, it shall be bonded to that surface.

(h) Auxiliary nonelectric connections. Auxiliary nonelectric connections, such as air hoses, water hoses, and the like, to an electrolytic cell, its attachments, or auxiliary equipment may not have continuous conductive reinforcing wire, armor, braids, and the like. Hoses shall be of a nonconductive material.

(i) Cranes and hoists.

(i) The conductive surfaces of cranes and hoists that enter the cell line working zone need not be grounded. The portion of an overhead crane or hoist which contacts an energized electrolytic cell or energized attachments shall be insulated from ground.

(ii) Remote crane or hoist controls which may introduce hazardous electrical conditions into the cell line working zone shall employ one or more of the following systems:

(A) Insulated and ungrounded control circuit;

(B) Nonconductive rope operator;

(C) Pendant pushbutton with nonconductive supporting means and having nonconductive surfaces or ungrounded exposed conductive surfaces; or

(D) Radio.

(9) Electrically driven or controlled irrigation machines. (See WAC 296-24-95603 (2)(c).)

(a) Lightning protection. If an electrically driven or controlled irrigation machine has a stationary point, a driven ground rod shall be connected to the machine at the stationary point for lightning protection.

(b) Disconnecting means. The main disconnecting means for a center pivot irrigation machine shall be located at the point of connection of electrical power to the machine and shall be readily accessible and capable of being locked in the open position. A disconnecting means shall be provided for each motor and controller.

(10) Swimming pools, fountains, and similar installations.

(a) Scope. Subdivisions (b) through (e) of this subsection apply to electric wiring for and equipment in or adjacent to all swimming, wading, therapeutic, and decorative pools and fountains, whether permanently installed or storable, and to metallic auxiliary equipment, such as pumps, filters, and similar equipment. Therapeutic pools in health care facilities are exempt from these provisions.

(b) Lighting and receptacles.

(i) Receptacles. A single receptacle of the locking and grounding type that provides power for a permanently installed swimming pool recirculating pump motor may be located not less than 5 feet from the inside walls of a pool. All other receptacles on the property shall be located at least 10 feet from the inside walls of a pool. Receptacles which are located within 15 feet of the inside walls of the pool shall be protected by ground-fault circuit interrupters.

Note: In determining these dimensions, the distance to be measured is the shortest path the supply cord of an appliance connected to the receptacle would follow without piercing a floor, wall, or ceiling of a building or other effective permanent barrier.

(ii) Lighting fixtures and lighting outlets.

(A) Unless they are 12 feet above the maximum water level, lighting fixtures and lighting outlets may not be installed over a pool or over the area extending 5 feet horizontally from the inside walls of a pool. However, a lighting fixture or lighting outlet which has been installed before ~~((eff. date))~~ April 16, 1981, may be located less than 5 feet measured horizontally from the inside walls of a pool if it is at least 5 feet above the surface of the maximum water level and shall be rigidly attached to the existing structure. It shall also be protected by a ground-fault circuit interrupter installed in the branch circuit supplying the fixture.

(B) Unless installed 5 feet above the maximum water level and rigidly attached to the structure adjacent to or enclosing the pool, lighting fixtures and lighting outlets installed in the area extending between 5 feet and 10 feet horizontally from the inside walls of a pool shall be protected by a ground-fault circuit interrupter.

(c) Cord-connected and plug-connected equipment. Flexible cords used with the following equipment may

not exceed 3 feet in length and shall have a copper equipment grounding conductor with a grounding-type attachment plug.

(i) Cord-connected and plug-connected lighting fixtures installed within 16 feet of the water surface of permanently installed pools.

(ii) Other cord-connected and plug-connected, fixed or stationary equipment used with permanently installed pools.

(d) Underwater equipment.

(i) A ground-fault circuit interrupter shall be installed in the branch circuit supplying underwater fixtures operating at more than 15 volts. Equipment installed underwater shall be approved for the purpose.

(ii) No underwater lighting fixtures may be installed for operation at over 150 volts between conductors.

(e) Fountains. All electric equipment operating at more than 15 volts, including power supply cords, used with fountains shall be protected by ground-fault circuit interrupters. (See WAC 296-24-95603 (2)(c).)

### Chapter 296-155 WAC SAFETY STANDARDS FOR CONSTRUCTION WORK

#### Subchapters

- Part A General safety and health provisions.  
(WAC 296-155-001 through 296-155-040)
- Part B(=+) Occupational health and environmental control.  
(WAC 296-155-100 through 296-155-170)
- ~~((Part B-2 Asbestos, tremolite, anthophyllite, and actinolite:))~~
- Part C Personal protective and life saving equipment.  
(WAC 296-155-200 through 296-155-240)
- Part D Fire protection and prevention.  
(WAC 296-155-250 through 296-155-280)
- Part E Signs, signals, and barricades.  
(WAC 296-155-300 through 296-155-315)
- Part F Material handling, storage, use and disposal.  
(WAC 296-155-325 through 296-155-34920)
- Part G Tools—Hand and power.  
(WAC 296-155-350 through 296-155-375)
- Part H Welding and cutting.  
(WAC 296-155-400 through 296-155-420)
- Part I Electrical.  
(WAC 296-155-425 through 296-155-455)
- Part J Ladders, scaffolds and elevating work platforms.  
(WAC 296-155-475 through 296-155-48533)
- Part K Floor openings, wall openings and stairways.  
(WAC 296-155-500 through 296-155-515)
- Part L Cranes, derricks, hoists, elevators, and conveyors.  
(WAC 296-155-525 through 296-155-59920)
- Part M Motor vehicles, mechanized equipment, and marine operations.  
(WAC 296-155-600 through 296-155-630)

- Part N Excavation, trenching, and shoring.  
(WAC 296-155-650 through 296-155-66505)
- Part O Concrete, concrete forms and shoring.  
(WAC 296-155-675 through 296-155-695)
- Part P Steel erection.  
(WAC 296-155-700 through 296-155-720)
- Part Q Tunnels and shafts, caissons, cofferdams, and compressed air.  
(WAC 296-155-725 through 296-155-74501)
- Part R Miscellaneous construction requirements.  
(WAC 296-155-750 through 296-155-770)
- Part S Demolition.  
(WAC 296-155-775 through 296-155-830)
- Part T Refer to chapter 296-52 WAC, Safety standards for the possession, handling and use of explosives.
- Part U Power distribution and transmission lines.  
(Reserved)
- Part V Rollover protective structures and overhead protection.  
(WAC 296-155-950 through 296-155-965)

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-155-175 SCOPE AND APPLICATION.
- WAC 296-155-17505 DEFINITIONS.
- WAC 296-155-17510 PERMISSIBLE EXPOSURE LIMITS (PEL).
- WAC 296-155-17515 COMMUNICATION AMONG EMPLOYERS.
- WAC 296-155-17520 IDENTIFICATION.
- WAC 296-155-17525 REGULATED AREAS.
- WAC 296-155-17530 EXPOSURE MONITORING.
- WAC 296-155-17532 METHODS OF COMPLIANCE.
- WAC 296-155-17535 RESPIRATORY PROTECTION.
- WAC 296-155-17540 PROTECTIVE CLOTHING.
- WAC 296-155-17545 HYGIENE FACILITIES AND PRACTICES.
- WAC 296-155-17550 COMMUNICATION OF HAZARDS TO EMPLOYEES.
- WAC 296-155-17555 HOUSEKEEPING.
- WAC 296-155-17560 MEDICAL SURVEILLANCE.
- WAC 296-155-17565 RECORDKEEPING.
- WAC 296-155-17570 DATES.
- WAC 296-155-17575 APPENDICES.
- WAC 296-155-177 APPENDIX A—WISHA REFERENCE METHOD—MANDATORY.
- WAC 296-155-179 APPENDIX B—DETAILED PROCEDURE FOR ASBESTOS, TREMOLITE, ANTHOPHYLLITE, AND ACTINOLITE SAMPLING AND ANALYSIS—NONMANDATORY.

WAC 296-155-181 APPENDIX C—QUALITATIVE AND QUANTITATIVE FIT TESTING PROCEDURES—MANDATORY.

WAC 296-155-183 APPENDIX D—MEDICAL QUESTIONNAIRES—MANDATORY.

WAC 296-155-185 APPENDIX E—INTERPRETATION AND CLASSIFICATION OF CHEST ROENTGENOGRAMS—MANDATORY.

WAC 296-155-187 APPENDIX F—WORK PRACTICES AND ENGINEERING CONTROLS FOR MAJOR ASBESTOS REMOVAL, RENOVATION, AND DEMOLITION OPERATIONS—NONMANDATORY.

WAC 296-155-189 APPENDIX G—WORK PRACTICES AND ENGINEERING CONTROLS FOR SMALL-SCALE, SHORT-DURATION ASBESTOS RENOVATION AND MAINTENANCE OPERATIONS—NONMANDATORY.

WAC 296-155-191 APPENDIX H—SUBSTANCE TECHNICAL INFORMATION FOR ASBESTOS—NONMANDATORY.

WAC 296-155-193 APPENDIX I—MEDICAL SURVEILLANCE GUIDELINES FOR ASBESTOS, TREMOLITE, ANTHOPHYLLITE, AND ACTINOLITE—NONMANDATORY.

AMENDATORY SECTION (Amending Order 86-22, filed 5/22/86)

WAC 296-62-05403 SCOPE AND APPLICATION. (1) This ((section)) part requires chemical manufacturers or importers to assess the hazards of chemicals which they produce or import, and all employers to provide information to their employees about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels and other forms of warning, material safety data sheets, and information and training. In addition, this ((section)) part requires distributors to transmit the required information to employers.

(2) This ((section)) part applies to any chemical which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency.

(3) This ((section)) part applies to laboratories only as follows:

(a) Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced;

(b) Employers shall maintain any material safety data sheets that are received with incoming shipments of hazardous chemicals, and ensure that they are readily accessible to laboratory employees; and,

(c) Employers shall ensure that laboratory employees are apprised of the hazards of the chemicals in their workplaces in accordance with WAC 296-62-05415.

(4) This ((section)) part applies to agriculture (SIC Codes 01, 02, and 07) only as follows:

(a) Employers shall ensure that each container of hazardous chemicals in the workplace is labeled in accordance with WAC 296-62-05411;

(b) Employers shall maintain any material safety data sheets that are received with incoming shipments of

hazardous chemicals, and ensure that they are accessible to agricultural employees upon request; and

(c) Employers shall provide employees with information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new hazard is introduced into their work area. Such information and training shall be tailored to the types of hazards to which the employees will be exposed. Seasonal and temporary employees who are not exposed to hazardous chemicals in their work area need not be trained.

(i) Information. Employees shall be informed of:

(A) The requirements of this subsection;

(B) Any operations in their work area where hazardous chemicals are present; and

(C) The location and availability of material safety data sheets.

(ii) Training. Employee training shall include:

(A) Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as visual appearance or odor of hazardous chemicals when being released or other methods used by the employer);

(B) The physical and health hazards of the chemicals in the work area including the likely physical symptoms or effects of overexposure;

(C) The measures employees can take to protect themselves from these hazards, including procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used; and

(D) An explanation of the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information.

(d) The provisions of WAC 296-62-05415 (3) and (4).

(5) This ((section)) part does not require labeling of the following chemicals:

(a) Any pesticide as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when subject to the labeling requirements of that act and labeling regulations issued under that act by the Environmental Protection Agency;

(b) Any food, food additive, color additive, drug, or cosmetic, including materials intended for use as ingredients in such products (e.g., flavors and fragrances), as such terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and regulations issued under that act, when they are subject to the labeling requirements of that act and labeling regulations issued under that act by the Food and Drug Administration;

(c) Any distilled spirits (beverage alcohols), wine, or malt beverages intended for nonindustrial use, as such terms are defined in the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and regulations issued under that act, when subject to the labeling requirements of that act and labeling regulations issued under that act by the Bureau of Alcohol, Tobacco, and Firearms; and,

(d) Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety

Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, when subject to a consumer product safety standard or labeling requirement of those acts, or regulations issued under those acts by the Consumer Product Safety Commission.

(6) This ((section)) part does not apply to:

(a) Any hazardous waste as such term is defined by the Hazardous Waste Management Act chapter 70.105 RCW, when subject to regulations issued under that act by the department of ecology which describes specific safety, labeling, personnel training and other standards for the accumulation, handling and management of hazardous waste;

(b) Tobacco or tobacco products;

(c) Wood or wood products;

(d) Articles; ((and;))

(e) Foods, drugs, or cosmetics intended for personal consumption by employees while in the workplace((-));

(f) Any transportation of a hazardous chemical or substance, provided such transportation is subject to regulations issued by the United States department of transportation or the Washington utilities and transportation commission((-)); and

(g) Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, where the employer can demonstrate it is used in the workplace in the same manner as normal consumer use, and which use results in a duration and frequency of exposure which is not greater than exposures experienced by consumers.

(7) Any distributor who makes retail sales to the general public of consumer products packaged for distribution to, and used by, the general public, shall not be required to disseminate material safety data sheets to the retail purchasers of such products.

((7)) (8) Where there are two or more employers at the same workplace, each employer shall be solely responsible under the provisions of WAC 296-62-054 through 296-62-05425 for his or her own employees.

AMENDATORY SECTION (Amending Order 86-28, filed 7/25/86)

WAC 296-62-07515 CONTROL OF CHEMICAL AGENTS. Chemical agents shall be controlled in such a manner that the workers exposure shall not exceed the applicable limits in WAC 296-62-075 through 296-62-07515.

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
2-Acetylaminofluorene, see WAC 296-62-073		
Acetylene	Simple	Asphyxiant
Acetylene dichloride, see 1,2-Dichloroethylene		
Acetylene tetrabromide	1	15
Acetylsalicylic acid	—	5
Acrolein	0.1	0.25
Acrylamide-skin	—	((0.3)) 0.03
Acrylic acid	10	30
Acrylonitrile-skin, see WAC 296-62-07341		
Aldrin-skin	—	0.25
Allyl alcohol-skin	2	5
Allyl chloride	1	3
Allyl propyl disulfide	2	12
α-Alumina, see Aluminum oxide		
Aluminum metal and oxide	—	10
pyro powders	—	5
welding fumes	—	5
soluble salts	—	2
alkyls (NOC)	—	2
Alundum, see aluminum oxide		
4-Aminodiphenyl, see WAC 296-62-073		
2-Aminoethanol, see Ethanolamine		
2-Aminopyridine	0.5	2
Ammonia	25	18
Ammonium chloride, fume	—	10
Ammonium sulfamate (Ammate)	—	10
n-Amyl acetate	100	530
sec-Amyl acetate	125	((670)) 665
Aniline & ((homologues-skin)) homologues-skin	2	10
Anisidine (o, p-isomers)-skin	0.1	0.5
Antimony & Compounds (as Sb)	—	0.5
ANTU (alpha Naphthyl thiourea)	—	0.3
Argon	Simple	Asphyxiant
Arsenic & Compounds (as As) which are exempt from WAC 296-62-07347	—	0.2
Arsine	0.05	0.2
Asbestos, see WAC 296-62-07517		
Asphalt (petroleum) fumes	—	5
Atrazine	—	5
Azinphos methyl-skin	—	0.2
Barium (soluble compounds)	—	0.5
Benomyl	0.8	10
Benzidine, see WAC 296-62-073		
((p-Benzoquinone)) p-Benzoquinone, see Quinone		
Benzoyl peroxide	—	5
Benzyl chloride	1	5
Biphenyl, see Diphenyl		
Bismuth telluride	—	10
Se-doped	—	5
Borates, tetra, sodium salts anhydrous	—	1
decahydrate	—	5
pentahydrate	—	1
Boron oxide	—	10
Boron tribromide	1	10
Boron trifluoride	1	3
C Bromacil	1	10
Bromine	0.1	0.7
Bromine pentafluoride	0.1	0.7
Bromochloromethane	200	1,050
Bromoform-skin	0.5	5.0
Butadiene (1,3-butadiene)	10	22
Butane	800	1,900
Butanethiol, see Butyl mercaptan		
2-Butanone	200	590
2-Butoxy ethanol (Butyl Cellosolve)-skin	25	120
Butyl acetate (n-butyl acetate)	150	710

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
Abate, see Temephos		
Acetaldehyde	100	180
Acetic acid	10	25
C Acetic anhydride	5	20
Acetone	750	1,780
Acetonitrile	40	70



TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
sec-Butyl acetate	200	950
tert-Butyl acetate	200	950
Butyl acrylate	10	55
C n-Butyl alcohol-skin	50	150
sec-Butyl alcohol	100	305
tert-Butyl alcohol	100	300
C Butylamine-skin	5	15
C tert-Butyl chromate (as CrO <sub>3</sub> )- skin	—	0.1
n-Butyl glycidyl ether (BGE)	25	135
n-Butyl lactate	5	25
Butyl mercaptan	0.5	1.5
o-sec-Butylphenol-skin	5	30
p-tert-Butyl-toluene	10	60
C Cadmium oxide fume, as Cd	—	0.05
Cadmium dust and salts, as Cd	—	0.05
Calcium arsenate, see WAC 296- 62-07347	—	—
Calcium carbonate	—	10
Calcium cyanamide	—	0.5
Calcium hydroxide	—	5
Calcium oxide	—	2
Calcium silicate	—	10
Camphor (synthetic)	2	12
Caprolactam	—	—
dust	—	1
vapor	5	20
Captafol-skin	—	0.1
Captan	—	5
Carbaryl (Sevin <sup>[R]</sup> )	—	5
Carbofuran	—	0.1
Carbon black	—	3.5
Carbon dioxide	5,000	9,000
Carbon monoxide	50	55
Carbon tetrabromide	0.1	1.4
Carbonyl chloride, see phosgene	—	—
Carbonyl fluoride	2	5
Catechol	5	20
Cellulose (paper fiber)	—	10
Cesium hydroxide	—	2
Chlordane-skin	—	0.5
Chlorinated camphene-skin	—	0.5
Chlorinated diphenyl oxide	—	0.5
C Chlorine	1	3
Chlorine dioxide	0.1	0.3
C Chlorine tri-fluoride	0.1	0.4
C Chloroacetaldehyde	1	3
α-Chloroacetophenone (Phenacyl/chloride)	0.05	0.3
Chloroacetyl chloride	0.05	0.2
Chlorobenzene (Monochlorobenzene)	75	350
C o-Chlorobenzylidene malonitrile (OCBM)-skin	0.05	0.4
Chlorobromomethane	200	1,050
2-Chloro-1,3-butadiene, see Chloroprene	—	—
Chlorodifluoromethane	1,000	3,500
Chlorodiphenyl (42% Chlorine)- skin	—	1
Chlorodiphenyl (54% Chlorine)- skin	—	0.5
1-Chloro-2,3-epoxy propane, see Epichlorhydrin	—	—
2-Chloroethanol, see Ethylene chlorohydrin	—	—
Chloroethylene, see vinylchloride	—	—
Chloroform (Trichloromethane)	10	50
1-Chloro-1-nitropropane	2	10
bis-Chloromethyl ether, see WAC 296-62-073	—	—
Chloropentafluoroethane	1,000	6,320
Chloropicrin	0.1	0.7
Chloroprene (2-chloro-1,3-bu- tadiene)-skin	10	35
o-Chlorostyrene	50	285
o-Chlorotoluene	50	250
2-Chloro-6-(trichloromethyl) pyridine, see Nitrapyrin	—	—
Chlorpyrifos-skin	—	0.2
Chromium Metal	—	0.5
Chromium (II) compounds, as Cr	—	0.5

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
Chromium (III) compounds, as Cr	—	0.5
Chromium (VI) compounds, as Cr	—	0.05
Chromyl chloride	0.025	0.15
Clopidol	—	10
Coal tar pitch volatiles (benzene soluble fraction anthracene, BaP, phenanthrene, acridine, chrysene, pyrene)	—	0.2
Cobalt, metal fume & dust, as Co	—	0.1
Cobalt carbonyl, as Co	—	0.1
Cobalt hydrocarbonyl, as Co	—	0.1
Copper, as Cu	—	—
Fume	—	0.1
Dusts and Mists	—	1.0
Corundum, see Aluminum oxide	—	—
Cotton Dust (raw)	—	1.0 (see note e)
Crag <sup>[R]</sup> herbicide	—	10
Cresol (all isomers)-skin	5	22
Crotonaldehyde	2	6
Crufomate	—	5
Cumene-skin	50	245
Cyanamide	—	2
Cyanide (as CN)-skin	—	5
Cyanogen	10	20
C Cyanogen chloride	0.3	0.6
Cyclohexane	300	1,050
Cyclohexanol	50	200
Cyclohexanone-skin	25	100
Cyclohexene	300	1,015
Cyclohexylamine-skin	10	40
Cyclonite-skin, see RDX	—	—
Cyclopentadiene	75	200
Cyclopentane	600	1,720
Cyhexatin	—	5
2,4-D	—	10
DDT	—	1
DDVP, see Dichlorvos	—	—
Decaborane-skin	0.05	0.3
Demeton <sup>[R]</sup> -skin	0.01	0.1
Diacetone alcohol (4-hydroxy-4- methyl-2-pentanone)	50	240
1,2-Diaminoethane, see Ethylenediamine	—	—
Diazinon-skin	—	0.1
Diazomethane	0.2	0.4
Diborane	0.1	0.1
Dibrom <sup>[R]</sup> , see Naled	—	—
1,2-Dibromo-3-chloropropane, see WAC 296-62-07345	—	—
2-N-Dibutylamino ethanol-skin	2	14
Dibutyl phosphate	1	5
Dibutyl phthalate	—	5
C Dichloroacetylene	0.1	0.4
C o-Dichlorobenzene	50	300
p-Dichlorobenzene	75	450
Dichlorodifluoromethane	1,000	4,950
1,3-Dichloro-5,5-dimethyl hydantoin	—	0.2
1,1-Dichloroethane	100	400
1,2-Dichloroethane, see Ethylene dichloride	—	—
1,2-Dichloroethylene	200	790
1,1-Dichloroethylene, see Vinyl- dene chloride	—	—
Dichloromethane, see Methylene chloride	—	—
Dichlorofluoromethane	10	40
1,2-Dichloropropane, see Propylene dichloride	—	—
Dichloropropene-skin	1	5
2,2-Dichloropropionic acid	1	6
Dichlorotetrafluoroethane	1,000	7,000
Dichlorvos (DDVP)-skin	0.1	1
Dicrotophos-skin	—	0.25
Dicyclopentadiene	5	30
Dicyclopentadienyl iron	—	10
Dieldrin-skin	—	0.25
Diethanolamine	3	15
Diethylamine	10	30

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
Diethylaminoethanol-skin	10	50
C Diethylene triamine-skin	1	4
Diethylether, see Ethyl ether		
Diethyl ketone	200	705
Diethyl phthalate	—	5
Difluorodibromomethane	100	860
Diglycidyl ether (DGE)	0.1	0.5
Dihydroxybenzene, see Hydroquinone		
Diisobutyl ketone	25	250
Diisopropylamine-skin	5	20
Dimethoxymethane, see Methylal		
Dimethyl acetamide-skin	10	35
Dimethylamine	10	18
4-Dimethylaminoazobenzene, see WAC 296-62-073		
Dimethylaminobenzene, see Xylidene		
Dimethylaniline (N, N-Dimethylaniline)-skin	5	25
Dimethylbenzene, see Xylene		
Dimethyl-1,2-dibromo-2,2-dichloroethyl phosphate, see Naled		
Dimethylformamide-skin	10	30
2,6-Dimethylheptanone, see Diisobutyl ketone		
1,1-Dimethylhydrazine-skin	0.5	1
Dimethyl phthalate	—	5
Dimethyl sulfate-skin	0.1	0.5
Dinitolmide	—	5
Dinitrobenzene (all isomers)-skin	0.15	1
Dinitro-o-cresol-skin	—	0.2
Dinitrotoluene-skin	—	1.5
Dioxane (Diethylene dioxide)-skin	25	90
Dioxathion-skin	—	0.2
Diphenyl	0.2	1.5
Diphenylamine	—	10
Diphenylmethane diisocyanate (see Methylene bisphenyl isocyanate (MDI))		
Dipropylene glycol methyl ether-skin	100	600
Dipropyl ketone	50	235
Diquat	—	0.5
Di-sec.octyl phthalate (Di-2-ethylhexylphthalate)	—	5
((Disulfuram)) Disulfuram	—	2
Disulfoton	—	0.1
2,6-Ditert.butyl-p-cresol	—	10
Diuron	—	10
Divinyl benzene	10	50
Emery	—	10
Endosulfan (Thiodan <sup>[R]</sup> )-skin	—	0.1
Endrin-skin	—	0.1
Epichlorhydrin-skin	2	10
EPN-skin	—	0.5
1,2-Epoxypropane, see Propylene-oxide		
2,3-Epoxy-1-propanol, see Glycidol		
Ethane	Simple	Asphyxiant
Ethanethiol, see Ethyl/mercaptan		
Ethanolamine	3	8
Ethion-skin	—	0.4
2-Ethoxyethanol-skin	5	19
2-Ethoxyethyl/acetate (Cellosolve acetate)-skin	5	27
Ethyl acetate	400	1,400
Ethyl acrylate-skin	5	20
Ethyl alcohol (ethanol)	1,000	1,900
Ethylamine	10	18
Ethyl amyl ketone	25	130
Ethyl benzene	100	435
Ethyl bromide	200	890
Ethyl butyl ketone (3-Heptanone)	50	230
Ethyl chloride	1,000	2,600
Ethylene	Simple	Asphyxiant
C Ethylene chlorohydrin-skin	1	3
Ethylenediamine	10	25

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
C Ethylene glycol	50	125
Ethylene glycol dinitrate and/or Nitroglycerin-skin	0.05 (see note d)	0.3
Ethylene glycol monomethyl ether acetate (Methyl cellosolve acetate)-skin	5	24
Ethylene imine-skin, see WAC 296-62-073		
Ethylene oxide (see WAC 296-62-07353)	1	2
Ethyl ether	400	1,200
Ethyl formate	100	300
Ethylidene chloride, see 1,1-Dichloroethane		
C Ethylidene norbornene	5	25
Ethyl mercaptan	0.5	1
n-Ethylmorpholine-skin	5	23
Ethyl sec-amyl ketone (5-methyl-3-heptanone)	25	130
Ethyl silicate	10	85
Fenamiphos-skin	—	0.1
Fensulfothion	—	0.1
Fenthion-skin	—	0.2
Ferbam	—	10
Ferrovandium dust	—	1
Fluorides, as F	—	2.5
Fluorine	0.1	0.2
Fluorotrichloromethane, see Trichlorofluoro methane		
Fonofos-skin	—	0.1
Formamide	20	30
Formic acid	5	9
Furfural-skin	2	8
Furfuryl alcohol-skin	10	40
Gasoline	300	900
Germanium tetrahydride	0.2	0.6
Glass, fibrous or dust (see note e)	—	10
C Gluteraldehyde	0.2	0.7
Glycerin mist	—	10
Glycidol (2,3-Epoxy-1-propanol)	25	75
Glycol monoethyl ether, see 2-Ethoxyethanol		
Graphite, (Synthetic)	—	10
Guthion <sup>[R]</sup> , see Azinphosmethyl		
Gypsum	—	10
Hafnium	—	0.5
Helium	Simple	Asphyxiant
Heptachlor-skin	—	0.5
Heptane (n-heptane)	400	1,600
2-Heptanone, see Methyl n-amyl ketone		
3-Heptanone, see Ethyl butyl ketone		
Hexachlorobutadiene-skin	0.02	0.24
Hexachlorocyclopentadiene	0.01	0.1
Hexachloroethane	10	100
Hexachloronaphthalene-skin	—	0.2
Hexafluoroacetone-skin	0.1	0.7
Hexane		
n-hexane	50	180
other Isomers	500	1,800
2-Hexanone	5	20
Hexone (Methyl isobutyl ketone)	50	205
sec-Hexyl acetate	50	300
C Hexylene Glycol	25	125
Hydrazine-skin	0.1	0.1
Hydrogen	Simple	Asphyxiant
Hydrogenated terphenyls	0.5	5
C Hydrogen bromide	3	10
C Hydrogen chloride	5	7
C Hydrogen cyanide-skin	10	10
C Hydrogen fluoride ((3-5))	((3-5))	((2))
Hydrogen peroxide	3	2.5
Hydrogen selenide	1	1.5
Hydroquinone	0.05	0.2
4-Hydroxy-4-methyl-2-pentanone, see Diacetone alcohol		
2-Hydroxypropyl acrylate-skin	0.5	3
Indene	10	45

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
Indium and compounds, as In	—	0.1
C Iodine	0.1	1
Iodoform	0.6	10
Iron oxide fume	—	5
Iron pentacarbonyl	0.01	0.08
Iron salts, soluble, as Fe	—	1
Isoamyl acetate	100	525
Isoamyl alcohol	100	360
Isobutyl acetate	150	700
Isobutyl alcohol	50	150
Isooctyl alcohol	50	270
C Isophorone	5	25
Isophorone diisocyanate-skin	0.01	0.09
Isopropoxyethanol	25	105
Isopropyl acetate	250	950
Isopropyl alcohol	400	980
Isopropylamine	5	12
N-Isopropylaniline-skin	2	10
Isopropyl ether	250	1,050
Isopropyl glycidyl ether (IGE)	50	240
Kaolin	—	10
Ketene	0.5	0.9
Lead and its inorganic compounds which are exempt from WAC 296-62-07521	—	0.15
Lead arsenate -see WAC 296- 62-07347	—	0.15
Lead chromate	—	0.05
Limestone	—	10
Lindane	—	0.5
Lithium hydride	—	0.025
L.P.G. (liquified petroleum gas)	1,000	1,800
Magnesite	—	10
Magnesium oxide fume	—	10
Malathion-skin	—	10
Maleic anhydride	0.25	1
C Manganese and compounds, as Mn	—	5
Manganese tetroxide and fume	—	1
Manganese ((cyclopentadienyl) cyclopentadienyl tricarbonyl, as Mn-skin	—	0.1
Marble	—	10
Mesityl oxide	15	60
Methacrylic acid	20	70
Methane	Simple	Asphyxiant
Methanethiol, see Methyl mercaptan	—	—
Methomyl-skin	—	2.5
Methoxychlor	—	10
2-Methoxyethanol-skin (Methyl cellosolve)	5	16
4-Methoxyphenol	—	5
Methyl acetate	200	610
Methyl acetylene (propyne)	1,000	1,650
Methyl acetylene-propadiene mixture (MAPP)	1,000	1,800
Methyl acrylate-skin	10	35
Methylacrylonitrile-skin	1	3
Methylal (dimethoxy-methane)	1,000	3,100
Methyl alcohol (methanol)	200	260
Methylamine	10	12
Methyl amyl alcohol, see Methyl isobutyl carbinol	—	—
Methyl n-amyl ketone (2- Heptanone)	50	235
N-Methyl aniline, see Monomethyl aniline	—	—
Methyl bromide-skin	5	20
Methyl butyl ketone, see 2- Hexanone	—	—
Methyl cellosolve-skin, see 2- Methoxyethanol	—	—
Methyl cellosolve acetate-skin, see Ethylene glycol monomethyl ether acetate	—	—
Methyl chloride	50	105
Methyl chloroform	350	1,900
Methyl chloromethyl ether, see WAC 296-62-073	—	—
Methyl 2-cyano acrylate	2	8
Methylcyclohexane	400	1,600

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
Methylcyclohexanol	50	235
Methylcyclohexanone-skin	50	230
Methylcyclopentadienyl manga- nese tricarbonyl (as Mn)-skin	—	0.2
Methyl demeton-skin	—	0.5
C Methylene bisphenyl isocyanate (MDI)	0.02	0.2
4,4'-Methylene bis (2- chloroaniline), see WAC 296- 62-073	—	—
C Methylene bis (4- cyclohexylisocyanate)	0.01	0.11
4,4'-Methylene dianiline-skin	0.1	0.8
Methyl ethyl ketone (MEK), see 2-Butanone	—	—
C Methyl ethyl ketone peroxide	0.2	1.5
Methyl formate	100	250
5-Methyl-3-heptanone, see Ethyl amyl ketone	—	—
Methyl hydrazine, see Monomethyl hydrazine	—	—
Methyl iodide-skin	2	10
Methyl isoamyl ketone	50	240
Methyl isobutyl carbinol-skin	25	100
Methyl isobutyl ketone, see Hexone	—	—
Methyl isocyanate-skin	0.02	0.05
Methyl isopropyl ketone	200	705
Methyl mercaptan	0.5	1
Methyl methacrylate	100	410
Methyl parathion-skin	—	0.2
Methyl propyl ketone, see 2- Pentanone	—	—
Methyl silicate	1	6
Mevinphos <sup>[R]</sup> , see Phosdrin	—	—
Metribuzin	—	5
Molybdenum, as Mo	—	—
Soluble compounds	—	5
Insoluble compounds	—	10
Monomethyl aniline-skin	0.5	2
Monocrotophos	—	0.25
C Monomethyl hydrazine-skin	0.2	0.35
Morpholine-skin	20	70
Naled-skin	—	3
Naphtha (coal tar)	100	400
Naphthalene	10	50
α-Naphthylamine, see WAC 296-62-073	—	—
β-Naphthylamine, see WAC 296-62-073	—	—
Neon	Simple	Asphyxiant
Nickel carbonyl	0.001	0.007
Nickel, as Ni	—	—
Metal	—	1
Soluble compounds	—	0.1
Nicotine-skin	—	0.5
Nitrapyrin	—	10
Nitric acid	2	5
Nitric oxide	25	30
p-Nitroaniline-skin	—	3
Nitrobenzene-skin	1	5
4-Nitrobiphenyl, see WAC 296- 62-073	—	—
p-Nitrochlorobenzene-skin	—	0.5
Nitroethane	100	310
Nitrogen	Simple	Asphyxiant
Nitrogen trifluoride	10	((29)) 30
Nitroglycerin-skin	0.05	0.5
Nitromethane	100	250
1-Nitropropane	25	90
2-Nitropropane	10	35
N-Nitrosodimethylamine, see WAC 296-62-073	—	—
Nitrotoluene-skin	2	11
Nitrotrichloromethane, see Chloropicrin	—	—
Nitrous Oxide	30	54
Nonane	200	1,050
Octachloronaphthalene-skin	—	0.1
Octane	300	1,450
Oil mist, particulate	—	5

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
Osmium tetroxide	0.0002	0.002
Oxalic acid	—	1
C Oxygen difluoride	0.05	0.1
Ozone	0.1	0.2
Paraffin wax fume	—	2
Paraquat-skin	—	0.1
Parathion-skin	—	0.1
Particulate polycyclic aromatic hydrocarbons (PPAH), see coal tar ((ptch)) pitch volatiles	—	—
Pentaborane	0.005	0.01
Pentachloronaphthalene-skin	—	0.5
Pentachlorophenol-skin	—	0.5
Pentaerythritol	—	10
Pentane	600	1,800
2-Pentanone	200	700
Perchloromethyl mercaptan	0.1	0.8
Perchloryl fluoride	3	14
Phenol-skin	5	19
Phenothiazine-skin	—	5
p-Phenylene diamine-skin	—	0.1
Phenyl ether (vapor)	1	7
Phenyl ether-Diphenyl mixture (vapor)	1	7
Phenylethylene, see Styrene	—	—
Phenyl glycidyl ether (PGE)	1	6
Phenylhydrazine-skin	5	((22)) 20
Phenyl mercaptan	0.5	2
C Phenylphosphine	0.05	0.25
Phorate-skin	—	0.05
Phosdrin (Mevinphos <sup>[R]</sup> )-skin	0.01	0.1
Phosgene (carbonyl chloride)	0.1	0.4
Phosphine	0.3	0.4
Phosphoric acid	—	1
Phosphorus (yellow)	—	0.1
Phosphorous oxychloride	0.1	0.6
Phosphorus pentachloride	0.1	1
Phosphorus pentasulfide	—	1
Phosphorus trichloride	0.2	1.5
Phthalic anhydride	1	6
m-Phthalodinitrile	—	5
Picloram	—	10
Picric acid-skin	—	0.1
Pindone, see Pival	—	—
Piperazine dihydrochloride	—	5
Pival <sup>[R]</sup> (2-Pivalyl-1,3-indandione)	—	0.1
Plaster of Paris	—	10
Platinum, as Pt	—	—
Metal	—	1
Soluble salts	—	0.002
Polychlorobiphenyls, see Chlorodiphenyls	—	—
C Potassium hydroxide	—	2
Propane	Simple	Asphyxiant
Propargyl alcohol-skin	1	2
B-Propiolactone, see WAC 296-62-073	—	—
Propionic acid	10	30
Propoxur	—	0.5
n-Propyl acetate	200	840
Propyl alcohol-skin	200	500
Propylene	Simple	Asphyxiant
Propylene dichloride (1,2-Dichloropropane)	75	350
Propylene glycol ((dimitrite-skin)) dinitrate-skin	0.05	0.3
Propylene glycol monomethyl ether	100	360
Propylene imine-skin	2	5
Propylene oxide	20	50
n-Propyl nitrate	25	((+H0)) 105
Propyne, see Methyl/acetylene	—	—
Pyrethrum	—	5
Pyridine	5	15
Quinone	0.1	0.4
RDX-skin	—	1.5
Resorcinol	10	45

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
Rhodium, as Rh	—	—
Metal fumes and dusts	—	0.1
Soluble salts	—	0.001
Ronnel	—	10
Rosin Core Solder, pyrolysis products (as formaldehyde)	—	0.1
Rotenone (commercial)	—	5
Rouge	—	10
Rubber solvent (naphtha)	400	1,600
Selenium compounds (as Se)	—	0.2
Selenium hexafluoride	0.05	0.2
Sesone, see Crag herbicide	—	—
Silane, see Silicon tetrahydride	—	—
Silicon	—	10
Silicon Carbide	—	10
Silicon tetrahydride	5	7
Silver, metal and soluble compounds	—	0.01
C Sodium azide	0.1	0.3
Sodium bisulfite	—	5
Sodium-2, 4-dichloro-phenoxyethyl sulfate, see Crag herbicide	—	—
Sodium fluoroacetate (1080)-skin	—	0.05
C Sodium hydroxide	—	2
Sodium metabisulfite	—	5
Starch	—	10
Stibine	0.1	0.5
Stoddard solvent	100	525
Strychnine	—	0.15
C Subtilisins (proteolytic enzymes)	—	0.00006
Sucrose	—	10
Sulfotep-skin, see TEDP	—	—
Sulfur dioxide	2	5
Sulfur hexafluoride	1,000	6,000
Sulfuric acid	—	1
C Sulfur monochloride	1	6
C Sulfur pentafluoride	0.01	0.1
C Sulfur tetrafluoride	0.1	0.4
Sulfuryl fluoride	5	20
Sulprofos	—	1
Systox, see Demeton <sup>[R]</sup>	—	—
2,4,5-T	—	10
Tantalum	—	5
TEDP-skin	—	0.2
Tellurium	—	0.1
Tellurium hexafluoride	0.02	0.2
Temephos	—	10
TEPP-skin	0.004	0.05
C Terphenyls	0.5	5
1,1,1,2-Tetrachloro-2,2-difluoroethane	500	4,170
1,1,2,2-Tetrachloro-1,2-difluoroethane	500	4,170
1,1,2,2-Tetrachloroethane-skin	1	7
Tetrachloromethane, see Carbon tetrachloride	—	—
Tetrachloronaphthalene-skin	—	2
Tetraethyl lead (as Pb)-skin	—	0.1 (see note f)
Tetrahydrofuran	200	590
Tetramethyl lead (as Pb)-skin	—	0.15 (see note f)
Tetramethyl succinonitrile-skin	0.5	3
Tetranitromethane	1	8
Tetrasodium pyrophosphate	—	5
Tetryl (2,4,6-trinitrophenyl-methylnitramine)-skin	—	1.5
Thallium (soluble compounds)-skin (as Tl)	—	0.1
4,4-Thiobis (6-tert.butyl-m-cresol)	—	10
Thioglycolic acid-skin	1	4
C Thionyl chloride	1	5
Thiram <sup>[R]</sup> , see WAC 296-62-07519	—	5
Tin, as Sn	—	—
Metal	—	2
Oxide and inorganic compounds, except SnH <sub>4</sub>	—	2
Organic compounds-skin	—	0.1
Titanium dioxide	—	10

TABLE 1  
PERMISSIBLE EXPOSURE LIMITS (PEL)

Substance	ppm (see note a)	mg/M <sup>3</sup> (see note b)
C Toluene-2,4-diisocyanate (TDI)	0.005	0.04
o-Toluidine-skin	2	9
p-Toluidine-skin	2	((—)) 9
Toxaphene, see Chlorinated camphene		
Tributyl phosphate	0.2	2.5
Trichloroacetic acid	1	7
C 1,2,4-Trichlorobenzene	5	40
1,1,1-Trichloroethane, see Methyl chloroform		
1,1,2-Trichloroethane-skin	10	45
C Trichlorofluoromethane	1,000	5,600
Trichloromethane, see Chloroform		
Trichloronaphthalene-skin	—	5
1,2,3-Trichloropropane-skin	10	60
1,1,2-Trichloro-1,2,2-trifluoroethane	1,000	7,600
Tricyclohexyltin hydroxide, see Cyhexatin		
Triethylamine	10	40
Trifluorobromomethane	1,000	6,100
Trimellitic anhydride	0.005	0.04
Trimethylamine	10	24
Trimethyl benzene	25	((+20)) 125 10
Trimethyl phosphite	2	10
2,4,6-Trinitrophenol, see Picric acid		
2,4,6-Trinitrophenyl-methylnitramine, see Tetryl		
Trinitrotoluene-skin	—	0.5
Triorthocresyl phosphate-skin	—	0.1
Triphenyl/amine	—	5
Triphenyl phosphate	—	3
Tungsten & Compounds, as W		
Soluble	—	1
Insoluble	—	5
Turpentine	100	560
Uranium (natural) sol. & insol. compounds as U	—	0.2
Valeraldehyde	50	175
Vanadium (V <sub>2</sub> O <sub>5</sub> ), as V	—	0.05
Vegetable oil mist	—	10
Vinyl acetate	10	30
Vinyl bromide	5	20
Vinyl chloride, see WAC 296-62-07329		
Vinyl cyanide, see Acrylonitrile		
Vinyl cyclohexene dioxide	10	60
Vinyl toluene	50	240
Vinylidene chloride	5	20
VM&P naphtha	300	1,350
Warfarin	—	0.1
Welding fume	—	5
Wood dust		
Nonallergenic	—	5
Allergenic (e.g. cedar, mahogany, teak)	—	2.5
C m-Xylene- $\alpha,\alpha$ -diamine-skin	—	0.1
Xylene (xytol)	100	435
Xylidine-skin	2	10
Yttrium	—	1
Zinc chloride fume	—	1
Zinc chromate	—	((0.5)) 0.05
Zinc oxide dust	—	10
Zinc oxide fume	—	5
Zinc stearate	—	10
Zirconium compounds (as Zr)	—	5

a) Parts of vapor or gas per million parts of contaminated air by volume at 25°C and 760 mm. Hg. pressure.

b) Approximate milligrams of substance per cubic meter of air.

c) No footnote "c" is used to avoid confusion with ceiling value notations.

d) An atmospheric concentration of more than 0.02 ppm may require personal protection to avoid headache.

e) This 8-hour time-weighted average is for respirable dust as measured by a vertical elutriator cotton dust sampler or equivalent instrument. This time-weighted average applies to the cotton waste processing operations of waste recycling (sorting, blending, cleaning, and willowing) and garnetting.

f) Biologic monitoring is essential for personnel control.

TABLE 2  
PERMISSIBLE EXPOSURE AND SHORT TERM LIMITS  
(see note a)

Substance	8-hour time-weighted average permissible exposure limit	Short term permissible exposure limit
Allyl glycidal ether-skin	5 ppm	10 ppm
Benzene	1 ppm	5 ppm
Beryllium and beryllium compounds	2 $\mu\text{g}/\text{M}^3$	5 $\mu\text{g}/\text{M}^3$
Carbon disulfide-skin	10 ppm	15 ppm
Carbon tetrachloride-skin	5 ppm	20 ppm
Dichloroethyl ether-skin	5 ppm	10 ppm
1,1-Dichloro-1-nitroethane	2 ppm	10 ppm
Ethylene dibromide-skin	0.1 ppm	0.5 ppm
Ethylene dichloride	10 ppm	15 ppm
Formaldehyde	1 ppm	2 ppm
Hydrogen sulfide	10 ppm	15 ppm
Mercury		
Organo-skin	0.01 mg/M <sup>3</sup>	((0.04 mg/M <sup>3</sup> )) 0.03 mg/M <sup>3</sup>
All other compounds except organo	0.05 mg/M <sup>3</sup>	0.1 mg/M <sup>3</sup>
Methylene chloride	100 ppm	500 ppm
$\alpha$ Methyl styrene	50 ppm	100 ppm
Nitrogen dioxide	3 ppm	5 ppm
Styrene, monomer (vinyl benzene)	100 ppm	200 ppm
Tetrachloroethylene (perchloroethylene)	50 ppm	200 ppm
Toluene	100 ppm	150 ppm
Trichloroethylene	50 ppm	200 ppm

Note: a A short term permissible exposure limit is defined as a 15-minute time-weighted average exposure which shall not be exceeded at any time during a work day even if the 8-hour time-weighted average is within the permissible exposure limit. Exposures at the short term limit shall not be longer than 15 minutes and shall not be repeated more than four times per day. There shall be at least 60 minutes between successive exposures at the short term limit.

TABLE 3  
PARTICULATES

Substance	Respirable Fraction mg/M <sup>3</sup> (See note a)	Total Dust mg/M <sup>3</sup>
Silica:		
Crystalline: (See note b)		
Quartz	0.1	30mg/M <sup>3</sup> %SiO <sub>2</sub> +3
Cristobalite: Use 1/2 the value for quartz.		
Tridymite: Use 1/2 the value for quartz.		
Amorphous, including natural diatomaceous earth		
3		6
Silicates (less than 1% crystalline silica):		
Mica	3	6
Soapstone	3	6
Talc	2	
Talc containing no asbestos fibers		
Fibrous form-see WAC 296-62-07517		
Portland cement	5	10
Graphite (natural)	2.5	5
Coal dust (respirable fraction)		
Less than 5% SiO <sub>2</sub>	2.4	
For more than 5% SiO <sub>2</sub>	0.1	
Inert or nuisance dust	5	10
Total particulates (less than 1% SiO <sub>2</sub> )	5	10

(a) Both concentration and percent quartz for the application of these limits are to be determined from the

fraction passing a size-selector with the following characteristics:

(b) The percentage of crystalline silica in the formula is the amount determined from airborne samples, except in those instances in which other methods have been shown to be applicable.

Aerodynamic diameter (unit density sphere)	Percent passing selector
2	90
2.5	75
3.5	50
5.0	25
10	0

**Reviser's note:** The brackets and enclosed material in the text of 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 80-20, filed 11/13/80)

WAC 296-62-073 CARCINOGENS—SCOPE AND APPLICATION. (1) All sections of this chapter which include WAC 296-62-073 in the section number apply to the manufacturing, processing, repackaging, re-leasing, handling or storing of carcinogens.

(2) This section shall not apply to solid or liquid mixtures containing less than 0.1 percent by weight or volume of the carcinogens listed in WAC 296-62-07302.

**AMENDATORY SECTION** (Amending Order 81-4, filed 3/17/81)

WAC 296-62-07304 DEFINITIONS. ((+)) The definitions set forth in this section apply throughout WAC 296-62-073 through 296-62-07316.

~~((2)) This section shall not apply to solid or liquid mixtures containing less than 0.1 percent by weight or volume of the carcinogens listed in WAC 296-62-07302.~~

(a)) (1) Absolute filter – is one capable of retaining 99.97 percent of a mono disperse aerosol of 0.3 micron size particles.

((b)) (2) Authorized employee – an employee whose duties require him to be in the regulated area and who has been specifically assigned to those duties by the employer.

((c)) (3) Clean change room – a room where employees put on clean clothing and/or protective equipment in an environment free of carcinogens listed in

WAC 296-62-07302. The clean change room shall be contiguous to and have an entry from a shower room, when the shower room facilities are otherwise required in this section.

((d)) (4) Closed system – an operation involving carcinogens listed in WAC 296-62-07302 where containment prevents the release of carcinogens into regulated areas, or the external environment.

((e)) (5) Decontamination – the inactivation of a carcinogen listed in WAC 296-62-07302 or its safe disposal.

((f)) (6) Disposal – the safe removal of a carcinogen listed in WAC 296-62-07302 from the work environment.

((g)) (7) Emergency – an unforeseen circumstance or set of circumstances resulting in the release of a carcinogen which may result in exposure to or contact with any carcinogen listed in WAC 296-62-07302.

((h)) (8) External environment – any environment external to regulated and nonregulated areas.

((i)) (9) Isolated system – a fully enclosed structure other than the vessel of containment of a listed carcinogen which is impervious to the passage of listed carcinogens and which would prevent the entry of carcinogens into regulated areas, nonregulated areas, or the external environment, should leakage or spillage from the vessel of containment occur.

((j)) (10) Laboratory-type hood – a device enclosed on three sides and the top and bottom, designed and maintained so as to draw air inward at an average linear face velocity of 150 feet per minute with a minimum of 125 feet per minute, designed, constructed and maintained such that an operation involving a listed carcinogen within the hood does not require the insertion of any portion of any employees' body other than his hands and arms.

((k)) (11) Nonregulated area – any area under the control of the employer where entry and exit is neither restricted nor controlled.

((l)) (12) Open-vessel system – an operation involving listed carcinogens in an open vessel, which is not in an isolated system, a laboratory-type hood, nor in any other system affording equivalent protection against the entry of carcinogens into regulated areas, nonregulated areas, or the external environment.

((m)) (13) Protective clothing – clothing designed to protect an employee against contact with or exposure to listed carcinogens.

((n)) (14) Regulated area – an area where entry and exit is restricted and controlled.

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)

WAC 296-306-27095 EXHIBIT B—FIGURES V-1 THROUGH V-28.

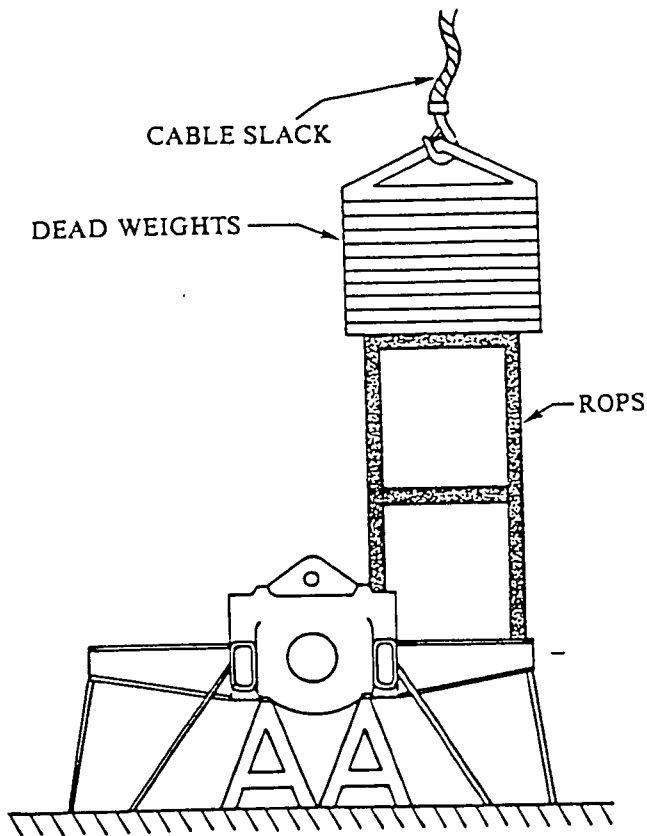


Figure V-1  
Vertical loading setup for all types of equipment described in WAC 296-306-270.

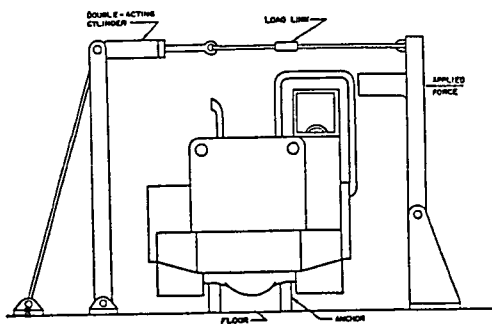


Figure V-2  
Test setup for rubber-tired self-propelled scrapers.

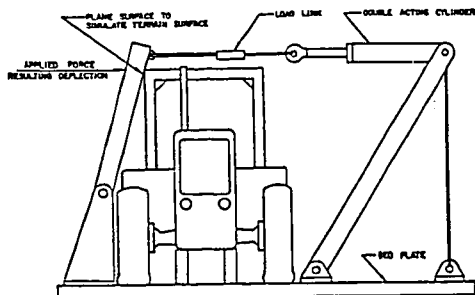


Figure V-3  
Test setup for rubber-tired front-end loaders, rubber-tired dozers, and motor graders.

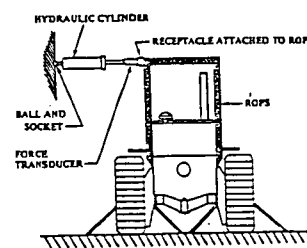
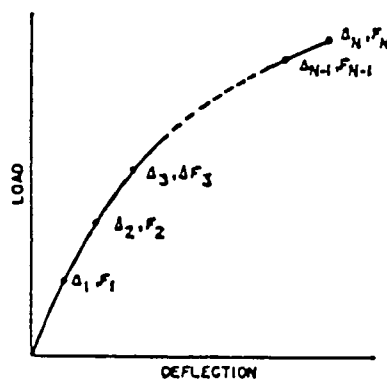


Figure V-4  
Side-loading setup for crawler tractors and crawler loaders.



$\Delta$  - TOTAL DEFLECTION  
 $F$  - FORCE APPLIED  

$$\text{AREA} = \frac{\Delta_1 F_1}{2} + (\Delta_2 - \Delta_1) \frac{F_1 + F_2}{2} + (\Delta_3 - \Delta_2) \frac{F_2 + F_3}{2} + \dots + (\Delta_N - \Delta_{N-1}) \frac{F_{N-1} + F_N}{2}$$

Figure V-5  
Determination of energy area under force deflection curve.

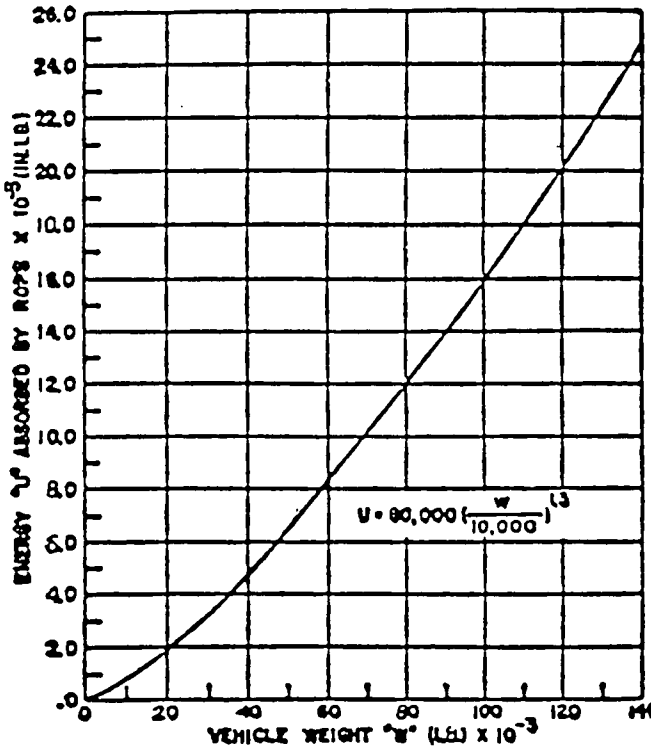


Figure V-6  
Energy absorbed versus vehicle weight.

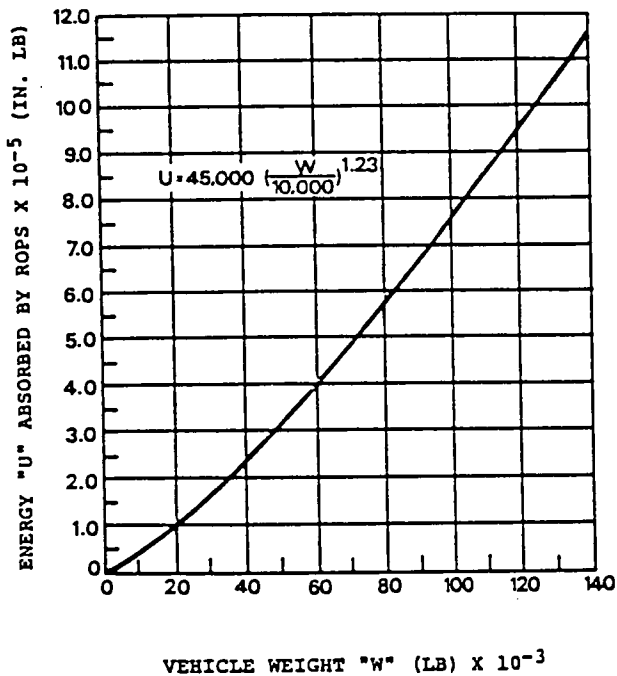


Figure V-7  
Energy absorbed versus vehicle weight.

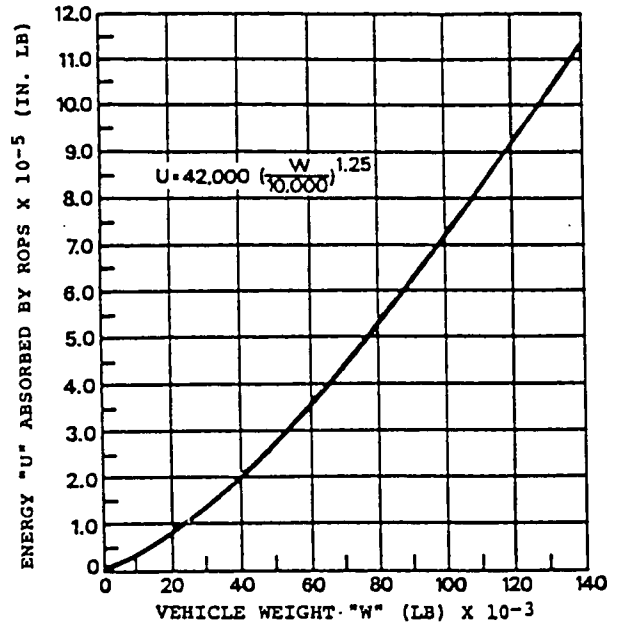


Figure V-8  
Energy absorbed versus vehicle weight.

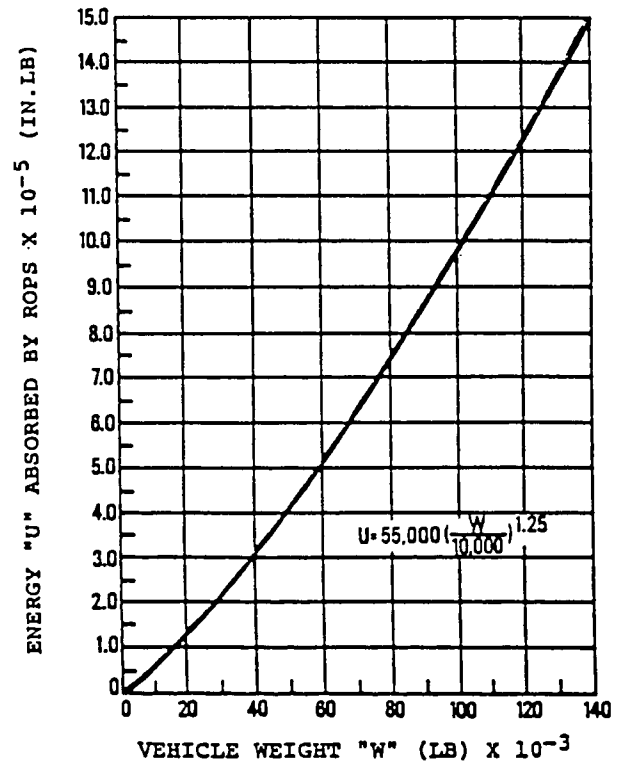


Figure V-9  
Energy absorbed versus vehicle weight.



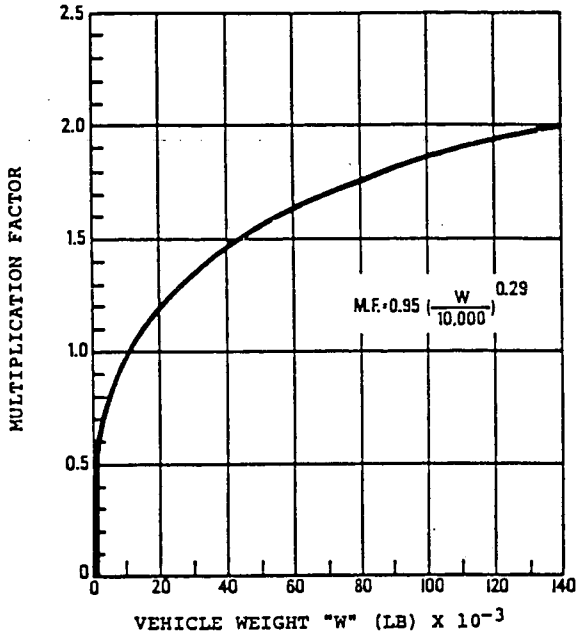


Figure V-10  
Minimum horizontal load factor for self-propelled ((scapers)) scrapers.

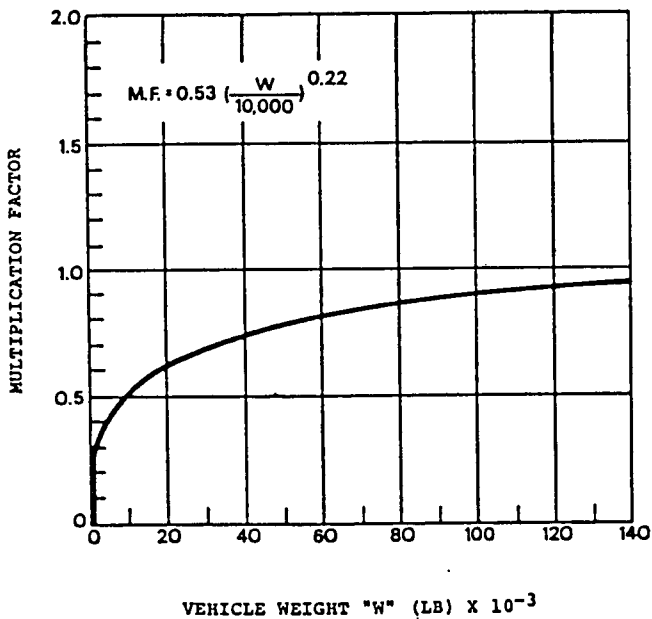


Figure V-11  
Minimum horizontal load factor for rubber-tired loaders and dozers.

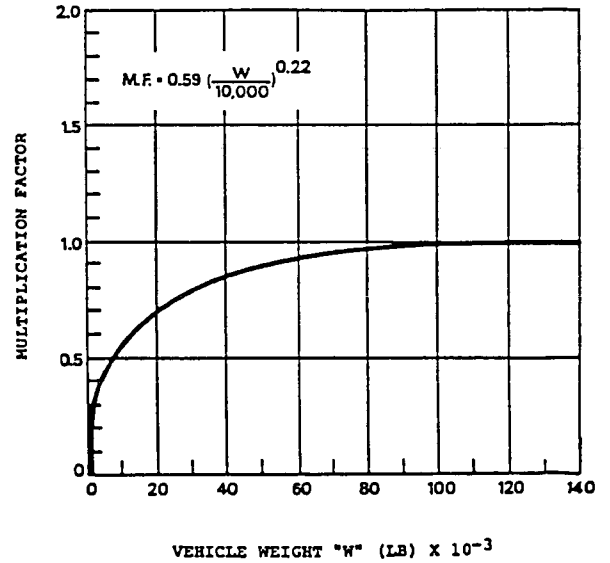


Figure V-12  
Minimum horizontal load factor for crawler tractors and crawler-type loaders.

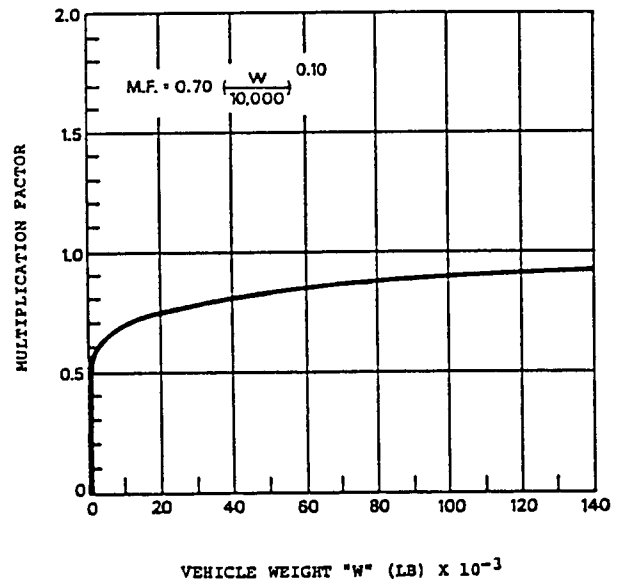
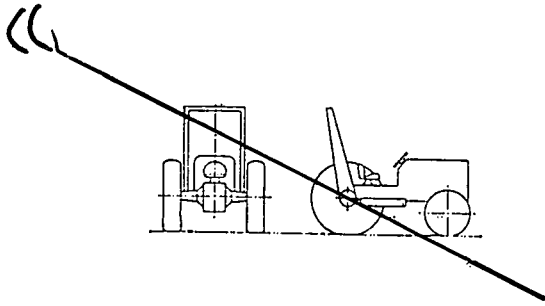
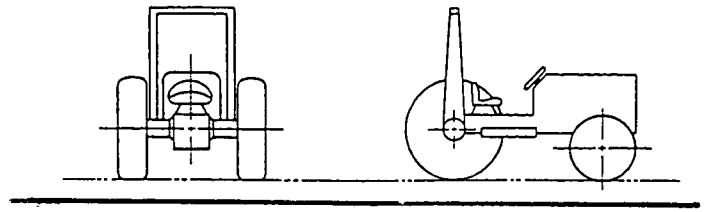


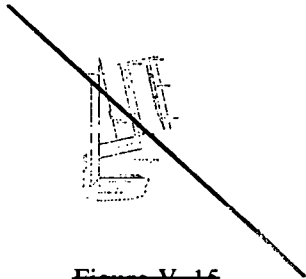
Figure V-13  
Minimum horizontal load factor for motor graders.



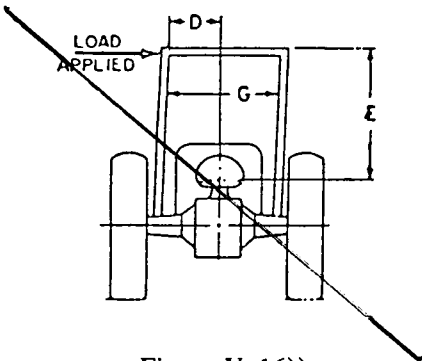
**Figure V-14**  
Impact energy and corresponding lift height of 4,410 lb.  
(2,000 kg.) weight.



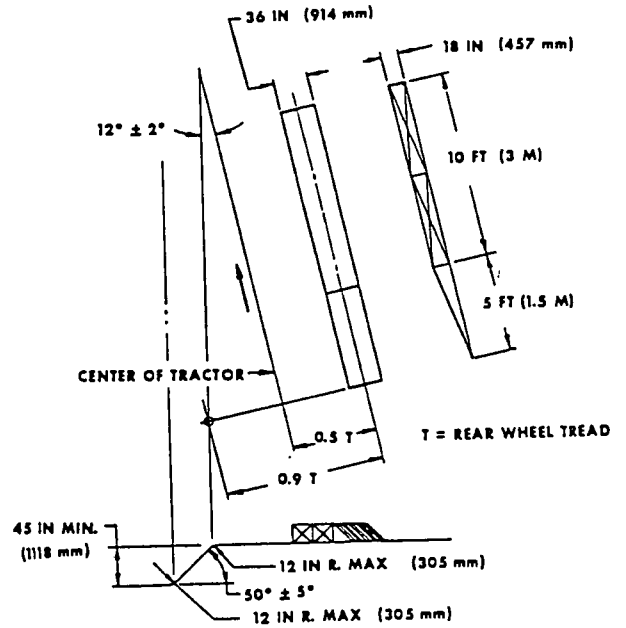
**Figure V-15**  
Typical frame configuration.



**Figure V-15**  
Typical frame configuration.



**Figure V-16))**



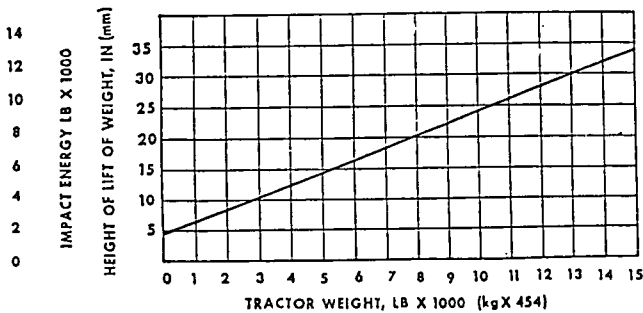
**Figure V-16**  
Bank and ramp configuration for side overturn testing.

NOTATION OF FORMULAE

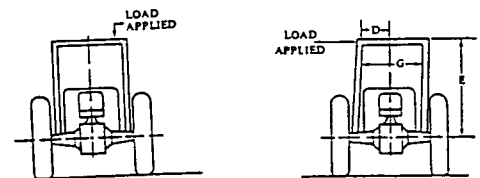
$H = 4.92 + 0.00190 W$  OR  $(H' = 125 + 0.107 W')$

W = TRACTOR WEIGHT AS DEFINED IN PARAGRAPH

3.2 IN POUNDS (W' = kg)



**Figure V-14**  
Impact energy and corresponding lift height of 4,410 lb.  
(2,000 kg.) weight.



**Figure V-17**  
Side load application.

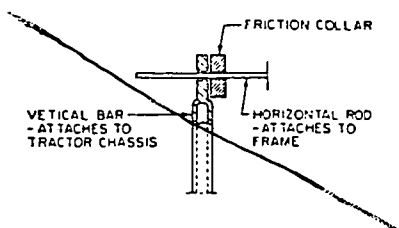


Figure V-18  
 Rear load application.

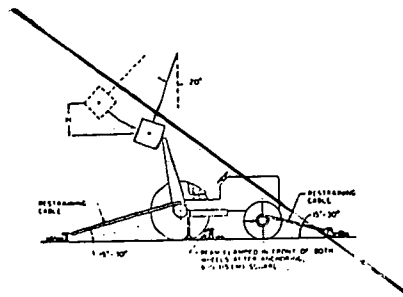


Figure V-22  
 Pendulum.

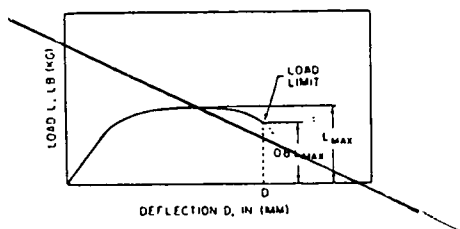


Figure V-19  
 Method of measuring instantaneous deflection.

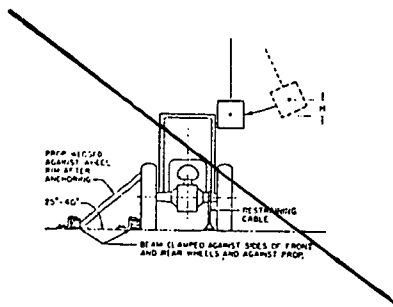


Figure V-23  
 Method of impact from rear.

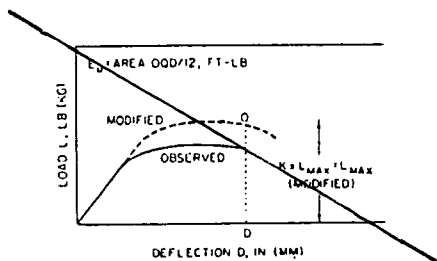


Figure V-20  
 Typical L-D diagram.

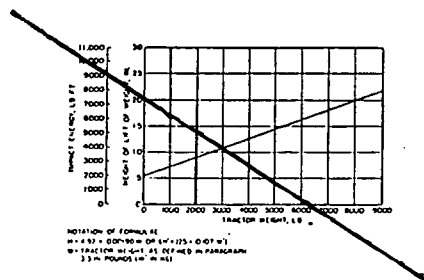


Figure V-24  
 Method of impact from side.))

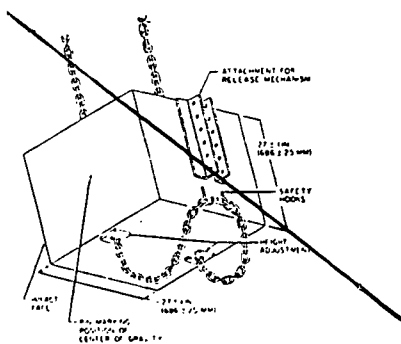


Figure V-21  
 Typical modified L<sub>m</sub>-D<sub>m</sub> diagram.

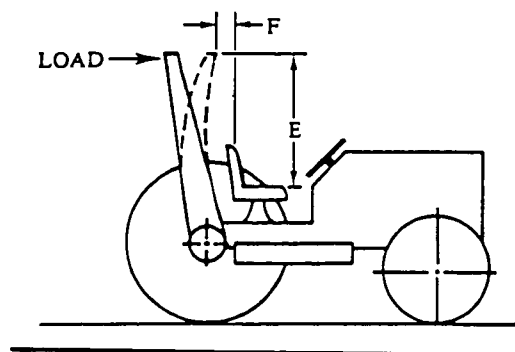
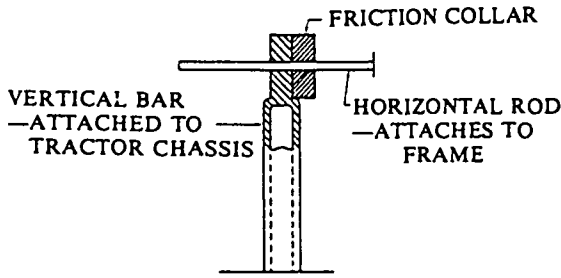
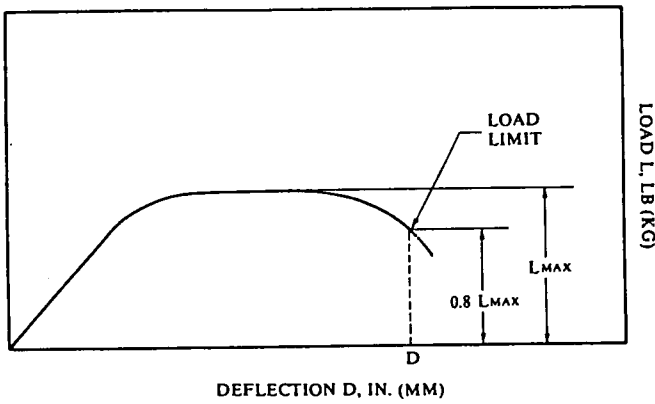


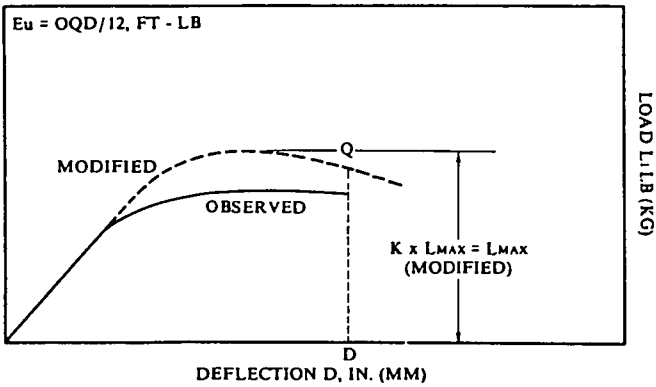
Figure V-18  
 Rear load application.



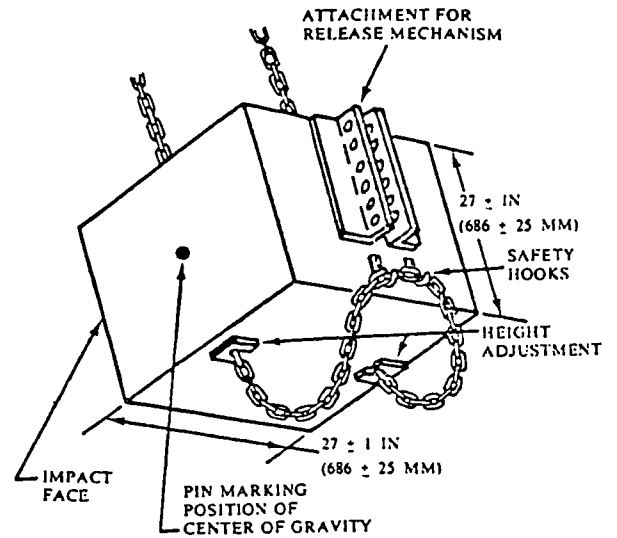
**Figure V-19**  
Method of measuring instantaneous deflection.



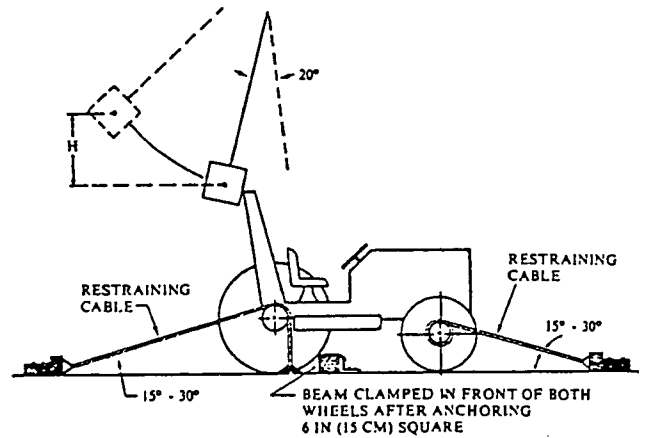
**Figure V-20**  
Typical L-D diagram.



**Figure V-21**  
Typical modified  $L_m - D_m$  diagram.



**Figure V-22**  
Pendulum.



**Figure V-23**  
Method of impact from rear.

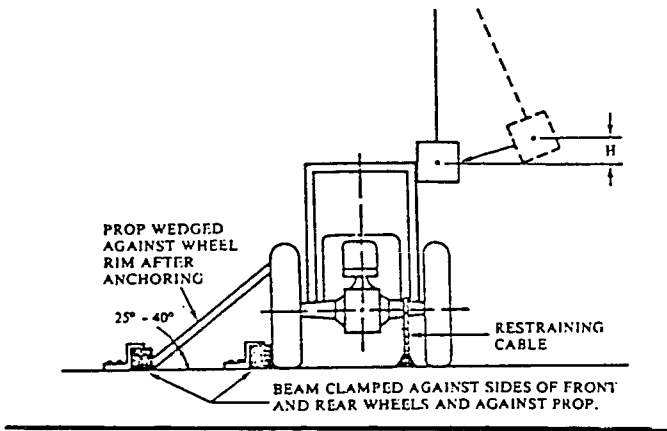


Figure V-24  
Method of impact from side.

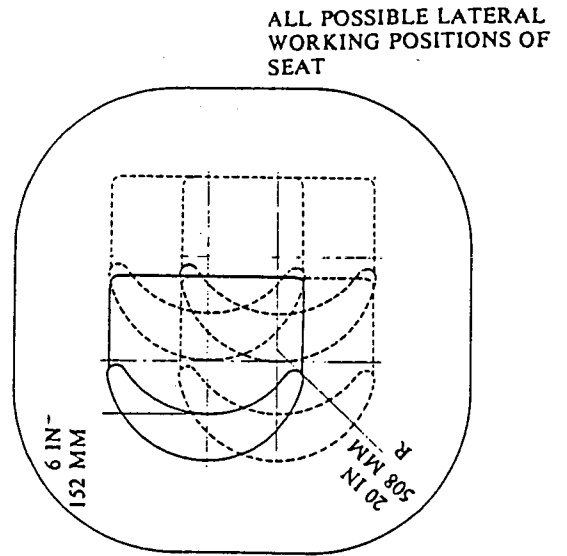


Figure V-26  
Zone of protection for drop test.

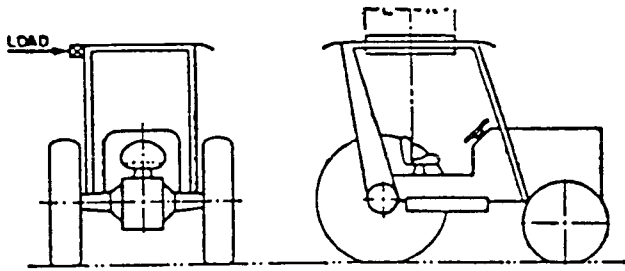


Figure V-25  
Location for side load.

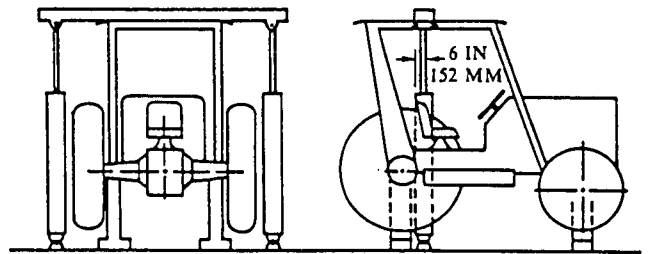


Figure V-27  
Method of load application for crush test.

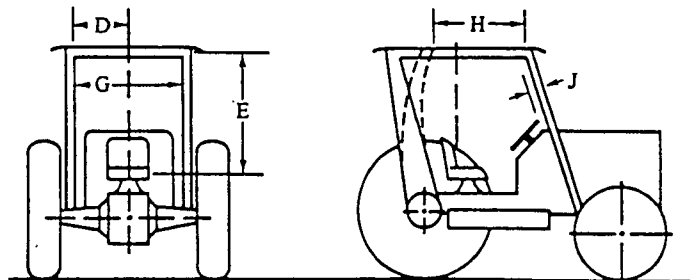


Figure V-28  
Protected zone during crush and drop tests.

AMENDATORY SECTION (Amending Order 81-4, filed 3/17/81)

WAC 296-62-07310 SIGNS, INFORMATION AND TRAINING. (1) Signs.

(a) Entrances to regulated areas shall be posted with signs bearing the legend:

CANCER-SUSPECT AGENT  
AUTHORIZED PERSONNEL ONLY

(b) Entrances to regulated areas containing operations covered in WAC 296-62-07306 (2)(e) shall be posted with signs bearing the legend:

CANCER-SUSPECT AGENT EXPOSED IN THIS AREA  
IMPERVIOUS SUIT INCLUDING GLOVES,  
BOOTS, AND AIR-SUPPLIED HOOD  
REQUIRED AT ALL TIMES  
AUTHORIZED PERSONNEL ONLY

(c) Appropriate signs and instructions shall be posted at the entrance to, and exit from, regulated areas, informing employees of the procedures that must be followed in entering and leaving a regulated area.

(2) Container contents, identification.

(a) Containers of carcinogens named in WAC 296-62-07302 and containers required in WAC 296-62-07306 (2)(d)(v) and 296-62-07306 (2)(f)(vii)(B) and 296-62-07306 (2)(f)(viii)(B) which are accessible only to, and handled only by authorized employees, or by other employees training in accordance with WAC 296-62-07310(5), may have contents identification limited to a generic or proprietary name, or other proprietary identification of the carcinogen and percent.

(b) Containers of carcinogens and containers required under WAC 296-62-07306 (2)(d)(v) and 296-62-07306 (2)(f)(vii)(B) and 296-62-07306 (2)(f)(viii)(B) which are accessible to, or handled by employees other than authorized employees or employees trained in accordance with WAC 296-62-07310(5) shall have contents identification which includes the full chemical name and Chemical Abstracts Service Registry number as listed in WAC 296-62-07302.

(c) Containers shall have the warning words "CANCER-SUSPECT AGENT" displayed immediately under or adjacent to the contents identification.

(d) Containers which have carcinogenic contents with corrosive or irritating properties shall have label statements warning of such hazards, noting, if appropriate, particularly sensitive or affected portions of the body.

(3) Lettering. Lettering on signs and instructions required by WAC 296-62-07310(1) shall be a minimum letter height of two inches. Labels on containers required under this section shall not be less than one-half the size of the largest lettering on the package, and not less than eight point type in any instance: Provided, that no such required lettering need be more than one inch in height.

(4) Prohibited statements. No statements shall appear on or near any required sign, label, or instruction which contradicts or detracts from the effect of any required warning, information or instruction.

(5) Training and indoctrination.

(a) Each employee prior to being authorized to enter a regulated area, shall receive a training and indoctrination program including, but not necessarily limited to:

(i) The nature of the carcinogenic hazards of listed carcinogens, including local and systemic toxicity;

(ii) The specific nature of the operation involving carcinogens which could result in exposure;

(iii) The purpose for and application of the medical surveillance program, including, as appropriate, methods of self-examination;

(iv) The purpose for and application of decontamination practices and purposes;

(v) The purpose for and significance of emergency practices and procedures;

(vi) The employee's specific role in emergency procedures;

(vii) Specific information to aid the employee in recognition and evaluation of conditions and situations which may result in the release of listed carcinogens;

(viii) The purpose for ~~((an))~~ and application of specific first-aid procedures and practices~~((:))~~;

~~((bt))~~ (ix) A review of this section at the employee's first training and indoctrination program and annually thereafter.

~~((ct))~~ (b) Specific emergency procedures shall be prescribed, and posted, and employees, shall be familiarized with their terms, and rehearsed in their application.

~~((dt))~~ (c) All materials relating to the program shall be provided upon request to the director.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-505 DEFINITIONS APPLICABLE TO THIS CHAPTER. (1) A-frame - a structure made of two independent columns fastened together at the top and separated by a reasonable width at the bottom to stabilize the unit from tipping sideways.

(2) Alternate communication system - a system approved by the department of labor and industries, which by voice or other media than horn or whistle, provides a safe and reliable method of communication between crew members.

(3) A side - any place of activity involving a group in the yarding and loading of logs.

(4) An operation - any place where logging or log related activities are taking place.

(5) Approved - approved by the department of labor and industries, division of industrial safety and health.

(6) Arch - any device attached to the back of a vehicle and used for raising one end of logs to facilitate movement.

(7) Authorized person - a person approved or assigned by the employer to perform a specific type of duty(s) or to be at a specific location at a certain time(s).

(8) Back line - that section of the haulback that runs between the spar tree and the corner block.

(9) Ballistic nylon - a fabric of high tensile properties designed to provide protection from lacerations.

(10) Barrier - a fence, wall or railing to prevent passage or approach.

(11) Base of tree - that portion of a natural tree not more than three feet above ground level.

(12) Bight of the line - any area where a person is exposed to a controlled or uncontrolled moving line.

(13) Binder – a hinged lever assembly for connecting the ends of a wrapper to tighten the wrapper around the load of logs or materials.

(14) Boomboat – any boat used to push or pull logs, booms, bundles, or bags, in booming ground operations.

(15) Boomscooter – a small boat, usually less than fourteen feet in length, equipped with an outboard motor, having directional pushing capabilities of 360 degrees.

(16) Brailing – when tiers of logs, poles, or piles are fastened together with a type of dogline and the ends of the side members are then fastened together for towing.

(17) Brow log – a log or a suitable substitute placed parallel to any roadway at a landing or dump to protect the carrier and facilitate the safe loading or unloading of logs, timber products, or materials.

(18) Bullbuck – the supervisor of the cutting crew.

(19) Butt welding – the practice of welding something end to end.

(20) Cable tree thinning – the selective thinning of a timber stand utilizing mobile yarding equipment specifically designed or adapted for the purpose. Such systems may be of the skyline, slackline, or modified slackline, overhead cable system.

(21) Choker – a length of wire rope with attachments for encircling the end of a log to be yarded.

(22) Chunking – the clearing of nonusable material from a specified area.

(23) Cold deck – any pile of logs which is yarded and left for future removal.

(24) Competent person – one who is capable of identifying hazards in the surrounding or working conditions which are unsanitary, hazardous or dangerous.

(25) Corner block – the first block the haulback passes through on its way to the tail block.

(26) Crew bus or vehicle – any vehicle furnished by or for the employer that will transport five or more persons.

(27) Crotch line – two short lines attached to the same ring or shackle, used for loading or unloading.

(28) Danger trees – ~~((trees with evidence of deterioration or physical damage to the root system or stem, as well as the degree and/or direction of lean. (See snag)))~~ any tree of any height, dead or alive, that presents a hazard to workers because of rot, root, stem or limb damage, lean, or any other observable condition created by natural process or man-made activity.

(29) Directional falling – a mechanical means to control the direction of falling timber.

(30) Dog line – type of line used to fasten logs or timber products together by the use of dogs.

(31) Donkey – any machine with a series of drums used to yard logs.

(32) Double ended logs – two logs end to end on the same lay.

(33) Droplines – a short line attached to the carriage or carriage block which is used as an extension to the main line.

(34) Drum – a mechanical device on which line is spooled or unspooled.

(35) Dry land storage – decks of logs stored for future removal or use.

(36) Dutchman –

(a) a block used to change direction of line lead.

(b) A method of falling timber consisting of inserting a piece of material into one side of the undercut to assist in pulling a tree against the lean or a section of the undercut can be left in a corner to accomplish the same purpose.

(37) Experienced person – a person who has been trained and has participated in the subject process for a period of time long enough to thoroughly acquaint the person with all facets of the process.

(38) F.O.P.S. – falling object protective structure.

(39) Fair lead – sheaves, rolls, or a combination thereof arranged to receive a line coming from any direction for proper line spooling on to a drum.

(40) Front end loader – a mobile machine mounted on a wheeled or tracked chassis, equipped with a grapple, tusk, bucket, or fork-lift device, and employed in the loading, unloading, stacking, or sorting of logs or materials.

(41) Guard rail – a railing to restrain a person.

(42) Guyline – a line used to support or stabilize a spar.

(43) Gypsy drum – a mechanical device wherein the line is not attached to the drum and is manually spooled to control the line movement on and off the drum.

(44) Haulback – a line used to pull the buttrigging and mainline to the logs to be yarded.

(45) Haulback block – any block the haulback line passes through including the corner block and tailblock.

(46) Hay rack –

(a) a type of loading boom where two tongs are used and logs are suspended.

(b) A transporting vehicle with multiple sets of bunks attached to a rigid frame usually used for hauling logs.

(47) Hazardous falling area – the area within a circle centered on the tree being felled and having a radius not less than twice the height of that tree.

(48) Head tree – the tree where yarding and/or loading takes place. (See spar tree)

(49) Heel boom – a type of loading boom where one tong is used and one end of the log is pulled up against the boom.

(50) High lead – a system of logging wherein the main line is threaded through the main line block, which is attached near the top of the spar, to obtain a lift of the logs being yarded.

(51) Hobo log and/or hitchhiker – a free or unattached log that is picked up by a turn and is transported with the turn.

(52) Hooktender – the worker that supervises the method of moving the logs from the woods to the landing.

(53) Hot deck – a landing where logs are being moved.

(54) Hydraulic jack – a mechanical device, powered by internal pressure, used to control the direction in which a tree is to be felled.

(55) In the clear – being in a position where the possibility of harmful physical contact is minimized.

(56) Jackstrawed – trees or logs piled in an unorderly manner.

(57) Jiggers – any projecting broken wire in a strand of cable.

(58) Kerf – that portion of timber products taken out by the saw teeth.

(59) Knob – a metal ferrule attached to the end of a line.

(60) Landing – any place where logs are laid after being yarded, awaiting subsequent handling, loading, and hauling.

(61) Lift tree – an intermediate support for skylines.

(62) Loading boom – any structure projecting from a pivot point to guide a log when lifted.

(63) Lodged tree – a tree leaning against another tree or object which prevents it from falling to the ground.

(64) Log bronco – a sturdily built boat usually from twelve to twenty feet in length, used to push logs or bundles of logs in a generally forward direction in booming and rafting operations.

(65) Log dump – a place where logs are removed from transporting equipment. It may be either dry land or water, parbuckled over a brow log or removed by machine.

(66) Logging machine – a machine used or intended for use to yard, move, or handle logs, trees, chunks, trailers, and related materials or equipment. This shall include self-loading log trucks only during the loading and unloading process.

(67) Logs – tree segments suitable for subsequent processing into lumber, pulpwood, or other wood products, including but not limited to poles, piling, peeler blocks and bolts.

(68) Log stacker – a mobile machine mounted on a wheeled or tracked chassis, equipped with a frontally mounted grapple, tusk, or forklift device, and employed in the loading, unloading, stacking, or sorting of logs.

(69) Long sticks – an overlength log that creates a hazard by exceeding the safe perimeters of the landing.

(70) Mainline – the line attached to the buttrigging used to pull logs to the landing.

(71) Mainline block – the block hung in the spar through which the mainline passes.

(72) Mainline train – any train that is made up for travel between the woods and log dump.

(73) Matchcutting – the felling of trees without using an undercut.

(74) Mechanized falling – falling of standing timber by a self-propelled mobile wheeled or tracked machine equipped with a shear or other powered cutting device.

(75) Mechanized feller – any such machine as described in WAC 296-54-535 and 296-54-537, and includes feller/bunchers and similar machines performing multiple functions.

(76) Mobile log loader – a self-propelled log loading machine mounted on wheels or tracks, incorporating a grapple-rigged Bohemian, goose neck, or straight boom fabricated structure, employed in the loading or unloading of logs by means of grapples or tongs.

(77) Mobile yarder – a logging machine mounted on wheels, tracks, or skids, incorporating a vertical or inclined spar, tower, or boom, employed in skyline, slackline, high lead, or grapple overhead cable yarding systems.

(78) Must – the same as "shall" and is mandatory.

(79) New area or setting – a location of operations when both the loading station and the yarder are moved.

(80) Pass line – a small line threaded through a block at the top of the spar to assist the high climber.

(81) Permissible (as applied to any device, equipment or appliance) – such device, equipment, or appliance has the formal approval of the United States Bureau of Mines, American Standards Association, or National Board of Fire Underwriters.

(82) Portable spar or tower – a movable engineered structure designed to be used in a manner similar to which a wood spar tree would be used.

(83) Qualified person – a person, who by possession of a recognized degree, certificate, professional standing, or by extensive knowledge, training, and experience, has successfully demonstrated ability to solve or resolve problems relating to the subject matter, the work, or the project.

(84) Reach – a steel tube or wood timber or pole connected to the truck and inserted through a tunnel on the trailer. It steers the trailer when loaded and pulls the trailer when empty.

(85) Receding line – the line on a skidder or slackline comparable to the haulback line on a yarder.

(86) Reload – an area where logs are dumped and reloaded or transferred as a unit to another mode of transportation.

(87) Rollway – any place where logs are dumped and they roll or slide to their resting place.

(88) R.O.P.S. – roll over protection structure.

(89) Rub tree – a tree used to guide a turn around a certain area.

(90) Running line – any line which moves.

(91) SAE – society of automotive engineers.

(92) Safety factor – the ratio of breaking strength to a safe working strength or loading.

(93) Safety glass – a type of glass that will not shatter when broken.

(94) Sail block – a block hung inverted on the sail guy to hold the tong block in proper position.

(95) Scaler – the person who measures the diameter and length of the logs, determines specie and grade, and makes deductions for footage calculations.

(96) Shall – a requirement that is mandatory.

(97) Shear log – a log placed in a strategic location to divert passage of objects.

(98) Shore skids – any group of timbers spaced a short distance apart on which logs are rolled.

(99) Signal person – the person designated to give signals to the machine operator.

(100) Siwash – to change the lead of a line with a physical object such as a stump or tree instead of a block.

(101) Skidder – a machine or animal used to move logs or trees to a landing.

(102) Skidding – movement of logs or trees on the surface of the ground to the place where they are to be loaded.

(103) Skyline – the line suspended between two points on which a block or carriage travels.



(104) Slackline – a form of skyline where the skyline cable is spooled on a donkey drum and can be raised or lowered.

(105) Slack puller – any weight or mechanical device used to increase the movement of a line when its own weight is inadequate.

(106) Snag – a dead standing tree or a portion thereof. (See Danger tree)

(107) Snorkel – a loading boom modified to extend its limitations for the purpose of yarding.

(108) Spar – a device rigged for highlead, skyline or slackline yarding.

(109) Spar tree – (see spar).

(110) Speeder – a small self-powered vehicle that runs on a railroad track.

(111) Spike – a long heavy nail similar to a railroad spike.

(112) Springboard – a board with an iron tip used by fallers to stand on while working above ground level.

(113) Square lead – the angle of 90 degrees.

(114) Squirrel – a weight used to swing a boom when the power unit does not have enough drums to do it mechanically.

(115) Squirrel tree – a topped tree, guyed if necessary, near the spar tree in which the counter balance (squirrel) of a tree rigged boom is hung.

(116) Stiff boom – two or more boom sticks wrapped together on which boom persons walk or work.

(117) Strap – any short piece of line with an eye or "D" in each end.

(118) Strawline – a small line used for miscellaneous purposes.

(119) Strap socket or D – a socket with a closed loop and arranged to be attached to the end of a line by the molten zinc, or an equivalent method. It is used in place of a spliced eye.

(120) Strip – a definite location of timber on which one or more cutting crews work.

(121) Swamping – the falling or cutting of brush around or along a specified place.

(122) Swifter – a piece of equipment used to tie the side sticks of a log raft together to keep the raft from spreading.

(123) Swing cut – a back cut in which the holding wood on one side is cut through.

(124) Tail block – the haulback block at the back end of the show.

(125) Tail hold – an anchor used for making fast any line or block.

(126) Tail tree – the tree at the opposite end from the head tree on which the skyline or other type rigging is hung.

(127) Tight line – when either the mainline or haulback are held and power is exerted on the other or when power is exerted on both at the same time.

(128) Tong line block – the block hung in a boom through which the tong line operates.

(129) Tongue – a device used to pull and/or steer a trailer.

(130) Topping – cutting off the top section of a standing tree prior to rigging the tree for a spar or tail tree.

(131) Tower – (see portable spar or tower).

(132) Tractor – a machine of wheel or track design used in logging.

(133) Tractor logging – the use of any wheeled or tracked vehicle in the skidding or yarding of logs.

(134) Transfer (as used in loading) – changing of logs in a unit from one mode of transportation to another.

(135) Tree jack – a grooved saddle of wood or metal rollers contained within two steel plates, attached to a tree with a strap, used as a guide for skyline, sail guy, or similar static line. It is also formed to prevent a sharp bend in the line.

(136) Tree plates – steel bars sometimes shaped as elongated J's, which are fastened near the top of a tree to hold guylines and prevent them from cutting into the tree when tightened. The hooks of the J are also used to prevent the mainline block strap from sliding down the tree.

(137) Tree pulling – a method of falling trees in which the tree is pulled down with a line.

(138) Tug – a boat, usually over twenty feet in length, used primarily to pull barges, booms of logs, bags of debris, or log rafts.

(139) Turn – any log or group of logs attached by some means to power and moved from a point of rest to a landing.

(140) "V" lead – a horizontal angle of less than 90 degrees formed by the projected lines of the mainline from the drum of the logging machine through the block or fairlead and the yarding load or turn.

(141) WAC – Washington Administrative Code.

(142) Waistline – that portion of the haulback running between the corner block and the tail block.

(143) Wrapper – a cable assembly or chain used to contain a load of logs.

(144) Wrapper rack – barrier used to protect a person while removing binders and wrappers from a loaded logging truck.

(145) Yarder – a machine with a series of drums used to yard logs. (See donkey)

(146) Yarding – the movement of logs from the place they are felled to a landing.

#### AMENDATORY SECTION (Amending Order 82-10, filed 3/30/82)

WAC 296-24-95613 HAZARDOUS (CLASSIFIED) LOCATIONS. (1) Scope. This section covers the requirements for electric equipment and wiring in locations which are classified depending on the properties of the flammable vapors, liquids or gases, or combustible dusts or fibers which may be present therein and the likelihood that a flammable combustible concentration or quantity is present. Hazardous (classified) locations may be found in occupancies such as, but not limited to, the following: Aircraft hangars, gasoline dispensing and service stations, bulk storage plants for gasoline or other volatile flammable liquids, paint-finishing process plants, health care facilities, agricultural or other facilities where excessive combustible dusts may be present, marinas, boat yards, and petroleum and chemical processing plants. Each room, section or area shall be considered individually in determining its classification. These

hazardous (classified) locations are assigned six designations as follows:

Class I,	Division 1
Class I,	Division 2
Class II,	Division 1
Class II,	Division 2
Class III,	Division 1
Class III,	Division 2

For definitions of these locations see WAC 296-24-95601(1). All applicable requirements in this subpart shall apply to hazardous (classified) locations, unless modified by provisions of this section.

(2) Electrical installations. Equipment, wiring methods, and installations of equipment in hazardous (classified) locations shall be intrinsically safe, or approved for the hazardous (classified) location, or safe for the hazardous (classified) location. Requirements for each of these options are as follows:

(a) Intrinsically safe. Equipment and associated wiring approved as intrinsically safe shall be permitted in any hazardous (classified) location for which it is approved.

(b) Approved for the hazardous (classified) location.

(i) Equipment shall be approved not only for the class of location but also for the ignitable or combustible properties of the specific gas, vapor, dust, or fiber that will be present.

Note: NFPA 70, the National Electrical Code, lists or defines hazardous gases, vapors, and dusts by "groups" characterized by their ignitable or combustible properties.

(ii) Equipment shall be marked to show the class, group, and operating temperature or temperature range, based on operation in a 40 degrees C ambient, for which it is approved. The temperature marking may not exceed the ignition temperature of the specific gas or vapor to be encountered. However, the following provisions modify this marking requirement for specific equipment:

(A) Equipment of the nonheat-producing type, such as junction boxes, conduit, and fittings, and equipment of the heat-producing type having a maximum temperature not more than 100 degrees C (212 degrees F) need not have a marked operating temperature or temperature range.

(B) Fixed lighting fixtures marked for use in Class I, Division 2 locations only, need not be marked to indicate the group.

(C) Fixed general-purpose equipment in Class I locations, other than lighting fixtures, which is acceptable for use in Class I, Division 2 locations need not be marked with the class, group, division, or operating temperature.

(D) Fixed dust-tight equipment, other than lighting fixtures, which is acceptable for use in Class II, Division 2 and Class III locations need not be marked with the class, group, division, or operating temperature.

(c) Safe for the hazardous (classified) location. Equipment which is safe for the location shall be of a type and design which the employer demonstrates will provide protection from the hazards arising from the combustibility and flammability of vapors, liquids, gases, dusts, or fibers.

Note: The National Electrical Code, NFPA 70, contains guidelines for determining the type and design of equipment and installations which will meet this requirement. The guidelines of this document address electric wiring, equipment, and systems installed in hazardous (classified) locations and contain specific provisions for the following: Wiring methods, wiring connections; conductor insulation, flexible cords, sealing and drainage, transformers, capacitors, switches, circuit breakers, fuses, motor controllers, receptacles, attachment plugs, meters, relays, instruments, resistors, generators, motors, lighting fixtures, storage battery charging equipment, electric cranes, electric hoists and similar equipment, utilization equipment, signaling systems, alarm systems, remote control systems, local loud speaker and communication systems, ventilation piping, live parts, lighting surge protection, and grounding. Compliance with these guidelines will constitute one means, but not the only means, of compliance with this subsection.

(3) Conduits. All conduits shall be threaded and shall be made wrench-tight. Where it is impractical to make a threaded joint tight, a bonding jumper shall be utilized.

(4) Equipment in Division 2 locations. Equipment that has been approved for a Division 1 location may be installed in a Division 2 location of the same class and group. General-purpose equipment or equipment in general-purpose enclosures may be installed in Division 2 locations if the equipment does not constitute a source of ignition under normal operating conditions.

(5) Motors and generators. ~~((a))~~ Motors and generators shall conform to the following: Class I, Division 1. In Class I, Division 1 locations, motors, generators and other rotating electric machinery shall be: ~~((i))~~ (a) Approved for Class I, Division 1 locations (explosion-proof); or ~~((ii))~~ (b) of the totally enclosed type supplied with positive-pressure ventilation from a source of clean air with discharge to a safe area, so arranged to prevent energizing of the machine until ventilation has been established and the enclosure has been purged with at least 10 volumes of air, and also arranged to automatically deenergize the equipment when the air supply fails; or ~~((iii))~~ (c) of the totally enclosed inert-gas-filled type supplied with a suitable reliable source of inert gas for pressuring the enclosure, with devices provided to ensure a positive pressure in the enclosure and arranged to automatically deenergize the equipment when the gas supply fails; or ~~((iv))~~ (d) of a type designed to be submerged in a liquid which is flammable only when vaporized and mixed with air, or in a gas or vapor at a pressure greater than atmospheric and which is flammable only when mixed with air; and the machine is so arranged to prevent energizing it until it has been purged with the liquid or gas to exclude air, and also arranged to automatically deenergize the equipment when the supply of liquid, or gas or vapor fails or the pressure is reduced to atmospheric. Totally enclosed motors of types ~~((ii))~~ (b) and ~~((iii))~~ (c) shall have no external surface with an operating temperature in degrees Celsius in excess of eighty percent of the ignition temperature of the gas or vapor involved, as determined by ASTM test procedure (Designation: D-2155-69). Appropriate devices shall be provided to detect any increase in temperature of the motor beyond design limits and automatically deenergize the equipment or provide an adequate alarm. Auxiliary equipment shall be of a type approved for the location in which it is installed.

~~((b) An installation or equipment is acceptable to the director of labor and industries, and approved within the meaning of WAC 296-24-95601(1) under the following conditions as stated in WAC 296-24-950 (4)(b):~~

~~(i) If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory, such as, but not limited to, Underwriters Laboratories, Inc., and Factory Mutual Engineering Corporation; or~~

~~(ii) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in WAC 296-24-956, or~~

~~(iii) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by, a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his authorized representatives.))~~

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07517 ASBESTOS.

~~((Note: This standard applies to occupational exposure to nonasbestiform tremolite, anthophyllite, and actinolite during the stay of the revised standards (WAC 296-62-077 through 296-62-07749 and 296-155-175 through 296-155-193).))~~

This standard ~~((also))~~ applies whenever all or part of the revised standards are rendered unenforceable because of a stay or judicial action. In such a case, to preclude a gap in coverage, parallel provisions of this standard will take effect. The department will publish an appropriate notice announcing each such application of this standard. This standard also applies pursuant to the requirements of WAC 296-62-07701 ~~((and 296-155-175)).~~

(1) Definitions. For the purpose of this section,

(a) "Asbestos" means chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, ~~((and))~~ actinolite asbestos and any of these materials that have been chemically treated and/or altered.

(b) "Asbestos fibers" means asbestos fibers ~~((longer than))~~ five micrometers or longer.

(2) Permissible exposure to airborne concentrations of asbestos fibers.

(a) The eight-hour time-weighted average airborne concentrations of asbestos fibers to which any employee may be exposed shall not exceed two fibers, longer than five micrometers, per cubic centimeter of air, as determined by the method prescribed in subsection (5) of this section.

(b) Ceiling concentration. No employee shall be exposed at any time to airborne concentrations of asbestos fibers in excess of ten fibers, longer than five micrometers, per cubic centimeter of air, as determined by the method prescribed in subsection (5) of this section.

(3) Methods of compliance.

(a) Engineering methods.

(i) Engineering controls. Engineering controls, such as, but not limited to, isolation, enclosure, exhaust ventilation, and dust collection, shall be used to meet the exposure limits prescribed in subsection (2) of this section.

(ii) Local exhaust ventilation. Local exhaust ventilation and dust collection systems shall be designed, constructed, installed, and maintained in accordance with the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2-1971, which is incorporated by reference herein.

(iii) Particular tools. All hand-operated and power-operated tools which may produce or release asbestos fibers in excess of the exposure limits prescribed in subsection (2) of this section, such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided with local exhaust ventilation systems in accordance with (a)(ii) of this subsection.

(b) Work practices.

(i) Wet methods. Insofar as practicable, asbestos shall be handled, mixed, applied, removed, cut, scored, or otherwise worked in a wet state sufficient to prevent the emission of airborne fibers in excess of the exposure limits prescribed in subsection (2) of this section, unless the usefulness of the product would be diminished thereby.

(ii) Particular products and operations. No asbestos cement, mortar, coating, grout, plaster, or similar material containing asbestos shall be removed from bags, cartons, or other containers in which they are shipped, without being either wetted, or enclosed, or ventilated so as to prevent effectively the release of airborne asbestos fibers in excess of the limits prescribed in subsection (2) of this section.

(iii) Spraying, demolition, or removal. Employees engaged in the spraying of asbestos, the removal, or demolition of pipes, structures, or equipment covered or insulated with asbestos, and in the removal or demolition of asbestos insulation or coverings shall be provided with respiratory equipment in accordance with subsection (4)(b)(iii) of this section and with special clothing in accordance with subsection (4)(c) of this section.

(4) Personal protective equipment.

(a) Compliance with the exposure limits prescribed by subsection (2) of this section may not be achieved by the use of respirators or shift rotation of employees except:

(i) During the time period necessary to install the engineering controls and to institute the work practices required by subsection (3) of this section.

(ii) In work situations in which the methods prescribed in subsection (3) of this section are either technically not feasible or feasible to an extent insufficient to reduce the airborne concentrations of asbestos fibers below the limits prescribed by subsection (2) of this section; or

(iii) In emergencies.

(iv) Where both respirators and personnel rotation are allowed by (a)(i), (ii), or (iii) of this subsection, and both are practicable, personnel rotation shall be preferred and used.

(b) Where a respirator is permitted by (a)(i), (ii), or (iii) of this subsection, it shall comply with the applicable provisions of WAC 296-62-071.

(i) Air purifying respirators. A reusable or single use air purifying respirator, or a respirator described in (b)(ii) or (iii) of this subsection shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in subsection (2)(a) of this section, when the eight-hour time-weighted average airborne concentrations of asbestos fibers are reasonably expected to exceed no more than ten times those limits.

(ii) Powered air purifying respirators. A full facepiece powered air purifying respirator, or a powered air purifying respirator, or a respirator described in (b)(iii) of this subsection, shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in subsection (2)(a) of this section, when the eight-hour time-weighted average concentrations of asbestos fibers are reasonably expected to exceed ten times, but not one hundred times, those limits.

(iii) Type "C" supplied-air respirators, continuous flow or pressure-demand class. A type "C" continuous flow or pressure-demand, supplied-air respirator shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in subsection (2)(a) of this section, when the eight-hour time-weighted average airborne concentrations of asbestos fibers are reasonably expected to exceed one hundred times those limits.

(iv) Establishment of a respirator program.

(A) The employer shall establish a respirator program in accordance with the requirements of chapter 296-62 WAC and shall include the respirator protection factors listed in Table 1 of this section.

(B) No employee shall be assigned to tasks requiring the use of respirators if, based upon his most recent examination, an examining physician determines that the employee will be unable to function normally wearing a respirator, or that the safety or health of the employee or other employees will be impaired by his use of a respirator. Such employee shall be rotated to another job or given the opportunity to transfer to a different position whose duties he is able to perform with the same employer, in the same geographical area and with the same seniority, status, and rate of pay he had just prior to such transfer, if such a different position is available.

(c) Special clothing: The employer shall provide, and require the use of, special clothing, such as coveralls or similar whole body clothing, head coverings, gloves, and foot coverings for any employee exposed to airborne concentrations of asbestos fibers, which exceed eight-hour time-weighted average airborne concentrations of asbestos fibers prescribed in subsection (2)(a) of this section.

(d) Change rooms:

(i) At any fixed place of employment exposed to airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in subsection (2) of this section, the employer shall provide change rooms for employees working regularly at the place.

(ii) Clothes lockers: The employer shall provide two separate lockers or containers for each employee, so separated or isolated as to prevent contamination of the employee's street clothes from his work clothes.

(iii) Laundering:

(A) Laundering of asbestos contaminated clothing shall be done so as to prevent the release of airborne asbestos fibers in excess of the exposure limits prescribed in subsection (2) of this section.

(B) Any employer who gives asbestos-contaminated clothing to another person for laundering shall inform such person of the requirement in (d) of this subsection to effectively prevent the release of airborne asbestos fibers in excess of the exposure limits prescribed in subsection (2) of this section.

(C) Contaminated clothing shall be transported in sealed impermeable bags, or other closed, impermeable containers, and labeled in accordance with subsection (7)(b) of this section.

(5) Method of measurement. All determinations of airborne concentrations of asbestos fibers shall be made by the membrane filter method at 400-450 X (magnification) four millimeter objective) with phase contrast illumination.

(6) Monitoring.

(a) Initial determinations. Every employer shall cause every place of employment where asbestos fibers are released to be monitored in such a way as to determine whether every employee's exposure to asbestos fibers is below the limits prescribed in subsection (2) of this section. If the limits are exceeded, the employer shall immediately undertake a compliance program in accordance with subsection (3) of this section.

(b) Personal monitoring.

(i) Samples shall be collected from within the breathing zone of the employees, on membrane filters of 0.8 micrometer porosity mounted in an open-face filter holder. Samples shall be taken for the determination of the eight-hour time-weighted average airborne concentrations and of the ceiling concentrations of asbestos fibers.

(ii) Sampling frequency and patterns. After the initial determinations required by (a) of this subsection, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of employees. In no case shall the sampling be done at intervals greater than six months for employees whose exposure to asbestos may reasonably be foreseen to exceed the limits prescribed by subsection (2) of this section.

(c) Environmental monitoring.

(i) Samples shall be collected from areas of a work environment which are representative of the airborne concentrations of asbestos fibers which may reach the breathing zone of employees. Samples shall be collected on a membrane filter of 0.8 micrometer porosity mounted in an open-face filter holder. Samples shall be taken for the determination of the eight-hour time-weighted average airborne concentrations and of the ceiling concentrations of asbestos fibers.

(ii) Sampling frequency and patterns. After the initial determinations required by (a) of this subsection,

samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of the employees. In no case shall sampling be at intervals greater than six months for employees whose exposures to asbestos may reasonably be foreseen to exceed the exposure limits prescribed in subsection (2) of this section.

(d) Employee observation of monitoring. Affected employees, or their representatives, shall be given a reasonable opportunity to observe any monitoring required by this subsection and shall have access to the records thereof.

(7) Caution signs and labels.

(a) Caution signs.

(i) Posting. Caution signs shall be provided and displayed at each location where airborne concentrations of asbestos fibers are reasonably expected to be released or where airborne concentrations of asbestos fibers may be in excess of the exposure limits prescribed in subsection (2) of this section. Signs shall be posted at such a distance from such a location so that an employee may read the signs and take necessary protective steps before entering the area marked by the signs. Signs shall be posted at all approaches to areas containing airborne asbestos fibers.

(ii) Sign specifications. The warning signs required by (a)(i) of this subsection shall conform to the requirements of 20" X 14" vertical format signs specified in WAC 296-24-14007(4) and to this subsection. The signs shall display the following legend in the lower panel, with letter sizes and styles of a visibility at least equal to that specified in this subdivision.

Legend	Notation
Asbestos _____	1" Sans Serif, Gothic or Block.
Dust hazard _____	3/4" Sans Serif, Gothic or Block.
Avoid breathing dust _____	1/4" Gothic.
Wear assigned protective equipment _____	1/4" Gothic.
Do not remain in area unless your work requires it _____	1/4" Gothic.
Breathing asbestos dust may be hazardous to your health _____	14 point Gothic.

Spacing between lines shall be at least equal to the height of the upper of any two lines.

(b) Caution labels.

(i) Labeling. Caution labels shall be affixed to all raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, or to their containers, except that no label is required where asbestos fibers have been modified by a bonding agent, coating, binder, or other material so that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of asbestos fibers will be released.

(ii) Label specifications. The caution labels required by (b)(i) of this subsection shall be printed in letters of

sufficient size and contrast as to be readily visible and legible. The label shall state:

CAUTION

Contains Asbestos Fibers

Avoid Creating Dust

Breathing Asbestos Dust May Cause

Serious Bodily Harm

(8) Housekeeping.

(a) Cleaning. All external surfaces in any place of employment shall be maintained free of accumulations of asbestos fibers.

(b) Waste disposal. Asbestos waste, scrap, debris, bags, containers, equipment, and asbestos-contaminated clothing, consigned for disposal, shall be collected and disposed of in sealed impermeable bags, or other closed, impermeable containers.

(c) Deterioration. Friable asbestos or friable asbestos containing material which has become damaged or deteriorated shall be contained, treated, or replaced.

(9) Recordkeeping.

(a) Exposure records. Every employer shall maintain records of any personal or environmental monitoring required by subsection (6) of this section. Records shall be maintained for a period of at least twenty years and shall be made available upon request to the director of the department of labor and industries.

(b) Access. Employee exposure records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(c) Employee notification. Any employee found to have been exposed at any time to airborne concentrations of asbestos fibers in excess of the limits prescribed in subsection (2) of this section shall be notified in writing of the exposure as soon as practicable but not later than five days of the finding. The employee shall also be timely notified of the corrective action being taken.

(10) Medical examinations.

(a) General. The employer shall provide or make available at his cost, medical examinations relative to exposure to asbestos required by this section.

(b) Preplacement. The employer shall provide or make available to each of his employees, within thirty calendar days following his first employment in an occupation exposed to airborne concentrations of asbestos fibers, a comprehensive medical examination, which shall include, as a minimum, a chest roentgenogram (posterior-anterior fourteen by seventeen inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV<sub>1.0</sub>).

(c) Annual examinations. Every employer shall provide or make available on an annual basis, comprehensive medical examinations to each of his employees engaged in occupations exposed to airborne concentrations

of asbestos fibers. Such annual examination shall include, as a minimum, a chest roentgenogram (posterior-anterior fourteen by seventeen inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV<sub>1,0</sub>).

(d) Termination of employment. The employer shall provide, or make available, within thirty calendar days before or after the termination of employment of any employee engaged in an occupation exposed to airborne concentrations of asbestos fibers, a comprehensive medical examination which shall include, as a minimum, a chest roentgenogram (posterior-anterior fourteen by seventeen inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV<sub>1,0</sub>).

(e) Recent examinations. No medical examination is required of any employee, if adequate records show that the employee has been examined in accordance with this subsection within the past one-year period.

(f) Medical records.

(i) Maintenance. Employers of employees examined pursuant to this subsection shall cause to be maintained complete and accurate records of all such medical examinations. Records shall be retained by employers for at least twenty years.

(ii) Access. Records of the medical examinations required by this subsection shall be provided upon request to employees, designated representative and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and WAC 296-62-05213 through 296-62-05217. These records shall also be provided upon request to the director of the department of labor and industries. Any physician who conducts a medical examination required by this subsection shall furnish to the employer of the examined employee all the information specifically required by this subsection, and any other medical information related to occupational exposure to asbestos fibers.

TABLE 1

RESPIRATOR PROTECTION FOR AIRBORNE CONCENTRATIONS OF ASBESTOS

Airborne concentration of asbestos	Required respirator <sup>1</sup>
Not in excess of 20 f/cc	Reusable or single use air purifying respirator.
Not in excess of 100 f/cc	Full facepiece air purifying respirator.
Not in excess of 200 f/cc	Powered air purifying respirator.
Greater than 200 f/cc	A type "C" continuous flow or pressure demand, supplied air respirator.

<sup>1</sup>Respirators specified for high concentrations may be used at lower concentrations of asbestos.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07701 SCOPE AND APPLICATION. ((+)) WAC 296-62-07701 through ((296-62-

07749)) 296-62-07753 applies to all occupational exposures to asbestos(~~(, tremolite, anthophyllite, and actinolite,))~~ in all industries covered by the Washington Industrial Safety and Health Act(~~(, except as provided in subsection (2) of this section))~~).

(((2) This section does not apply to construction work as defined in WAC 296-155-012(6). Exposure to asbestos, tremolite, anthophyllite, and actinolite in construction work is covered by WAC 296-155-175 through 296-155-193.

Note: Enforcement of WAC 296-62-077 through 296-62-07749 is stayed as it applies to nonasbestiform tremolite, anthophyllite, and actinolite. During the period of this stay, the provisions of WAC 296-62-07517 will remain in effect with respect to regulation of nonasbestiform tremolite, anthophyllite, and actinolite.)

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07703 DEFINITIONS. For the purpose of WAC 296-62-077 through ((296-62-07749)) 296-62-07753:

(1) "Action level" means an airborne concentration of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals,))~~ of 0.1 fiber per cubic centimeter (f/cc) of air calculated as an eight-hour time-weighted average.

(2) "Air lock" means a system for ingress or egress to minimize air movement between a contaminated area and an uncontaminated area, consisting of an enclosure with two curtained doorways at least six feet apart unless space prohibits.

(3) "Asbestos" includes chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos, and any of these minerals that have been chemically treated and/or altered.

(((+))) (4) "Authorized person" means any person authorized by the employer and required by work duties to be present in regulated areas.

(((+))) (5) "Clean room" means an uncontaminated room having facilities for the storage of employees' street clothing and uncontaminated materials and equipment.

(6) "Competent person" means one who is capable of identifying existing asbestos hazards in the workplace and who has the authority to take prompt corrective measures to eliminate them, as specified in WAC 296-155-012(4). The duties of the competent person include at least the following: Establishing the negative-pressure enclosure, ensuring its integrity, and controlling entry to and exit from the enclosure; supervising any employee exposure monitoring required by the standard; ensuring that all employees working within such an enclosure wear the appropriate personal protective equipment, are trained in the use of appropriate methods of exposure control, and use the hygiene facilities and decontamination procedures specified in the standard; and ensuring that engineering controls in use are in proper operating condition and are functioning properly. To be designated as a competent person, the worker must satisfactorily complete a training course in accordance with WAC 296-62-07712(3).

(7) "Curtained doorway" means overlapping plastic sheeting curtains, at least four mils in thickness, constructed and used at entrance and exit of regulated areas, and designed to restrict the movement of air from one area to another.

(8) "Decontamination area" means an enclosed area adjacent and connected to the regulated area and consisting of an equipment room, shower area, and clean room, which is used for the decontamination of workers, materials, and equipment contaminated with asbestos.

(9) "Demolition" means the wrecking or taking out of any load-supporting structural member and any related razing, removing, or stripping of asbestos products.

(10) "Department" means the department of labor and industries.

~~((5))~~ (11) "Director" means the director of the department of labor and industries or his/her authorized representatives.

~~((6))~~ (12) "Employee exposure" means that exposure to airborne asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) that would occur if the employee were not using respiratory protective equipment.

~~((7))~~ (13) "Equipment room" means a contaminated room located within the decontamination area that is supplied with impermeable bags or containers for the disposal of contaminated protective clothing and equipment.

(14) "Fiber" means a particulate form of asbestos, (~~tremolite, anthophyllite, or actinolite,~~) five micrometers or longer, with a length-to-diameter ratio of at least three to one.

~~((8))~~ (15) "High-efficiency particulate air (HEPA) filter" means a filter capable of trapping and retaining at least 99.97 percent of all monodispersed particles of 0.3 micrometers mean aerodynamic diameter or larger.

~~((9))~~ (16) "Regulated area" means an area established by the employer to demarcate areas where airborne concentrations of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) exceed, or can reasonably be expected to exceed, the permissible exposure limit. The regulated area may take the form of (a) a temporary enclosure, as required by WAC 296-62-07711, or (b) an area demarcated in any manner that minimizes the number of employees exposed to asbestos.

~~((10))~~ "Tremolite, anthophyllite, or actinolite" means the nonasbestos form of these minerals, and any of these minerals that have been chemically treated and/or altered.) (17) "Removal" means the taking out or stripping of asbestos or materials containing asbestos.

(18) "Renovation" means the modifying of any existing structure, or portion thereof, where exposure to airborne asbestos may result.

(19) "Repair" means overhauling, rebuilding, reconstructing, or reconditioning of structure or substrates where asbestos is present.

(20) "Small-scale, short duration operations" means tasks involving less than ten linear feet and less than eleven square feet of material. This means a total of

eleven square feet of material whether on flat surfaces or not and includes pipes. Regardless of pipe diameter, runs cannot exceed ten linear feet.

(21) "Structural member" means any load-supporting or nonload-supporting member of a facility such as beams, walls, and ceilings.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07705 PERMISSIBLE EXPOSURE LIMITS (PEL). (1) The employer shall ensure that no employee is exposed to an airborne concentration of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) in excess of 0.2 fiber per cubic centimeter (0.2 f/cc) of air as an eight-hour time-weighted average (TWA) as determined by the method prescribed in WAC 296-62-07735, Appendix A, or by an equivalent method recognized by the department.

(2) Ceiling concentration. No employee shall be exposed at any time to airborne concentrations of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) in excess of 1.0 fiber per cubic centimeter (1.0 f/cc) of air during any fifteen minute period, as determined by the methods prescribed in WAC 296-62-07735, Appendix A, or by an equivalent method recognized by the department.

#### NEW SECTION

WAC 296-62-07706 COMMUNICATION AMONG EMPLOYERS. On multi-employer worksites, an employer performing asbestos work requiring the establishment of a regulated area shall inform other employers on the site of the nature of the employer's work with asbestos and of the existence of and requirements pertaining to regulated areas.

Note: Notified employers shall ensure their employees are informed and trained as required by the hazard communication standard, WAC 296-62-054 through 296-62-05427.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07707 IDENTIFICATION. The employer shall determine if materials to be worked on or removed contain asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~). Determinations shall be documented (e.g., laboratory analysis report, manufacturer's product information), maintained on file and made available upon request to the director. A determination shall not be required when an employer assumes that the suspect material contains asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) and handles the material in accordance with WAC 296-62-077 through ~~((296-62-07749))~~ 296-62-07753.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07709 EXPOSURE MONITORING. (1) General.



(a) Each employer shall perform monitoring to determine accurately the airborne concentrations of asbestos to which employees may be exposed.

(b) Determinations of employee exposure shall be made from breathing zone air samples that are representative of the eight-hour TWA of each employee and of the ceiling concentrations of each employee.

((b)) (c) Representative eight-hour TWA employee exposures shall be determined on the basis of one or more samples representing full-shift exposures for each shift for each employee in each job classification in each work area.

(d) Representative employee ceiling exposure shall be determined on the basis of one or more samples representing the highest exposure for employees in each work area. Sampling periods for ceiling concentration evaluations shall not exceed fifteen minutes.

(e) Prior to the start of the removal, demolition, or renovation project, representative area monitoring shall be conducted for later use (see WAC 296-62-07713 (2)(c)).

(2) Initial monitoring.

(a) Each employer who has a workplace or work operation covered by this standard, except as provided for in (b) and (c) of this subsection, shall perform initial monitoring of employees who are, or may reasonably be expected to be exposed to airborne concentrations at or above the action level. The initial monitoring shall be at the initiation of each asbestos job to accurately determine the airborne concentration of asbestos to which employees may be exposed.

(b) Where the employer or his/her representative has monitored after December 20, 1985, ((and)) the monitoring satisfies all other requirements of this section, and the monitoring data was obtained during work operations conducted at the same workplace and under workplace conditions closely resembling the processes, type of material including percentage of asbestos, control methods, work practices, and environmental conditions used and prevailing in the employer's current operations, the employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection, except for employees engaged in removal, demolition, or renovation operations using negative-pressure enclosures as required by WAC 296-62-07712. The employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection.

(c) Where the employer has relied upon objective data that demonstrates that asbestos(~~, tremolite, anthophyllite, actinolite, or a combination of these minerals~~) is not capable of being released in airborne concentrations at or above the action level under ((the expected)) those work conditions of processing, use, or handling expected to have the greatest potential for releasing asbestos, then no initial monitoring is required:

(3) Monitoring frequency (periodic monitoring) and patterns. After the initial determinations required by subsection (2)(a) of this section, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of the employees.

(a) In no case shall sampling be at intervals greater than six months for employees whose exposures may reasonably be foreseen to exceed the action level.

(b) Daily monitoring within regulated areas: The employer shall conduct daily monitoring that is representative of the exposure of each employee who is assigned to work within a regulated area. Exception: When all employees within a regulated area are equipped with full facepiece supplied-air respirators operated in the pressure-demand mode equipped with either an auxiliary positive pressure self-contained breathing apparatus or a HEPA filter, the employer may dispense with the daily monitoring required by this subsection.

(c) Monitoring outside negative-pressure enclosures: The employer shall conduct representative area monitoring of the airborne fiber levels at least every other day at the HEPA machine exhaust and entrance to the decontamination area.

(4) Changes in monitoring frequency. If either the initial or the periodic monitoring required by subsections (2) and (3) of this section statistically indicates that employee exposures are below the action level, the employer may discontinue the monitoring for those employees whose exposures are represented by such monitoring.

(5) Additional monitoring. Notwithstanding the provisions of subsections (2)(b) and (4) of this section, the employer shall institute the exposure monitoring required under subsections (2)(a) and (3) of this section whenever there has been a change in the production, process, control equipment, personnel, or work practices that may result in new or additional exposures above the action level or when the employer has any reason to suspect that a change may result in new or additional exposures above the action level.

(6) Method of monitoring.

(a) All samples taken to satisfy the monitoring requirements of this section shall be personal samples collected following the procedures specified in WAC 296-62-07735, Appendix A.

(b) Monitoring shall be performed by persons having a thorough understanding of monitoring principles and procedures and who can demonstrate proficiency in sampling techniques.

(c) All samples taken to satisfy the monitoring requirements of this section shall be evaluated using the WISHA reference method specified in WAC 296-62-07735, Appendix A, or an equivalent counting method recognized by the department.

(d) If an equivalent method to the WISHA reference method is used, the employer shall ensure that the method meets the following criteria:

(i) Replicate exposure data used to establish equivalency are collected in side-by-side field and laboratory comparisons;

(ii) The comparison indicates that ninety percent of the samples collected in the range 0.1 to 0.4 f/cc have an accuracy range of plus or minus twenty-five percent of the WISHA reference method results with a ninety-five percent confidence level as demonstrated by a statistically valid protocol; and



(iii) The equivalent method is documented and the results of the comparison testing are maintained.

(e) To satisfy the monitoring requirements of this section, employers must use the results of monitoring analysis performed by laboratories which have instituted quality assurance programs that include the elements as prescribed in WAC 296-62-07735, Appendix A.

(7) Employee notification of monitoring results.

(a) The employer shall, ~~((within))~~ as soon as possible but no later than fifteen working days after the receipt of the results of any monitoring performed under the standard, notify the affected employees of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(b) The written notification required by (a) of this subsection shall contain the corrective action being taken by the employer to reduce employee exposure to or below the PEL, wherever monitoring results indicated that the PEL had been exceeded.

(8) Observation of monitoring.

(a) The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to asbestos conducted in accordance with this section.

(b) When observation of the monitoring of employee exposure to asbestos requires entry into an area where the use of protective clothing or equipment is required, the observer shall be provided with and be required to use such clothing and equipment and shall comply with all other applicable safety and health procedures.

#### AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

~~WAC 296-62-07711 REGULATED AREAS. (1) ((Establishment. The employer shall establish regulated areas wherever airborne concentrations of asbestos, tremolite, anthophyllite, actinolite, or a combination of these minerals are in excess of the permissible exposure limit prescribed in WAC 296-62-07705.~~

~~(2) Demarcation. Regulated areas shall be demarcated from the rest of the workplace in any manner that minimizes the number of persons who will be exposed to asbestos, tremolite, anthophyllite, or actinolite:))~~ General. The employer shall establish a regulated area in work areas where airborne concentrations of asbestos exceed or can reasonably be expected to exceed the permissible exposure limit prescribed in WAC 296-62-07705.

(2) Demarcation. The regulated area shall be demarcated in any manner that minimizes the number of persons within the area and protects persons outside the area from exposure to airborne concentrations of asbestos in excess of the permissible exposure limit.

(3) Access. Access to regulated areas shall be limited to authorized persons or to persons authorized by the Washington Industrial Safety and Health Act or regulations issued pursuant thereto.

(4) Provision of respirators. Each person entering a regulated area shall be supplied with and required to use

a respirator, selected in accordance with WAC 296-62-07715.

(5) Protective clothing. All persons entering a regulated area shall be supplied with and required to wear protective clothing, selected in accordance with WAC 296-62-07717.

(6) Prohibited activities. The employer shall ensure that employees do not eat, drink, smoke, chew tobacco or gum, or apply cosmetics in the regulated areas.

(7) Confined space. The employer shall determine if a confined space hazard exists and shall take any necessary precautions in accordance with chapter 296-62 WAC.

#### NEW SECTION

WAC 296-62-07712 REQUIREMENTS FOR ASBESTOS REMOVAL, DEMOLITION, AND RENOVATION OPERATIONS. (1) Except when proper glove bag techniques are used, the employer, wherever feasible, shall establish negative-pressure enclosures having a minimum of one air exchange every fifteen minutes within the enclosure before commencing removal, demolition, and renovation operations.

(2) The employer shall designate a competent person to perform or supervise the following duties:

(a) Set up the enclosure;

(b) Ensure the integrity of the enclosure;

(c) Control entry to and exit from the enclosure;

(d) Supervise all employee exposure monitoring required by this section;

(e) Ensure that employees working within the enclosure wear protective clothing and respirators as required by WAC 296-62-07715 and 296-62-07717;

(f) Ensure that employees are trained in the use of engineering controls, work practices, and personal protective equipment;

(g) Ensure that employees use the hygiene facilities and observe the decontamination procedures specified in WAC 296-62-07719; and

(h) Ensure that engineering controls including HEPA filters are functioning properly.

(3) In addition to the qualifications specified in WAC 296-62-07703, the competent person shall be trained in all aspects of asbestos abatement, the contents of this standard, the identification of asbestos and their removal procedures, and other practices for reducing the hazard. Such training shall be obtained in a comprehensive course conducted by an EPA asbestos training center, or an equivalent training course recognized by the department as complying with the requirements of this subsection. Every competent person shall also maintain a valid asbestos worker certificate as specified in WAC 296-65-010.

(4) Exception: For small-scale, short-duration operations, such as pipe repair, valve replacement, installing electrical conduits, installing or removing drywall, roofing, and other general building maintenance or renovation, the employer is not required to comply with the requirements of WAC 296-62-07712. Employers wishing to take advantage of the exemption in this subsection shall comply with WAC 296-62-07753, Appendix J.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07713 METHODS OF COMPLIANCE. (1) Engineering controls and work practices.

(a) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the exposure limit prescribed in WAC 296-62-07705, except to the extent that such controls are not feasible. Engineering controls and work practices include but are not limited to the following:

(i) Local exhaust ventilation equipped with HEPA filter dust collection systems;

(ii) Vacuum cleaners equipped with HEPA filters;

(iii) Enclosure or isolation of processes producing asbestos dust;

(iv) Use of wet methods, wetting agents, or removal encapsulants to control employee exposures during asbestos handling, mixing, removal, cutting, application, and cleanup;

(v) Prompt disposal of wastes contaminated with asbestos in leak-tight containers; or

(vi) Use of work practices or other engineering controls that the director can show to be feasible.

(b) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the permissible exposure limit prescribed in WAC 296-62-07705, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of WAC 296-62-07715.

(c) For the following operations, wherever feasible engineering controls and work practices that can be instituted are not sufficient to reduce the employee exposure to or below the permissible exposure limit prescribed in WAC 296-62-07705, the employer shall use them to reduce employee exposure to or below 0.5 fiber per cubic centimeter of air (as an eight-hour time-weighted average) and shall supplement them by the use of any combination of respiratory protection that complies with the requirements of WAC 296-62-07715, work practices and feasible engineering controls that will reduce employee exposure to or below the permissible exposure limit prescribed in WAC 296-62-07705: Coupling cutoff in primary asbestos cement pipe manufacturing; sanding in primary and secondary asbestos cement sheet manufacturing; grinding in primary and secondary friction product manufacturing; carding and spinning in dry textile processes; and grinding and sanding in primary plastics manufacturing.

(d) Local exhaust ventilation. Local exhaust ventilation and dust collection systems shall be designed, constructed, installed, and maintained in accordance with good practices such as those found in the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2-1979.

(e) Particular tools. All hand-operated and power-operated tools which would produce or release fibers of

asbestos(~~(; tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) so as to expose employees to levels in excess of the exposure limit prescribed in WAC 296-62-07705, such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided with local exhaust ventilation systems which comply with (d) of this subsection. High-speed abrasive disc saws that are not equipped with appropriate engineering controls shall not be used for work related to asbestos.

(f) Wet methods. Insofar as practicable, asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) shall be handled, mixed, applied, removed, cut, scored, or otherwise worked in a wet state sufficient to prevent the emission of airborne fibers so as to expose employees to levels in excess of the exposure limit prescribed in WAC 296-62-07705, unless the usefulness of the product would be diminished thereby.

(g) Materials containing asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) shall not be applied by spray methods unless the materials contain less than 0.1% asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) by weight, the asbestos is a natural contaminant and objective data indicate employee exposure will not exceed the action level of 0.1 f/cc.

(h) Particular products and operations. No asbestos cement, mortar, coating, grout, plaster, or similar material containing asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) shall be removed from bags, cartons, or other containers in which they are shipped, without being either wetted, enclosed, or ventilated so as to prevent effectively the release of airborne fibers of asbestos(~~(; tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) so as to expose employees to levels in excess of the limit prescribed in WAC 296-62-07705.

(i) Compressed air. Compressed air shall not be used to remove asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) or materials containing asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) unless the compressed air is used in conjunction with ((a)) an enclosed ventilation system designed to capture the dust cloud created by the compressed air.

(2) Clean-up.

(a) After completion of asbestos removal, demolition, and renovation operations, all surfaces in and around the work area shall be cleared of any asbestos debris.

(b) Lock-down. Where asbestos has been removed, encapsulant shall be applied to ensure binding of remaining fibers.

(c) The employer shall demonstrate by monitoring that the airborne fiber concentration is below the action level; or, at or below the airborne fiber level existing prior to the start of the removal, demolition, or renovation project; whichever level is lower.

(3) Compliance program.

(a) Where the PEL is exceeded, the employer shall establish and implement a written program to reduce employee exposure to or below the limit by means of engineering and work practice controls as required by subsection (1) of this section, and by the use of respiratory protection where required or permitted under this section.

(b) Such programs shall be reviewed and updated as necessary to reflect significant changes in the status of the employer's compliance program.

(c) Written programs shall be submitted upon request for examination and copying to the director, affected employees and designated employee representatives.

(d) The employer shall not use employee rotation as a means of compliance with the PEL.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

**WAC 296-62-07715 RESPIRATORY PROTECTION.** (1) General. The employer shall provide respirators, and ensure that they are used, where required by WAC 296-62-077 through ~~((296-62-07749))~~ 296-62-07753. Respirators shall be used in the following circumstances:

(a) During the interval necessary to install or implement feasible engineering and work practice controls;

(b) In work operations, such as maintenance and repair activities, or other activities for which engineering and work practice controls are not feasible;

(c) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the exposure limit;

(d) In emergencies; ~~((and))~~

(e) In all regulated areas; and

(f) Whenever employee exposure exceeds the PEL.

(2) Respirator selection.

(a) Where respirators are required under this section, the employer shall select and provide at no cost to the employee, the appropriate respirator as specified in Table 1 of this section and shall ensure that the employee uses the respirator provided. The employer shall select respirators from among those approved as being acceptable for protection by the Mine Safety and Health Administration (MSHA) or by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(b) The employer shall provide a powered, air-purifying respirator in lieu of any negative pressure respirator specified in Table 1 of this section whenever:

(i) An employee chooses to use this type of respirator; and

(ii) This respirator will provide adequate protection to the employee.

Concentration of asbestos( <del>(, tremolite, anthophyllite, actinolite, or a combination of these minerals)) fibers</del>	Required Respirator <sup>a</sup>
Not in excess of 200 f/cc.	2. Any supplied-air respirator operated in continuous flow mode.
Greater than 200 f/cc or unknown concentration.	1. Full facepiece supplied-air respirator operated in pressure demand mode. 2. Full facepiece positive-pressure self-contained breathing apparatus (SCBA).

Note: a. Respirators assigned for higher environmental concentrations may be used at lower concentrations.  
b. A high-efficiency filter means a filter that is capable of trapping and retaining at least 99.97 percent of all monodispersed particles of 0.3 micrometers mean aerodynamic diameter or larger.  
c. See subsection ~~((++))~~ (5)(c) of this section for fit testing requirements.

(3) Special respiratory protection requirements. Unless specifically identified in this subsection, respirator selection for asbestos removal, demolition, and renovation operations shall be in accordance with Table 1 of subsection (2) of this section. The employer shall provide and require to be worn, at no cost to the employee, a full facepiece supplied-air respirator operated in the pressure demand mode equipped with either an auxiliary positive pressure self-contained breathing apparatus or a HEPA filter to employees engaged in the following asbestos operations:

(a) Inside negative pressure enclosures used for removal, demolition, and renovation of friable asbestos from walls, ceilings, vessels, ventilation ducts, elevator shafts, and other structural members, but does not include pipes or piping systems; or

(b) Any dry removal of asbestos.

(4) Respirator program.

(a) Where respiratory protection is required, the employer shall institute a respirator program in accordance with WAC 296-62-071.

(b) The employer shall permit each employee who uses a filter respirator to change the filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of filter elements for this purpose.

(c) Employees who wear respirators shall be permitted to leave ~~((the regulated))~~ work areas to wash their faces and respirator facepieces whenever necessary to prevent skin irritation associated with respirator use.

(d) No employee shall be assigned to tasks requiring the use of respirators if, based upon his or her most recent examination, an examining physician determines that the employee will be unable to function normally wearing a respirator, or that the safety or health of the

**TABLE 1—RESPIRATORY PROTECTION FOR ASBESTOS(~~(, TREMOLITE, ANTHOPHYLLITE, AND ACTINOLITE)) FIBERS~~**

Concentration of asbestos( <del>(, tremolite, anthophyllite, actinolite, or a combination of these minerals)) fibers</del>	Required Respirator <sup>a</sup>
Not in excess of 2 f/cc.	1. Half-mask, air-purifying respirator, <u>other than a disposable respirator, equipped with high-efficiency filters.</u> <sup>b</sup>
Not in excess of 10 f/cc.	1. Full facepiece air-purifying respirator equipped with high-efficiency filters.
Not in excess of 20 f/cc.	1. Any powered air-purifying respirator equipped with high-efficiency filters.

employee or other employees will be impaired by the use of a respirator. Such employee shall be assigned to another job or given the opportunity to transfer to a different position whose duties he or she is able to perform with the same employer, in the same geographical area and with the same seniority, status, and rate of pay the employee had just prior to such transfer, if such a different position is available.

~~((4))~~ (5) Respirator fit testing.

(a) The employer shall ensure that the respirator issued to the employee exhibits the least possible facepiece leakage and that the respirator is fitted properly.

(b) For each employee wearing negative pressure respirators, employers shall perform either quantitative or qualitative face fit tests at the time of initial fitting and at least every six months thereafter. The qualitative fit tests may be used only for testing the fit of ~~((negative pressure))~~ half-mask respirators to be worn in concentrations of asbestos not in excess of 2 f/cc, and shall be conducted in accordance with WAC 296-62-07739, Appendix C. The tests shall be used to select facepieces that provide the required protection as prescribed in Table 1 of this section.

(c) Any supplied-air respirator facepiece equipped with a back-up HEPA filter shall be quantitatively fit tested (as a negative pressure respirator in accordance with (b) of this subsection) with the air supply disconnected at the time of initial fitting and at least every six months thereafter. The quantitative fit tests shall be conducted using the procedures described in WAC 296-62-07739(2), Appendix C, for negative pressure respirators.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07717 PROTECTIVE WORK CLOTHING AND EQUIPMENT. (1) Provision and use. If an employee is exposed to asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) above the PEL, or where the possibility of eye irritation exists, the employer shall provide at no cost to the employee and ensure that the employee uses appropriate protective work clothing and equipment such as, but not limited to:

- (a) Coveralls or similar full-body work clothing;
- (b) Gloves, head coverings, and foot coverings; and
- (c) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC 296-24-07801.

(2) Removal and storage.

(a) The employer shall ensure that employees remove work clothing contaminated with asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) only in change rooms provided in accordance with WAC 296-62-07719(1).

(b) The employer shall ensure that no employee takes contaminated work clothing out of the change room, except those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(c) Contaminated work clothing shall be placed and stored in closed containers which prevent dispersion of the asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) outside the container.

(d) Containers of contaminated protective devices or work clothing which are to be taken out of change rooms or the workplace for cleaning, maintenance, or disposal, shall bear labels in accordance with WAC 296-62-07721(2).

(3) Cleaning and replacement.

(a) The employer shall clean, launder, repair, or replace protective clothing and equipment required by this paragraph to maintain their effectiveness. The employer shall provide clean protective clothing and equipment at least weekly to each affected employee.

(b) The employer shall prohibit the removal of asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) from protective clothing and equipment by blowing or shaking.

(c) Laundering of contaminated clothing shall be done so as to prevent the release of airborne fibers of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) in excess of the permissible exposure limit prescribed in WAC 296-62-07705.

(d) Any employer who gives contaminated clothing to another person for laundering shall inform such person of the requirement in (c) of this subsection to effectively prevent the release of airborne fibers of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) in excess of the permissible exposure limit.

(e) The employer shall inform any person who launders or cleans protective clothing or equipment contaminated with asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) of the potentially harmful effects of exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~).

(f) Contaminated clothing shall be transported in sealed impermeable bags, or other closed, impermeable containers, and labeled in accordance with WAC 296-62-07721.

(4) Protective clothing for removal, demolition, and renovation operations.

(a) The competent person shall periodically examine worksuits worn by employees for rips or tears that may occur during performance of work.

(b) When rips or tears are detected while an employee is working within a negative-pressure enclosure, rips and tears shall be immediately mended, or the worksuit shall be immediately replaced.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07719 HYGIENE FACILITIES AND PRACTICES. (1) Change rooms.

(a) The employer shall provide clean change rooms for employees (~~(who)~~) required to work in regulated areas ((where their airborne exposure to asbestos, tremolite, anthophyllite, actinolite, or a combination of these minerals is above the permissible exposure limit)) or required by WAC 296-62-07717(1) to wear protective clothing.

Exception: In lieu of the change area requirement specified in this subsection, the employer may permit employees in small-scale, short-duration operations, as described in WAC 296-62-07712(4), to clean their

protective clothing with a portable HEPA-equipped vacuum before such employees leave the area where maintenance was performed.

(b) The employer shall ensure that change rooms are in accordance with WAC 296-24-120, and are equipped with two separate lockers or storage facilities, so separated as to prevent contamination of the employee's street clothes from his/her protective work clothing and equipment.

(2) Showers.

(a) The employer shall ensure that employees who work in areas where their airborne exposure is above the permissible exposure limit shower at the end of the work shift.

(b) The employer shall provide shower facilities which comply with WAC 296-24-12009(3).

(c) The employer shall ensure that employees who are required to shower pursuant to (a) of this subsection do not leave the workplace wearing any clothing or equipment worn during the work shift.

(3) Special requirements for removal, demolition, and renovation operations.

(a) Decontamination area. Except for small-scale, short-duration operations, as described in WAC 296-62-07753 Appendix J, the employer shall establish a decontamination area that is adjacent and connected to the regulated area for the decontamination of employees contaminated with asbestos. The decontamination area shall consist of an equipment room, shower area, and clean room in series. The employer shall ensure that employees enter and exit the regulated area through the decontamination area.

(b) Clean room. The clean room shall be equipped with a locker or appropriate storage container for each employee's use.

(c) Shower area. Where feasible, shower facilities shall be provided which comply with WAC 296-24-12009(3). The showers shall be contiguous both to the equipment room and the clean change room, unless the employer can demonstrate that this location is not feasible. Where the employer can demonstrate that it is not feasible to locate the shower between the equipment room and the clean change room, the employer shall ensure that employees:

(i) Remove asbestos contamination from their worksuits using a HEPA vacuum before proceeding to a shower that is not contiguous to the work area; or

(ii) Remove their contaminated worksuits, don clean worksuits, and proceed to a shower that is not contiguous to the work area.

(d) Equipment room. The equipment room shall be supplied with impermeable, labeled bags and containers for the containment and disposal of contaminated protective clothing and equipment.

(e) Decontamination area entry procedures.

(i) The employer shall ensure that employees:

(A) Enter the decontamination area through the clean room;

(B) Remove and deposit street clothing within a locker provided for their use; and

(C) Put on protective clothing and respiratory protection before leaving the clean room.

(ii) Before entering the enclosure, the employer shall ensure that employees pass through the equipment room.

(f) Decontamination area exit procedures.

(i) Before leaving the regulated area, the employer shall ensure that employees remove all gross contamination and debris from their protective clothing.

(ii) The employer shall ensure that employees remove their protective clothing in the equipment room and deposit the clothing in labeled impermeable bags or containers.

(iii) The employer shall ensure that employees do not remove their respirators in the equipment room.

(iv) The employer shall ensure that employees shower prior to entering the clean room. When taking a shower, employees shall be fully wetted, including the face and hair, prior to removing their respirators.

(v) The employer shall ensure that, after showering, employees enter the clean room before changing into street clothes.

(g) Decontamination area for personnel shall not be used for the transportation of asbestos debris.

(h) Waste load-out procedure. The waste load-out area as required by WAC 296-62-07723(7) shall be used as an area for final preparation and external decontamination of waste containers, as a short term storage area for bagged waste, and as a port for transporting waste.

The employer shall ensure waste containers be free of all gross contaminated material before removal from the negative-pressure enclosure. Gross contamination shall be wiped, scraped off, or washed off containers before they are placed into a two chamber air lock which is adjacent to the negative-pressure enclosure. In the first chamber, the exterior of the waste container shall be decontaminated or placed within a second waste container, and then it shall be moved into the second chamber of the air lock for temporary storage or transferred outside of the regulated area. The second waste container shall not be reused unless thoroughly decontaminated

(4) Lunchrooms.

(a) The employer shall provide lunchroom facilities for employees who work in areas where their airborne exposure is above the permissible exposure limit.

(b) The employer shall ensure that lunchroom facilities have a positive pressure, filtered air supply, and are readily accessible to employees.

(c) The employer shall ensure that employees who work in areas where their airborne exposure is above the permissible exposure limit wash their hands and faces prior to eating, drinking, or smoking.

(d) The employer shall ensure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fibers have been removed from the clothing or equipment by vacuuming or other method that removes dust without causing the asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) to become airborne.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07721 COMMUNICATION OF HAZARDS TO EMPLOYEES. (1) Warning signs.

(a) Warning signs shall be provided and displayed at each regulated area. In addition, warning signs shall be posted at all approaches to regulated areas so that an employee may read the signs and take necessary protective steps before entering the area.

(b) The warning signs required by (a) of this subsection shall bear the following information:

DANGER  
ASBESTOS  
CANCER AND LUNG DISEASE HAZARD  
AUTHORIZED PERSONNEL ONLY  
RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED  
IN THIS AREA

~~((c))~~ Where minerals in the regulated area are only tremolite, anthophyllite, or actinolite, the employer may replace the term "asbestos" with the appropriate mineral name.)

(2) Warning labels.

(a) Warning labels shall be affixed to all products containing asbestos including raw materials, mixtures, scrap, waste, debris, and other products containing asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) fibers, ~~((or))~~ and to their containers including waste containers. Where feasible, installed asbestos products shall contain a visible label.

(b) Labels shall be printed in large, bold letters on a contrasting background.

~~((b))~~ (c) The labels shall comply with the requirements of WAC 296-62-05411, and shall include the following information:

DANGER  
CONTAINS ASBESTOS FIBERS  
AVOID CREATING DUST  
CANCER AND LUNG DISEASE HAZARD  
AVOID BREATHING AIRBORNE ASBESTOS(~~(, TREMOLITE, ANTHOPHYLLITE, OR ACTINOLITE)~~) FIBERS

~~((c))~~ (d) Where minerals to be labeled are only tremolite, anthophyllite, or actinolite, the employer may replace the term "asbestos" with the appropriate mineral name.

(3) Material safety data sheets. Employers who are manufacturers or importers of asbestos(~~(, tremolite, anthophyllite, or actinolite)~~), or asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) products shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413, except as provided by subsection (4) of this section.

(4) The provisions for labels required by subsection (2) of this section or for material safety data sheets required by subsection (3) of this section do not apply where:

(a) Asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) fibers have been modified by a bonding agent, coating,

binder, or other material, provided that the manufacturer can demonstrate that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of fibers of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) in excess of the action level will be released; or

(b) Asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) is present in a product in concentrations less than 0.1 percent by weight.

(5) Employee information and training.

(a) The employer shall institute a training program for all employees who are exposed to airborne concentrations of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) at or above the action level and ensure their participation in the program.

(b) Training shall be provided prior to or at the time of initial assignment, unless the employee has received equivalent training within the previous twelve months, and at least annually thereafter.

(c) The training program shall be conducted in a manner which the employee is able to understand. The employer shall ensure that each employee is informed of the following:

(i) The health effects associated with asbestos(~~(, tremolite, anthophyllite, or actinolite exposure)~~);

(ii) The relationship between smoking and exposure to asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) in producing lung cancer;

(iii) Methods of recognizing asbestos and the quantity, location, manner of use, release, and storage of asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) and the specific nature of operations which could result in exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~);

(iv) The engineering controls and work practices associated with the employee's job assignment;

(v) The specific procedures implemented to protect employees from exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) such as appropriate work practices, housekeeping procedures, hygiene facilities, decontamination procedures, emergency and clean-up procedures, ~~((and))~~ personal protective equipment to be used, and waste disposal procedures, and any necessary instructions in the use of these controls and procedures;

(vi) The purpose, proper use, and limitations of respirators and protective clothing;

(vii) The purpose and a description of the medical surveillance program required by WAC 296-62-07725; and

(viii) ~~((A review))~~ The content of this standard, including appendices.

(d) Access to information and training materials.

(i) The employer shall make a copy of this standard and its appendices readily available without cost to all affected employees.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(6) Certification.

(a) All individuals working on asbestos projects, as defined in WAC 296-65-003(4) shall be certified as required by WAC 296-65-010 and 296-65-030.

(b) In cases excepted under WAC 296-65-030 (1) and (2), all employees shall be trained according to subsection (5) of this section.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07723 HOUSEKEEPING. (1) All surfaces shall be maintained as free as practicable of accumulations of dusts and waste containing asbestos(~~(; tremolite, anthophyllite, or actinolite)~~).

(2) All spills and sudden releases of material containing asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) shall be cleaned up as soon as possible.

(3) Surfaces contaminated with asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) may not be cleaned by the use of compressed air.

(4) Vacuuming. HEPA-filtered vacuuming equipment shall be used for vacuuming. The equipment shall be used and emptied in a manner which minimizes the re-entry of asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) into the workplace.

(5) Shoveling, dry sweeping, and dry clean-up of asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) may be used only where vacuuming and/or wet cleaning are not feasible.

(6) Waste disposal. Waste, scrap, debris, bags, containers, equipment, and clothing contaminated with asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) consigned for disposal, shall be collected and disposed of in sealed impermeable bags, or other closed, impermeable containers. To avoid breakage, bags shall be at least six mils in thickness and shall not be dragged or slid across rough or abrasive surfaces.

(7) Waste removal. Whenever a negative-pressure enclosure is required by WAC 296-62-07712, the employer wherever feasible, shall establish a waste-load-out area that is adjacent and connected to the negative-pressure enclosure, constructed of a two chamber air lock, for the decontamination and removal of asbestos debris.

(8) Deterioration. Asbestos(~~(; tremolite, anthophyllite, or actinolite)~~) and asbestos containing material which has become damaged or deteriorated shall be repaired, enclosed, encapsulated, or removed.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07725 MEDICAL SURVEILLANCE. (1) General.

(a) Employees covered. The employer shall institute a medical surveillance program for all employees who are or will be exposed to airborne concentrations of fibers of asbestos(~~(; tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) at or above the action level. Exception. Employers in the construction industry shall institute a medical surveillance program for all employees engaged in work involving levels of asbestos at or

above the action level for thirty or more days per year, or who are required by this section to wear negative-pressure respirators.

(b) Examination by a physician.

(i) The employer shall ensure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee and at a reasonable time and place.

(ii) Persons other than licensed physicians, who administer the pulmonary function testing required by this section, shall complete a training course in spirometry sponsored by an appropriate academic or professional institution.

(2) Preplacement examinations.

(a) Except as provided by WAC 296-62-07725 (1)(a), before an employee is assigned to an occupation exposed to airborne concentrations of asbestos, ((tremolite, anthophyllite, or actinolite fibers;)) a pre-placement medical examination shall be provided or made available by the employer. Examinations administered using the thirty or more days per year criteria of WAC 296-62-07725 (1)(a) shall be given within ten working days following the thirtieth day of exposure. Examinations must be given prior to assignment of employees to areas where negative-pressure respirators are worn.

(b) ~~((Such))~~ All examinations shall include, as a minimum, a medical and work history: A complete physical examination of all systems with special emphasis on the ((respiratory system, the cardiovascular system and digestive tract)) pulmonary, cardiovascular, and gastrointestinal systems; completion of the respiratory disease standardized questionnaire in WAC 296-62-07741, Appendix D, Part 1; a chest roentgenogram (posterior-anterior 14x17 inches); pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV<sub>1.0</sub>); and any additional tests deemed appropriate by the examining physician. Interpretation and classification of chest roentgenograms shall be conducted in accordance with WAC 296-62-07743, Appendix E.

(3) Periodic examinations.

(a) Periodic medical examinations shall be made available annually.

(b) The scope of the medical examination shall be in conformance with the protocol established in subsection (2)(b) of this section, except that the frequency of chest roentgenograms shall be conducted in accordance with Table 2 of this section, and the abbreviated standardized questionnaire contained in WAC 296-62-07741, Appendix D, Part 2, shall be administered to the employee.

TABLE 2—FREQUENCY OF CHEST ROENTGENOGRAMS

Years since first exposure	Age of employee		
	15 to 35	35+ to 45	45+
0 to 10.....	Every 5 years	Every 5 years	Every 5 years.
10+ .....	Every 5 years	Every 2 years	Every 1 year.

(c) If the examining physician determines that any of the examinations should be provided more frequently



than specified, the employer shall provide such examinations to affected employees at the frequencies specified by the physician.

(4) Termination of employment examinations.

(a) The employer shall provide, or make available, a termination of employment medical examination for any employee who has been exposed to airborne concentrations of fibers of asbestos(~~(, tremolite, anthophyllite, actinolite, or a combination of these minerals)~~) at or above the action level.

(b) The medical examination shall be in accordance with the requirements of the periodic examinations stipulated in subsection (3) of this section, and shall be given within thirty calendar days before or after the date of termination of employment.

(5) Recent examinations. No medical examination is required of any employee, if adequate records show that the employee has been examined in accordance with subsection (2), (3), or (4) of this section within the past one-year period.

(6) Information provided to the physician. The employer shall provide the following information to the examining physician:

(a) A copy of this standard and Appendices D ~~((and)), E, and H~~ of WAC 296-62-07741 ~~((and)), 296-62-07743, and 296-62-07749~~ respectively.

(b) A description of the affected employee's duties as they relate to the employee's exposure.

(c) The employee's representative exposure level or anticipated exposure level.

(d) A description of any personal protective and respiratory equipment used or to be used.

(e) Information from previous medical examinations of the affected employee that is not otherwise available to the examining physician.

(7) Physician's written opinion.

(a) The employer shall obtain a written signed opinion from the examining physician. This written opinion shall contain the results of the medical examination and shall include:

(i) The physician's opinion as to whether the employee has any detected medical conditions that would place the employee at an increased risk of material health impairment from exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~);

(ii) Any recommended limitations on the employee or upon the use of personal protective equipment such as clothing or respirators; and

(iii) A statement that the employee has been informed by the physician of the results of the medical examination and of any medical conditions resulting from asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) exposure that require further explanation or treatment.

(b) The employer shall instruct the physician not to reveal in the written opinion given to the employer specific findings or diagnoses unrelated to occupational exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~).

(c) The employer shall provide a copy of the physician's written opinion to the affected employee within thirty days from its receipt.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07727 RECORDKEEPING. (1) Exposure measurements.

(a) The employer shall keep an accurate record of all measurements taken to monitor employee exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) as prescribed in WAC 296-62-07709.

(b) This record shall include at least the following information:

(i) Name of employer;

(ii) Name of person conducting monitoring;

(iii) The date of measurement;

(iv) Address of operation or activity;

(v) Description of the operation or activity involving exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) that is being monitored;

(vi) Personal or area sample;

(vii) Name, Social Security number, and exposure level of the employees whose exposures are represented;

(viii) Type of protective devices worn, if any;

(ix) Pump calibration date and flow rate;

(x) Total volume of air sampled;

(xi) Name and address of analytical laboratory;

(xii) Number, duration, and results (f/cc) of samples taken;

(xiii) Date of analysis; and

(xiv) Sampling and analytical methods used and evidence of their accuracy.

(c) The employer shall maintain this record for the duration of employment plus thirty years, in accordance with WAC 296-62-052.

(2) Objective data for exempted operations.

(a) Where the processing, use, or handling of products made from or containing asbestos(~~(, tremolite, anthophyllite, or actinolite)~~) is exempted from other requirements of this section under WAC 296-62-07709 (2)(c), the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(b) The record shall include at least the following:

(i) The product qualifying for exemption;

(ii) The source of the objective data;

(iii) The testing protocol, results of testing, and/or analysis of the material for the release of asbestos(~~(, tremolite, anthophyllite, or actinolite)~~);

(iv) A description of the operation exempted and how the data support the exemption; and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

Note: The employer may utilize the services of competent organizations such as industry trade associations and employee associations to maintain the records required by this section.

(3) Medical surveillance.



(a) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance by WAC 296-62-07725 (1)(a), in accordance with WAC 296-62-052.

(b) The record shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) Physician's written opinions;

(iii) Any employee medical complaints related to exposure to asbestos(~~(, tremolite, anthophyllite, or actinolite)~~); ~~((and))~~

(iv) A copy of the information provided to the physician as required by WAC 296-62-07725(6); and

(v) A copy of the employee's medical examination results, including the medical history, questionnaire responses, results of any tests, and physicians recommendations.

(c) The employer shall ensure that this record is maintained for the duration of employment plus thirty years, in accordance with WAC 296-62-052.

(4) Training. The employer shall maintain all employee training records for one year beyond the last date of employment of that employee.

(5) Availability.

(a) The employer, upon written request, shall make all records required to be maintained by this section available to the director for examination and copying.

(b) The employer, upon request, shall make any exposure records required by subsection (1) of this section available for examination and copying to affected employees, former employees, designated representatives, and the director, in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(c) The employer, upon request, shall make employee medical records required by subsection (2) of this section available for examination and copying to the subject employee, to anyone having the specific written consent of the subject employee, and the director, in accordance with WAC 296-62-052.

(6) Transfer of records.

(a) The employer shall comply with the requirements concerning transfer of records set forth in WAC 296-62-05215.

(b) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director at least ninety days prior to disposal of records and, upon request, transmit them to the director.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07731 DATES. (1) The requirements of the asbestos standard issued in May 1973, as amended, and published in WAC 296-62-07517, remain in effect until compliance is achieved with the parallel provisions of WAC 296-62-077 through ~~((296-62-07749))~~ 296-62-07753.

(2) Start-up dates. All obligations of ~~((this section))~~ WAC 296-62-077 through 296-62-07753 commence on the effective date except as follows:

(a) Hygiene and lunchroom facilities. Changerooms, showers, lavatories, and lunchroom facilities shall be constructed and in use no later than July 20, 1987. However, if as part of the compliance plan for a fixed facility as opposed to mobile or construction type activities it is predicted by an independent engineering firm that engineering controls and work practices will reduce exposures below the permissible exposure limit by July 20, 1988, for affected employees, then such facilities need not be completed until one year after the engineering controls are completed, if such controls have not in fact succeeded in reducing exposure to below the permissible exposure limit.

(b) Compliance program. Written compliance programs required by WAC 296-62-07713(2) as a result of initial monitoring shall be completed and available for inspection and copying as soon as possible but no later than July 20, 1987.

(c) Methods of compliance. The engineering and work practice controls as required by WAC 296-62-07713(1) shall be implemented as soon as possible but no later than July 20, 1988.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07733 APPENDICES. (1) The following appendices to this chapter are mandatory.

(a) WAC 296-62-07735, Appendix A—WISHA reference method—Mandatory.

(b) WAC 296-62-07739, Appendix C—Qualitative and quantitative fit testing procedures—Mandatory.

(c) WAC 296-62-07741, Appendix D—Medical questionnaires—Mandatory.

(d) WAC 296-62-07743, Appendix E—Interpretation and classification of chest roentgenograms—Mandatory.

(2) The following appendices to this section are informational and are not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

(a) WAC 296-62-07737, Appendix B—Detailed procedure for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) sampling and analysis—Nonmandatory.

(b) WAC 296-62-07745, Appendix F—Work practices and engineering controls for automotive brake repair operations—Nonmandatory.

(c) WAC 296-62-07747, Appendix G—Substance technical information for asbestos—Nonmandatory.

(d) WAC 296-62-07749, Appendix H—Medical surveillance guidelines for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~)—Nonmandatory.

(e) WAC 296-62-07751, Appendix I—Work practices and engineering controls for major asbestos removal, renovation, and demolition operations—Nonmandatory.

(f) WAC 296-62-07753, Appendix J—Work practices and engineering controls for small-scale, short-duration asbestos renovation and maintenance activities—Nonmandatory.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07735 APPENDIX A—WISHA REFERENCE METHOD—MANDATORY. This mandatory appendix specifies the procedure for analyzing air samples for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) and specifies quality control procedures that must be implemented by laboratories performing the analysis. The sampling and analytical methods described below represent the elements of the available monitoring methods (such as the NIOSH 7400 method) which WISHA considers to be essential to achieve adequate employee exposure monitoring while allowing employers to use methods that are already established within their organizations. All employers who are required to conduct air monitoring under (~~paragraph (f) of the standard~~) WAC 296-62-07709 are required to utilize analytical laboratories that use this procedure, or an equivalent method recognized by the department, for collecting and analyzing samples.

(1) Sampling and analytical procedure.

(a) The sampling medium for air samples shall be mixed cellulose ester filter membranes. These shall be designated by the manufacturer as suitable for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) counting. See below for rejection of blanks.

(b) The preferred collection device shall be the 25-mm diameter cassette with an open-faced 50-mm electrically conductive extension cowl. The 37-mm cassette may be used if necessary but only if written justification for the need to use the 37-mm filter cassette accompanies the sample results in the employee's exposure monitoring record.

(c) An air flow rate between 0.5 liter/min and 4.0 liters/min shall be selected for the 25-mm cassette. If the 37-mm cassette is used, an air flow rate between 1 liter/min and 4.0 liters/min shall be selected.

(d) Where possible, a sufficient air volume for each air sample shall be collected to yield between one hundred and one thousand three hundred fibers per square millimeter on the membrane filter. If a filter darkens in appearance or if loose dust is seen on the filter, a second sample shall be started.

(e) Ship the samples in a rigid container with sufficient packing material to prevent dislodging the collected fibers. Packing material that has a high electrostatic charge on its surface (e.g., expanded polystyrene) cannot be used because such material can cause loss of fibers to the sides of the cassette.

(f) Calibrate each personal sampling pump before and after use with a representative filter cassette installed between the pump and the calibration devices.

(g) Personal samples shall be taken in the "breathing zone" of the employee (i.e., attached to or near the collar or lapel near the worker's face).

(h) Fiber counts shall be made by positive phase contrast using a microscope with an 8 to 10 X eyepiece and a 40 to 45 X objective for a total magnification of approximately 400 X and a numerical aperture of 0.65 to 0.75. The microscope shall also be fitted with a green or blue filter.

(i) The microscope shall be fitted with a Walton-Beckett eyepiece graticule calibrated for a field diameter of one hundred micrometers (+/-2 micrometers).

(j) The phase-shift detection limit of the microscope shall be about 3 degrees measured using the HSE phase shift test slide as outlined below.

(i) Place the test slide on the microscope stage and center it under the phase objective.

(ii) Bring the blocks of grooved lines into focus.

Note: The slide consists of seven sets of grooved lines (ca. 20 grooves to each block) in descending order of visibility from sets one to seven, seven being the least visible. The requirements for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) counting are that the microscope optics must resolve the grooved lines in set three completely, although they may appear somewhat faint, and that the grooved lines in sets six and seven must be invisible. Sets four and five must be at least partially visible but may vary slightly in visibility between microscopes. A microscope that fails to meet these requirements has either too low or too high a resolution to be used for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) counting.

(iii) If the image deteriorates, clean and adjust the microscope optics. If the problem persists, consult the microscope manufacturer.

(k) Each set of samples taken will include ten percent blanks or a minimum of two blanks. The blank results shall be averaged and subtracted from the analytical results before reporting. Any samples represented by a blank having a fiber count in excess of seven fibers/one hundred fields shall be rejected.

(l) The samples shall be mounted by the acetone/triacetin method or a method with an equivalent index of refraction and similar clarity.

(m) Observe the following counting rules.

(i) Count only fibers equal to or longer than five micrometers. Measure the length of curved fibers along the curve.

(ii) In the absence of other information, count all particles as asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) that have a length-to-width ratio (aspect ratio) of three to one or greater.

(iii) Fibers lying entirely within the boundary of the Walton-Beckett graticule field shall receive a count of one. Fibers crossing the boundary once, having one end within the circle, shall receive the count of one-half. Do not count any fiber that crosses the graticule boundary more than once. Reject and do not count any other fibers even though they may be visible outside the graticule area.

(iv) Count bundles of fibers as one fiber unless individual fibers can be identified by observing both ends of an individual fiber.

(v) For a 25mm filter, count enough graticule fields to yield one hundred fibers by counting a minimum of twenty fields. If less than ten fibers are found after counting one hundred fields and the sample air volume is less than sixty liters, count a total number of fields calculated from the following formulas:

$$N = 6000/V \quad \text{For TWA Determination (QL = 0.085)}$$

$$N = 2400/V \quad \text{For Ceiling Determinations (QL = 0.21)}$$

Where N = Number of fields counted on a 25mm filter  
 V = Air volume of sample in liters  
 QL = Limit of reliable quantification in fibers/cc for the NIOSH 7400 method

Note: Filter samples (25mm) with air volumes of less than thirty liters will have decreased analytical accuracy and precision and should be avoided.

(vi) For a 37mm filter, count enough graticule fields to yield one hundred fibers by counting a minimum of twenty fields. If less than one hundred fibers are found after counting one hundred fields and the sample air volume is less than one hundred thirty-three liters, count a total number of fields calculated from the following formulas:

$$N = 13300/V \quad \text{For TWA Determination (QL = 0.085)}$$

$$N = 5320/V \quad \text{For Ceiling Determinations (QL = 0.21)}$$

Where N = Number of fields counted on a 37mm filter  
V = Air volume of sample in liters  
QL = Limit of reliable quantification in fibers/cc

Note: Filter samples (37mm) with air volumes of less than seventy liters will have decreased analytical accuracy and precision and should be avoided.

(n) Blind recounts shall be conducted at the rate of ten percent.

(2) Quality control procedures.

(a) Intralaboratory program. Each laboratory and/or each company with more than one microscopist counting slides shall establish a statistically designed quality assurance program involving blind recounts and comparisons between microscopists to monitor the variability of counting by each microscopist and between microscopists. In a company with more than one laboratory, the program shall include all laboratories and shall also evaluate the laboratory-to-laboratory variability.

(b) Interlaboratory program. Each laboratory analyzing asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) samples for compliance determination shall implement an interlaboratory quality assurance program that as a minimum includes participation of at least two other independent laboratories. Each laboratory shall participate in round robin testing at least once every six months with at least all the other laboratories in its interlaboratory quality assurance group. Each laboratory shall submit slides typical of its own work load for use in this program. The round robin shall be designed and results analyzed using appropriate statistical methodology.

(c) All individuals performing asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) analysis must have taken the NIOSH course for sampling and evaluating airborne asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) dust or an equivalent course, recognized by the department.

(d) When the use of different microscopes contributes to differences between counters and laboratories, the effect of the different microscope shall be evaluated and the microscope shall be replaced, as necessary.

(e) Current results of these quality assurance programs shall be posted in each laboratory to keep the microscopists informed.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07737 APPENDIX B—DETAILED PROCEDURE FOR ASBESTOS(~~(, TREMOLITE, ANTHOPHYLLITE, AND ACTINOLITE)~~) SAMPLING AND ANALYSIS—NONMANDATORY. This appendix contains a detailed procedure for sampling and

analysis and includes those critical elements specified in WAC 296-62-07735, Appendix A. Employers are not required to use this procedure, but they are required to use Appendix A. The purpose of Appendix B is to provide a detailed step-by-step sampling and analysis procedure that conforms to the elements specified in WAC 296-62-07735, Appendix A. Since this procedure may also standardize the analysis and reduce variability, WISHA encourages employers to use this appendix.

Asbestos(~~(, Tremolite, Anthophyllite, and Actinolite)~~)  
Sampling and Analysis Method

Technique: Microscopy, phase contrast.

Analyte: Fibers (manual count).

Sample preparation: Acetone/triacetin method.

Calibration: Phase-shift detection limit about three degrees.

Range: One hundred to one thousand three hundred fibers/mm<sup>2</sup> filter area.

Estimated limit of detection: Seven fibers/mm<sup>2</sup> filter area.

Sampler: Filter (0.8-1.2 um mixed cellulose ester membrane, 25-mm diameter).

Flow rate: 0.5 L/min to 4.0 L/min (25-mm cassette)  
1.0 L/min to 4.0 L/min (37-mm cassette).

Sample volume: Adjust to obtain one hundred to one thousand three hundred fibers/mm<sup>2</sup>.

Shipment: Routine.

Sample stability: Indefinite.

Blanks: Ten percent of samples (minimum two).

Standard analytical error: 0.25.

Applicability: The working range is 0.02 f/cc (1920-L air sample) to 1.25 f/cc (400-L air sample). The method gives an index of airborne asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fibers but may be used for other materials such as fibrous glass by inserting suitable parameters into the counting rules. The method does not differentiate between asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) and other fibers. Asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fibers less than ca. 0.25 um diameter will not be detected by this method.

Interferences: Any other airborne fiber may interfere since all particles meeting the counting criteria are counted. Chain-like particles may appear fibrous. High levels of nonfibrous dust particles may obscure fibers in the field of view and raise the detection limit.

(1) Reagents.

(a) Acetone.

(b) Triacetin (glycerol triacetate), reagent grade.

Special precautions: Acetone is an extremely flammable liquid and precautions must be taken not to ignite it. Heating of acetone must be done in a ventilated laboratory fume hood using a flameless, spark-free heat source.

(2) Equipment.

(a) Collection device: 25-mm cassette with 50-mm electrically conductive extension cowl with cellulose ester filter, 0.8 to 1.2 mm pore size and backup pad.

Note: Analyze representative filters for fiber background before use and discard the filter lot if more than five fibers/one hundred fields are found.

(b) Personal sampling pump, greater than or equal to 0.5 L/min. with flexible connecting tubing.

(c) Microscope, phase contrast, with green or blue filter, 8 to 10 X eyepiece, and 40 to 45 X phase objective (total magnification ca. 400 X); numerical aperture = 0.65 to 0.75.

(d) Slides, glass, single-frosted, precleaned, 25 x 75 mm.

(e) Cover slips, 25 x 25 mm, No. 1 1/2 unless otherwise specified by microscope manufacturer.

(f) Knife, No. 1 surgical steel, curved blade.

(g) Tweezers.

(h) Flask, Guth-type, insulated neck, 250 to 500 mL (with single-hole rubber stopper and elbow-jointed glass tubing, 16 to 22 cm long).

(i) Hotplate, spark-free, stirring type; heating mantle; or infrared lamp and magnetic stirrer.

(j) Syringe, hypodermic, with 22-gauge needle.

(k) Graticule, Walton-Beckett type with 100  $\mu\text{m}$  diameter circular field at the specimen plane (area =  $0.00785 \text{ mm}^2$ ), (Type G-22).

Note: The graticule is custom-made for each microscope.

(l) HSE/NPL phase contrast test slide, Mark II.

(m) Telescope, ocular phase-ring centering.

(n) Stage micrometer (0.01 mm divisions).

(3) Sampling.

(a) Calibrate each personal sampling pump with a representative sampler in line.

(b) Fasten the sampler to the worker's lapel as close as possible to the worker's mouth. Remove the top cover from the end of the cowl extension (open face) and orient face down. Wrap the joint between the extender and the monitor's body with shrink tape to prevent air leaks.

(c) Submit at least two blanks (or ten percent of the total samples, whichever is greater) for each set of samples. Remove the caps from the field blank cassettes and store the caps and cassettes in a clean area (bag or box) during the sampling period. Replace the caps in the cassettes when sampling is completed.

(d) Sample at 0.5 L/min or greater. Do not exceed 1 mg total dust loading on the filter. Adjust sampling flow rate,  $Q$  (L/min), and time to produce a fiber density,  $E$  (fibers/ $\text{mm}^2$ ), of one hundred to one thousand three hundred fibers/ $\text{mm}^2$  ( $3.85 \times 10^4$  to  $5 \times 10^5$  fibers per 25-mm filter with effective collection area ( $A_c=385 \text{ mm}^2$ )) for optimum counting precision (see subsection (7)(a) of this section). Calculate the minimum sampling time,  $T$  (minutes) at the action level (one-half of the current standard),  $L$  (f/cc) of the fibrous aerosol being sampled:

$$T = \frac{(A_c)(E)}{(Q)(L)10^3}$$

(e) Remove the field monitor at the end of sampling, replace the plastic top cover and small end caps, and store the monitor.

(f) Ship the samples in a rigid container with sufficient packing material to prevent jostling or damage.

Note: Do not use polystyrene foam in the shipping container because of electrostatic forces which may cause fiber loss from the ((sampler)) sample filter.

(4) Sample preparation.

Note: The object is to produce samples with a smooth (nongrainy) background in a medium with a refractive index equal to or less than 1.46. The method below collapses the filter for easier focusing and produces permanent mounts which are useful for quality control and interlaboratory comparison. Other mounting techniques meeting the above criteria may also be used, e.g., the nonpermanent field mounting technique used in P & CAM 239.

(a) Ensure that the glass slides and cover slips are free of dust and fibers.

(b) Place 40 to 60 ml of acetone into a Guth-type flask. Stopper the flask with a single-hole rubber stopper through which a glass tube extends 5 to 8 cm into the flask. The portion of the glass tube that exits the top of the stopper (8 to ten cm) is bent downward in an elbow that makes an angle of twenty to thirty degrees with the horizontal.

(c) Place the flask in a stirring hotplate or wrap in a heating mantle. Heat the acetone gradually to its boiling temperature (ca. 58°C).

Caution: The acetone vapor must be generated in a ventilated fume hood away from all open flames and spark sources. Alternate heating methods can be used, providing no open flame or sparks are present.

(d) Mount either the whole sample filter or a wedge cut from the sample filter on a clean glass slide.

(i) Cut wedges of ca. twenty-five percent of the filter area with a curved-blade steel surgical knife using a rocking motion to prevent tearing.

(ii) Place the filter or wedge, dust slide up, on the slide. Static electricity will usually keep the filter on the slide until it is cleared.

(iii) Hold the glass slide supporting the filter approximately 1 to 2 cm from the glass tube port where the acetone vapor is escaping from the heated flask. The acetone vapor stream should cause a condensation spot on the glass slide ca. 2 to 3 cm in diameter. Move the glass slide gently in the vapor stream. The filter should clear in two to five seconds. If the filter curls, distorts, or is otherwise rendered unusable, the vapor stream is probably not strong enough. Periodically wipe the outlet port with tissue to prevent liquid acetone dripping onto the filter.

(iv) Using the hypodermic syringe with a 22-gauge needle, place one to two drops of triacetin on the filter. Gently lower a clean 25-mm square cover slip down onto the filter at a slight angle to reduce the possibility of forming bubbles. If too many bubbles form or the amount of triacetin is insufficient, the cover slip may become detached within a few hours.

(v) Glue the edges of the cover slip to the glass slide using a lacquer or nail polish.

Note: If clearing is slow, the slide preparation may be heated on a hotplate (surface temperature 50°C) for fifteen minutes to hasten clearing. Counting may proceed immediately after clearing and mounting are completed.

(5) Calibration and quality control.

(a) Calibration of the Walton-Beckett graticule. The diameter,  $d_c$ (mm), of the circular counting area and the disc diameter must be specified when ordering the graticule.

(i) Insert any available graticule into the eyepiece and focus so that the graticule lines are sharp and clear.

(ii) Set the appropriate interpupillary distance and, if applicable, reset the binocular head adjustment so that the magnification remains constant.

(iii) Install the 40 to 45 X phase objective.

(iv) Place a stage micrometer on the microscope object stage and focus the microscope on the graduated lines.

(v) Measure the magnified grid length,  $L_o$ ( $\mu\text{m}$ ) using the stage micrometer.

(vi) Remove the graticule from the microscope and measure its actual grid length,  $L_a$ (mm). This can best be accomplished by using a stage fitted with verniers.

(vii) Calculate the circle diameter,  $d_c$ (mm), for the Walton-Beckett graticule:

$$d_c = \frac{L_a \times D}{L_o}$$

Example: If  $L_o = 108 \mu\text{m}$ ,  $L_a = 2.93 \text{ mm}$  and  $D = 100 \mu\text{m}$ , then  $d_c = 2.71 \text{ mm}$ .

(viii) Check the field diameter,  $D$  (acceptable range  $100 \text{ mm} \pm 2 \text{ mm}$ ) with a stage micrometer upon receipt of the graticule from the manufacturer. Determine field area ( $\text{mm}^2$ ).

(b) Microscope adjustments. Follow the manufacturer's instructions and also the following:

(i) Adjust the light source for even illumination across the field of view at the condenser iris.

Note: Kohler illumination is preferred, where available.

(ii) Focus on the particulate material to be examined.

(iii) Make sure that the field iris is in focus, centered on the sample, and open only enough to fully illuminate the field of view.

(iv) Use the telescope ocular supplied by the manufacturer to ensure that the phase rings (annular diaphragm and phase-shifting elements) are concentric.

(c) Check the phase-shift detection limit of the microscope periodically.

(i) Remove the HSE/NPL phase-contrast test slide from its shipping container and center it under the phase objective.

(ii) Bring the blocks of grooved lines into focus.

Note: The slide consists of seven sets of grooves (ca. 20 grooves to each block) in descending order of visibility from sets one to seven. The requirements for counting are that the microscope optics must resolve the grooved lines in set three completely, although they may appear somewhat faint, and that the grooved lines in sets six to seven must be invisible. Sets four and five must be at least partially visible but may vary slightly in visibility between microscopes. A microscope which fails to meet these requirements has either too low or too high a resolution to be used for asbestos, tremolite, anthophyllite, and actinolite counting.

(iii) If the image quality deteriorates, clean the microscope optics and, if the problem persists, consult the microscope manufacturer.

(d) Quality control of fiber counts.

(i) Prepare and count field blanks along with the field samples. Report the counts on each blank. Calculate the

mean of the field blank counts and subtract this value from each sample count before reporting the results.

Note 1: The identity of the blank filters should be unknown to the counter until all counts have been completed.

Note 2: If a field blank yields fiber counts greater than seven fibers/one hundred fields, report possible contamination of the samples.

(ii) Perform blind recounts by the same counter on ten percent of filters counted (slides relabeled by a person other than the counter).

(e) Use the following test to determine whether a pair of counts on the same filter should be rejected because of possible bias. This statistic estimates the counting repeatability at the ninety-five percent confidence level. Discard the sample if the difference between the two counts exceeds  $2.77(F)S_r$ , where  $F$  = average of the two fiber counts and  $S_r$  = relative standard deviation, which should be derived by each laboratory based on historical in-house data.

Note: If a pair of counts is rejected as a result of this test, recount the remaining samples in the set and test the new counts against the first counts. Discard all rejected paired counts.

(f) Enroll each new counter in a training course that compares performance of counters on a variety of samples using this procedure.

Note: To ensure good reproducibility, all laboratories engaged in asbestos(~~(-tremolite, anthophyllite, and actinolite)~~) counting are required to participate in the proficiency analytical testing (PAT) program and should routinely participate with other asbestos(~~(-tremolite, anthophyllite, and actinolite)~~) fiber counting laboratories in the exchange of field samples to compare performance of counters.

(6) Measurement.

(a) Place the slide on the mechanical stage of the calibrated microscope with the center of the filter under the objective lens. Focus the microscope on the plane of the filter.

(b) Regularly check phase-ring alignment and Kohler illumination.

(c) The following are the counting rules:

(i) Count only fibers (~~(longer than))~~ 5  $\mu\text{m}$  or longer in length. Measure the length of curved fibers along the curve.

(ii) Count only fibers with a length-to-width ratio equal to or greater than three to one.

(iii) For fibers that cross the boundary of the graticule field, do the following:

(A) Count any fiber (~~(longer than))~~ 5  $\mu\text{m}$  or longer in length that lies entirely within the graticule area.

(B) Count as one-half fiber any fiber with only one end lying within the graticule area.

(C) Do not count any fiber that crosses the graticule boundary more than once.

(D) Reject and do not count all other fibers.

(iv) Count bundles of fibers as one fiber unless individual fibers can be identified by observing both ends of a fiber.

(v) For a 25mm filter, count enough graticule fields to yield one hundred fibers by counting a minimum of twenty fields. If less than ten fibers are found after counting one hundred fields and the sample air volume is

less than sixty liters, count a total number of fields calculated from the following formulas:

$$\begin{aligned} N &= 6000/V && \text{For TWA Determination (QL = 0.085)} \\ N &= 2400/V && \text{For Ceiling Determinations (QL = 0.21)} \end{aligned}$$

Where N = Number of fields counted on a 25mm filter  
 V = Air volume of sample in liters  
 QL = Limit of reliable quantification in fibers/cc for the NIOSH 7400 method

Note: Filter samples (25mm) with air volumes of less than thirty liters will have decreased analytical accuracy and precision and should be avoided.

(vi) For a 37mm filter, count enough graticule fields to yield one hundred fibers by counting a minimum of twenty fields. If less than one hundred fibers are found after counting one hundred fields and the sample air volume is less than one hundred thirty-three liters, count a total number of fields calculated from the following formulas:

$$\begin{aligned} N &= 13300/V && \text{For TWA Determination (QL = 0.085)} \\ N &= 5320/V && \text{For Ceiling Determinations (QL = 0.21)} \end{aligned}$$

Where N = Number of fields counted on a 37mm filter  
 V = Air volume of sample in liters  
 QL = Limit of reliable quantification in fibers/cc

Note: Filter samples (37mm) with air volumes of less than seventy liters will have decreased analytical accuracy and precision and should be avoided.

(d) Start counting from one end of the filter and progress along a radial line to the other end, shift either up or down on the filter, and continue in the reverse direction. Select fields randomly by looking away from the eyepiece briefly while advancing the mechanical stage. When an agglomerate covers ca. 1/6 or more of the field of view, reject the field and select another. Do not report rejected fields in the number of total fields counted.

Note: When counting a field, continuously scan a range of focal planes by moving the fine focus knob to detect very fine fibers which have become embedded in the filter. The small-diameter fibers will be very faint but are an important contribution to the total count.

(7) Calculations.

(a) Calculate and report fiber density on the filter, E (fibers/mm<sup>2</sup>); by dividing the total fiber count, F; minus the mean field blank count, B, by the number of fields, n; and the field area, A<sub>f</sub>(0.00785 mm<sup>2</sup> for a properly calibrated Walton-Beckett graticule):

$$E = \frac{((F-B) \text{ fibers/mm}^2)}{(n)(A_f))}$$

$$E = \frac{(F/n_f)-(B/n_b)}{(A_f)} \text{ fibers/mm}^2$$

where:

n<sub>f</sub> = number of fields in submission sample

n<sub>b</sub> = number of fields in blank sample

(b) Calculate the concentration, C (f/cc), of fibers in the air volume sampled, V (L), using the effective collection area of the filter, A<sub>c</sub>(385 mm<sup>2</sup> for a 25-mm filter):

$$C = \frac{(E)(A_c)}{V(10^3)}$$

Note: Periodically check and adjust the value of A<sub>c</sub>, if necessary.

Bulk sample collection and analysis.

Bulk samples should be collected as specified in Appendix G, Section 1 of the United States Environmental Protection Agency (EPA) publication No. 560/5-85-024 (June 1985) entitled Guidance for Controlling Asbestos-Containing Materials in Buildings.

Analysis of the samples should be conducted by polarizing light microscopy in a qualified laboratory. In certain cases, x-ray diffraction may be required to confirm the presence of asbestos. Qualified laboratories must be participants in the EPA bulk asbestos quality assurance program or other bulk asbestos quality assurance program recognized by the department.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07739 APPENDIX C—QUALITATIVE AND QUANTITATIVE FIT TESTING PROCEDURES—MANDATORY. (1) Qualitative fit test protocols.

(a) Isoamyl acetate protocol.

(i) Odor threshold screening:

(A) Three one-liter glass jars with metal lids (e.g., Mason or Ball jars) are required.

(B) Odor free water (e.g., distilled or spring water) at approximately 25°C shall be used for the solutions.

(C) The isoamyl acetate (IAA) (also known as isopentyl acetate) stock solution is prepared by adding one cc of pure IAA to eight hundred cc of odor free water in a one-liter jar and shaking for thirty seconds. This solution shall be prepared new at least weekly.

(D) The screening test shall be conducted in a room separate from the room used for actual fit testing. The two rooms shall be well ventilated but shall not be connected to the same recirculating ventilation system.

(E) The odor test solution is prepared in a second jar by placing 0.4 cc of the stock solution into five hundred cc of odor free water using a clean dropper or pipette. Shake for thirty seconds and allow to stand for two to three minutes so that the IAA concentration above the liquid may reach equilibrium. This solution may be used for only one day.

(F) A test blank is prepared in a third jar by adding five hundred cc of odor free water.

(G) The odor test and test blank jars shall be labelled one and two for jar identification. If the labels are put on the lids they can be periodically peeled, dried off and switched to maintain the integrity of the test.

(H) The following instructions shall be typed on a card and placed on the table in front of the two test jars (i.e., one and two): "The purpose of this test is to determine if you can smell banana oil at a low concentration. The two bottles in front of you contain water. One of these bottles also contains a small amount of banana oil. Be sure the covers are on tight, then shake each bottle for two seconds. Unscrew the lid of each bottle, one at a time, and sniff at the mouth of the bottle. Indicate to the test conductor which bottle contains banana oil."

(I) The mixtures used in the IAA odor detection test shall be prepared in an area separate from where the test is performed, in order to prevent olfactory fatigue in the subject.

(J) If the test subject is unable to correctly identify the jar containing the odor test solution, the IAA qualitative fit test may not be used.

(K) If the test subject correctly identifies the jar containing the odor test solution, the test subject may proceed to respirator selection and fit testing.

(ii) Respirator selection.

(A) The test subject shall be allowed to pick the most comfortable respirator from a selection including respirators of various sizes from different manufacturers. The selection shall include at least five sizes of elastomeric half facepieces, from at least two manufacturers.

(B) The selection process shall be conducted in a room separate from the fit-test chamber to prevent odor fatigue. Prior to the selection process, the test subject shall be shown how to put on a respirator, how it should be positioned on the face, how to set strap tension and how to determine a "comfortable" respirator. A mirror shall be available to assist the subject in evaluating the fit and positioning of the respirator. This instruction may not constitute the subject's formal training on respirator use, as it is only a review.

(C) The test subject should understand that the employee is being asked to select the respirator which provides the most comfortable fit. Each respirator represents a different size and shape and, if fit properly and used properly will provide adequate protection.

(D) The test subject holds each facepiece up to the face and eliminates those which obviously do not give a comfortable fit. Normally, selection will begin with a half-mask and if a good fit cannot be found, the subject will be asked to test the full facepiece respirators. (A small percentage of users will not be able to wear any half-mask.)

(E) The more comfortable facepieces are noted; the most comfortable mask is donned and worn at least five minutes to assess comfort. All donning and adjustments of the facepiece shall be performed by the test subject without assistance from the test conductor or other person. Assistance in assessing comfort can be given by discussing the points in (a)(ii)(F) of this subsection. If the test subject is not familiar with using a particular respirator, the test subject shall be directed to don the mask several times and to adjust the straps each time to become adept at setting proper tension on the straps.

(F) Assessment of comfort shall include reviewing the following points with the test subject and allowing the test subject adequate time to determine the comfort of the respirator:

(I) Positioning of mask on nose.

(II) Room for eye protection.

(III) Room to talk.

(IV) Positioning mask on face and cheeks.

(G) The following criteria shall be used to help determine the adequacy of the respirator fit:

(I) Chin properly placed.

(II) Strap tension.

(III) Fit across nose bridge.

(IV) Distance from nose to chin.

(V) Tendency to slip.

(VI) Self-observation in mirror.

(H) The test subject shall conduct the conventional negative and positive-pressure fit checks before conducting the negative- or positive-pressure test the subject shall be told to "seat" the mask by rapidly moving the head from side-to-side and up and down, while taking a few deep breaths.

(I) The test subject is now ready for fit testing.

(J) After passing the fit test, the test subject shall be questioned again regarding the comfort of the respirator. If it has become uncomfortable, another model of respirator shall be tried.

(K) The employee shall be given the opportunity to select a different facepiece and be retested if the chosen facepiece becomes increasingly uncomfortable at any time.

(iii) Fit test.

(A) The fit test chamber shall be similar to a clear fifty-five gallon drum liner suspended inverted over a two-foot diameter frame, so that the top of the chamber is about six inches above the test subject's head. The inside top center of the chamber shall have a small hook attached.

(B) Each respirator used for the fitting and fit testing shall be equipped with organic vapor cartridges or offer protection against organic vapors. The cartridges or masks shall be changed at least weekly.

(C) After selecting, donning, and properly adjusting a respirator, the test subject shall wear it to the fit testing room. This room shall be separate from the room used for odor threshold screening and respirator selection, and shall be well ventilated, as by an exhaust fan or lab hood, to prevent general room contamination.

(D) A copy of the following test exercises and "rainbow passage" shall be taped to the inside of the test chamber:

Test exercises.

(I) Breathe normally.

(II) Breathe deeply. Be certain breaths are deep and regular.

(III) Turn head all the way from one side to the other. Inhale on each side. Be certain movement is complete. Do not bump the respirator against the shoulders.

(IV) Nod head up and down. Inhale when head is in the full up position (looking toward ceiling). Be certain motions are complete and made about every second. Do not bump the respirator on the chest.

(V) Talking. Talk aloud and slowly for several minutes. The following paragraph is called the "rainbow passage." Reading it will result in a wide range of facial movements, and thus be useful to satisfy this requirement. Alternative passages which serve the same purpose may also be used.

(VI) Jogging in place.

(VII) Breathe normally.

"Rainbow Passage."

When the sunlight strikes raindrops in the air, they act like a prism and form a rainbow. The rainbow is a division of white light into many beautiful colors. These take the shape of a long round arch, with its path high above, and its two ends apparently beyond the horizon. There is, according to legend, a boiling pot of gold at one end. People look, but no one ever finds it. When a

man looks for something beyond reach, his friends say he is looking for the pot of gold at the end of the rainbow.

(E) Each test subject shall wear the respirator for at least ten minutes before starting the fit test.

(F) Upon entering the test chamber, the test subject shall be given a six-inch by five-inch piece of paper towel or other porous absorbent single ply material, folded in half and wetted with three-quarters of one cc of pure IAA. The test subject shall hang the wet towel on the hook at the top of the chamber.

(G) Allow two minutes for the IAA test concentration to be reached before starting the fit-test exercises. This would be an appropriate time to talk with the test subject, to explain the fit test, the importance of cooperation, the purpose for the head exercises, or to demonstrate some of the exercises.

(H) Each exercise described in (D) of this subsection shall be performed for at least one minute.

(I) If at any time during the test, the subject detects the banana-like odor of IAA, the test has failed. The subject shall quickly exit from the test chamber and leave the test area to avoid olfactory fatigue.

(J) If the test is failed, the subject shall return to the selection room and remove the respirator, repeat the odor sensitivity test, select and put on another respirator, return to the test chamber, and again begin the procedure described in (b)(iii)(D) through (H) of this subsection. The process continues until a respirator that fits well has been found. Should the odor sensitivity test be failed, the subject shall wait about five minutes before retesting. Odor sensitivity will usually have returned by this time.

(K) If a person cannot pass the fit test described above wearing a half-mask respirator from the available selection, full facepiece models must be used.

(L) When a respirator is found that passes the test, the subject breaks the face seal and takes a breath before exiting the chamber. This is to assure that the reason the test subject is not smelling the IAA is the good fit of the respirator facepiece seal and not olfactory fatigue.

(M) When the test subject leaves the chamber, the subject shall remove the saturated towel and return it to the person conducting the test. To keep the area from becoming contaminated, the used towels shall be kept in a self-sealing bag so there is no significant IAA concentration buildup in the test chamber during subsequent tests.

(N) At least two facepieces shall be selected for the IAA test protocol. The test subject shall be given the opportunity to wear them for one week to choose the one which is more comfortable to wear.

(O) Persons who have successfully passed this fit test with a half-mask respirator may be assigned the use of the test respirator in atmospheres with up to 2 f/cc of airborne asbestos. ~~((In atmospheres greater than 2 f/cc, and less than 20 f/cc, the subject must pass the IAA test using a full face negative pressure respirator. (The concentration of the IAA inside the test chamber must be increased by ten times for QLFT of the full facepiece.))~~

(P) The test shall not be conducted if there is any hair growth between the skin and the facepiece sealing surface.

(Q) If hair growth or apparel interfere with a satisfactory fit, then they shall be altered or removed so as to eliminate interference and allow a satisfactory fit. If a satisfactory fit is still not attained, the test subject must use a positive-pressure respirator such as powered air-purifying respirators, supplied-air respirator, or self-contained breathing apparatus.

(R) If a test subject exhibits difficulty in breathing during the tests, she or he shall be referred to a physician trained in respirator diseases or pulmonary medicine to determine whether the test subject can wear a respirator while performing her or his duties.

(S) Qualitative fit testing shall be repeated at least every six months.

(T) In addition, because the sealing of the respirator may be affected, qualitative fit testing shall be repeated immediately when the test subject has a:

(I) Weight change of twenty pounds or more,

(II) Significant facial scarring in the area of the facepiece seal,

(III) Significant dental changes; i.e., multiple extractions without prosthesis, or acquiring dentures,

(IV) Reconstructive or cosmetic surgery, or

(V) Any other condition that may interfere with facepiece sealing.

(iv) Recordkeeping.

A summary of all test results shall be maintained in each office for three years. The summary shall include:

(A) Name of test subject.

(B) Date of testing.

(C) Name of the test conductor.

(D) Respirators selected (indicate manufacturer, model, size and approval number).

(E) Testing agent.

(b) Saccharin solution aerosol protocol.

(i) Respirator selection. Respirators shall be selected as described in (a)(ii) of this subsection (respirator selection), except that each respirator shall be equipped with a particulate filter.

(ii) Taste threshold screening.

(A) An enclosure about head and shoulders shall be used for threshold screening (to determine if the individual can taste saccharin) and for fit testing. The enclosure shall be approximately twelve inches in diameter by fourteen inches tall with at least the front clear to allow free movement of the head when a respirator is worn.

(B) The test enclosure shall have a three-quarter inch hole in front of the test subject's nose and mouth area to accommodate the nebulizer nozzle.

(C) The entire screening and testing procedure shall be explained to the test subject prior to conducting the screening test.

(D) During the threshold screening test, the test subject shall don the test enclosure and breathe with open mouth with tongue extended.

(E) Using a DeVilbiss Model 40 Inhalation Medication Nebulizer or equivalent, the test conductor shall spray the threshold check solution into the enclosure.



This nebulizer shall be clearly marked to distinguish it from the fit test solution nebulizer.

(F) The threshold check solution consists of 0.83 grams of sodium saccharin, USP in water. It can be prepared by putting 1 cc of the test solution (see (b)(iii)(G) of this subsection) in one hundred cc of water.

(G) To produce the aerosol, the nebulizer bulb is firmly squeezed so that it collapses completely, then is released and allowed to fully expand.

(H) Ten squeezes of the nebulizer bulb are repeated rapidly and then the test subject is asked whether the saccharin can be tasted.

(I) If the first response is negative, ten more squeezes of the nebulizer bulb are repeated rapidly and the test subject is again asked whether the saccharin can be tasted.

(J) If the second response is negative, ten more squeezes are repeated rapidly and the test subject is again asked whether the saccharin can be tasted.

(K) The test conductor will take note of the number of squeezes required to elicit a taste response.

(L) If the saccharin is not tasted after thirty squeezes ((b)(ii)(J) of this subsection), the saccharin fit test cannot be performed on the test subject.

(M) If a taste response is elicited, the test subject shall be asked to take note of the taste for reference in the fit test.

(N) Correct use of the nebulizer means that approximately 1 cc of liquid is used at a time in the nebulizer body.

(O) The nebulizer shall be thoroughly rinsed in water, shaken dry, and refilled at least every four hours.

(iii) Fit test.

(A) The test subject shall don and adjust the respirator without the assistance from any person.

(B) The fit test uses the same enclosure described in (b)(ii) of this subsection.

(C) Each test subject shall wear the respirator for at least ten minutes before starting the fit test.

(D) The test subject shall don the enclosure while wearing the respirator selected in (a)(ii) of this subsection. This respirator shall be properly adjusted and equipped with a particulate filter.

(E) The test subject may not eat, drink (except plain water), or chew gum for fifteen minutes before the test.

(F) A second DeVilbiss Model 40 Inhalation Medication Nebulizer is used to spray the fit test solution into the enclosure. This nebulizer shall be clearly marked to distinguish it from the screening test solution nebulizer.

(G) The fit test solution is prepared by adding eighty-three grams of sodium saccharin to one hundred cc of warm water.

(H) As before, the test subject shall breathe with mouth open and tongue extended.

(I) The nebulizer is inserted into the hole in the front of the enclosure and the fit test solution is sprayed into the enclosure using the same technique as for the taste threshold screening and the same number of squeezes required to elicit a taste response in the screening. (See (b)(ii)(H) through (J) of this subsection.)

(J) After generation of the aerosol read the following instructions to the test subject. The test subject shall perform the exercises for one minute each.

(I) Breathe normally.

(II) Breathe deeply. Be certain breaths are deep and regular.

(III) Turn head all the way from one side to the other. Be certain movement is complete. Inhale on each side. Do not bump the respirator against the shoulders.

(IV) Nod head up and down. Be certain motions are complete. Inhale when head is in the full up position (when looking toward the ceiling). Do not bump the respirator on the chest.

(V) Talking. Talk aloud and slowly for several minutes. The following paragraph is called the "rainbow passage." Reading it will result in a wide range of facial movements, and thus be useful to satisfy this requirement. Alternative passages which serve the same purpose may also be used.

(VI) Jogging in place.

(VII) Breathe normally.

"Rainbow Passage."

When the sunlight strikes raindrops in the air, they act like a prism and form a rainbow. The rainbow is a division of white light into many beautiful colors. These take the shape of a long round arch, with its path high above, and its two ends apparently beyond the horizon. There is, according to legend, a boiling pot of gold at one end. People look, but no one ever finds it. When a man looks for something beyond his reach, his friends say he is looking for the pot of gold at the end of the rainbow.

(K) At the beginning of each exercise, the aerosol concentration shall be replenished using one-half the number of squeezes as initially described in (b)(iii)(I) of this subsection.

(L) The test subject shall indicate to the test conductor if at any time during the fit test the taste of saccharin is detected.

(M) If the saccharin is detected the fit is deemed unsatisfactory and a different respirator shall be tried.

(N) At least two facepieces shall be selected by the saccharin test protocol. The test subject shall be given the opportunity to wear them for one week to choose the one which is more comfortable to wear.

(O) Successful completion of the test protocol shall allow the use of the half mask tested respirator in contaminated atmospheres up to 2 f/cc of asbestos. In other words this protocol may be used to assign protection factors no higher than ten.

(P) The test shall not be conducted if there is any hair growth between the skin and the facepiece sealing surface.

(Q) If hair growth or apparel interfere with a satisfactory fit, then they shall be altered or removed so as to eliminate interference and allow a satisfactory fit. If a satisfactory fit is still not attained, the test subject must use a positive-pressure respirator such as powered air-purifying respirators, supplied-air respirator, or self-contained breathing apparatus.

(R) If a test subject exhibits difficulty in breathing during the tests, she or he shall be referred to a physician trained in respirator diseases or pulmonary medicine to determine whether the test subject can wear a respirator while performing her or his duties.

(S) Qualitative fit testing shall be repeated at least every six months.

(T) In addition, because the sealing of the respirator may be affected, qualitative fit testing shall be repeated immediately when the test subject has a:

(I) Weight change of twenty pounds or more,

(II) Significant facial scarring in the area of the facepiece seal,

(III) Significant dental changes; i.e., multiple extractions without prosthesis, or acquiring dentures,

(IV) Reconstructive or cosmetic surgery, or

(V) Any other condition that may interfere with facepiece sealing.

(iv) Recordkeeping.

A summary of all test results shall be maintained in each office for three years. The summary shall include:

(A) Name of test subject.

(B) Date of testing.

(C) Name of test conductor.

(D) Respirators selected (indicate manufacturer, model, size and approval number).

(E) Testing agent.

(c) Irritant fume protocol.

(i) Respirator selection.

Respirators shall be selected as described in (a)(ii) of this subsection, except that each respirator shall be equipped with a ((~~combination of~~)) high-efficiency ((~~and acid-gas~~)) cartridge((s)).

(ii) Fit test.

(A) The test subject shall be allowed to smell a weak concentration of the irritant smoke to familiarize the subject with the characteristic odor.

(B) The test subject shall properly don the respirator selected as above, and wear it for at least ten minutes before starting the fit test.

(C) The test conductor shall review this protocol with the test subject before testing.

(D) The test subject shall perform the conventional positive pressure and negative pressure fit checks (see ANSI Z88.2 1980). Failure of either check shall be cause to select an alternate respirator.

(E) Break both ends of a ventilation smoke tube containing stannic oxychloride, such as the MSA part #5645, or equivalent. Attach a short length of tubing to one end of the smoke tube. Attach the other end of the smoke tube to a low pressure air pump set to deliver two hundred milliliters per minute.

(F) Advise the test subject that the smoke can be irritating to the eyes and instruct the subject to keep the eyes closed while the test is performed.

(G) The test conductor shall direct the stream of irritant smoke from the tube towards the facepiece area of the test subject. The person conducting the test shall begin with the tube at least twelve inches from the facepiece and gradually move to within one inch, moving around the whole perimeter of the mask.

(H) The test subject shall be instructed to do the following exercises while the respirator is being challenged by the smoke. Each exercise shall be performed for one minute.

(I) Breathe normally.

(II) Breathe deeply. Be certain breaths are deep and regular.

(III) Turn head all the way from one side to the other. Be certain movement is complete. Inhale on each side. Do not bump the respirator against the shoulders.

(IV) Nod head up and down. Be certain motions are complete and made every second. Inhale when head is in the full up position (looking toward ceiling). Do not bump the respirator against the chest.

(V) Talking. Talk aloud and slowly for several minutes. The following paragraph is called the "rainbow passage." ((~~Reading it~~)) Repeating it after the test conductor (keeping eyes closed) will result in a wide range of facial movements, and thus be useful to satisfy this requirement. Alternative passages which serve the same purpose may also be used.

"Rainbow Passage."

When the sunlight strikes raindrops in the air, they act like a prism and form a rainbow. The rainbow is a division of white light into many beautiful colors. These take the shape of a long round arch, with its path high above, and its two ends apparently beyond the horizon. There is, according to legend, a boiling pot of gold at one end. People look, but no one ever finds it. When a man looks for something beyond his reach, his friends say he is looking for the pot of gold at the end of the rainbow.

(VI) Jogging in place.

(VII) Breathe normally.

(I) The test subject shall indicate to the test conductor if the irritant smoke is detected. If smoke is detected, the test conductor shall stop the test. In this case, the tested respirator is rejected and another respirator shall be selected.

(J) Each test subject passing the smoke test (i.e., without detecting the smoke) shall be given a sensitivity check of smoke from the same tube to determine if the test subject reacts to the smoke. Failure to evoke a response shall void the fit test.

(K) This fit test protocol, (c)(ii)(D), (I), and (J) of this subsection, shall be performed in a location with exhaust ventilation sufficient to prevent general contamination of the testing area by the test agents.

(L) At least two facepieces shall be selected by the irritant fume test protocol. The test subject shall be given the opportunity to wear them for one week to choose the one which is more comfortable to wear.

(M) Respirators successfully tested by the protocol may be used in contaminated atmospheres up to 2 f/cc of asbestos.

(N) The test shall not be conducted if there is any hair growth between the skin and the facepiece sealing surface.

(O) If hair growth or apparel interfere with a satisfactory fit, then they shall be altered or removed so as to eliminate interference and allow a satisfactory fit. If a satisfactory fit is still not attained, the test subject must

use a positive-pressure respirator such as powered air-purifying respirators, supplied-air respirator, or self-contained breathing apparatus.

(P) If a test subject exhibits difficulty in breathing during the tests, she or he shall be referred to a physician trained in respirator diseases or pulmonary medicine to determine whether the test subject can wear a respirator while performing her or his duties.

(Q) Qualitative fit testing shall be repeated at least every six months.

(R) In addition, because the sealing of the respirator may be affected, qualitative fit testing shall be repeated immediately when the test subject has a:

(I) Weight change of twenty pounds or more,

(II) Significant facial scarring in the area of the facepiece seal,

(III) Significant dental changes; i.e., multiple extractions without prosthesis, or acquiring dentures,

(IV) Reconstructive or cosmetic surgery, or

(V) Any other condition that may interfere with facepiece sealing.

(iii) Recordkeeping.

A summary of all test results shall be maintained in each office for three years. The summary shall include:

(A) Name of test subject.

(B) Date of testing.

(C) Name of test conductor.

(D) Respirators selected (indicate manufacturer, model, size and approval number).

(E) Testing agent.

(2) Quantitative fit test procedures.

(a) General.

(i) The method applies to the negative-pressure nonpowered air-purifying respirators only.

(ii) The employer shall assign one individual who shall assume the full responsibility for implementing the respirator quantitative fit test program.

(b) Definition.

(i) "Quantitative fit test" means the measurement of the effectiveness of a respirator seal in excluding the ambient atmosphere. The test is performed by dividing the measured concentration of challenge agent in a test chamber by the measured concentration of the challenge agent inside the respirator facepiece when the normal air-purifying element has been replaced by an essentially perfect purifying element.

(ii) "Challenge agent" means the air contaminant introduced into a test chamber so that its concentration inside and outside the respirator may be compared.

(iii) "Test subject" means the person wearing the respirator for quantitative fit testing.

(iv) "Normal standing position" means standing erect and straight with arms down along the sides and looking straight ahead.

(v) "Fit factor" means the ratio of challenge agent concentration outside with respect to the inside of a respirator inlet covering (facepiece or enclosure).

(c) Apparatus.

(i) Instrumentation. Corn oil, sodium chloride or other appropriate aerosol generation, dilution, and measurement systems shall be used for quantitative fit test.

(ii) Test chamber. The test chamber shall be large enough to permit all test subjects to freely perform all required exercises without distributing the challenge agent concentration or the measurement apparatus. The test chamber shall be equipped and constructed so that the challenge agent is effectively isolated from the ambient air yet uniform in concentration throughout the chamber.

(iii) When testing air-purifying respirators, the respirator shall be equipped with a cartridge or canister approved for removal of the test agent, or with a high efficiency particulate filter. Only approved assemblies shall be tested.

(iv) The sampling instrument shall be selected so that a strip chart record may be made of the test showing the rise and fall of challenge agent concentration with each inspiration and expiration at fit factors of at least two thousand.

(v) The combination of substitute air-purifying elements (if any), challenge agent, and challenge agent concentration in the test chamber shall be such that the test subject is not exposed in excess of PEL to the challenge agent at any time during the testing process.

(vi) The sampling port on the test specimen respirator shall be placed and constructed so that there is no detectable leak around the port, a free air flow is allowed into the sampling line at all times and so there is no interference with the fit or performance of the respirator.

(vii) The test chamber and test set-up shall permit the person administering the test to observe one test subject inside the chamber during the test.

(viii) The equipment generating the challenge atmosphere shall maintain the concentration of challenge agent constant within a ten percent variation for the duration of the test.

(ix) The time lag (interval between an event and its being recorded on the strip chart) of the instrumentation may not exceed two seconds.

(x) The tubing for the test chamber atmosphere and for the respirator sampling port shall be the same diameter, length and material. It shall be kept as short as possible. The smallest diameter tubing recommended by the manufacturer shall be used.

(xi) The exhaust flow from the test chamber shall pass through a high-efficiency filter before release to the room.

(xii) When sodium chloride aerosol is used, the relative humidity inside the test chamber shall not exceed fifty percent.

(d) Procedural requirements.

(i) The fitting of half-mask respirators should be started with those having multiple sizes and a variety of interchangeable cartridges and canisters such as the MSA Comfo II-M, ((Norton)) North M, Survivair M, A-O M, or Scott-M. Use either of the tests outlined below to assure that the facepiece is properly adjusted.

(A) Positive pressure test. With the exhaust port(s) blocked, the negative pressure of slight inhalation should remain constant for several seconds.

(B) Negative pressure test. With the intake port(s) blocked, the negative pressure slight inhalation should remain constant for several seconds.

(ii) After a facepiece is adjusted, the test subject shall wear the facepiece for at least five minutes before conducting a qualitative test by using either of the methods described below and using the exercise regime described in (e)(i) through (v) of this subsection.

(A) Isoamyl acetate test. When using organic vapor cartridges, the test subject who can smell the odor should be unable to detect the odor of isoamyl acetate squirted into the air near the most vulnerable portions of the facepiece seal. In a location which is separated from the test area, the test subject shall be instructed to close her/his eyes during the test period. A combination cartridge or canister with organic vapor and high-efficiency filters shall be used when available for the particular mask being tested. The test subject shall be given an opportunity to smell the odor of isoamyl acetate before the test is conducted.

(B) Irritant fume test. When using high-efficiency filters, the test subject should be unable to detect the odor of irritant fume (stannic chloride or titanium tetrachloride ventilation smoke tubes) squirted into the air near the most vulnerable portions of the facepiece seal. The test subject shall be instructed to close her/his eyes during the test period.

(iii) The test subject may enter the quantitative testing chamber only if she or he has obtained a satisfactory fit as stated in (d)(ii) of this subsection.

(iv) Before the subject enters the test chamber, a reasonably stable challenge agent concentration shall be measured in the test chamber.

(v) Immediately after the subject enters the test chamber, the challenge agent concentration inside the respirator shall be measured to ensure that the peak penetration does not exceed five percent for a half-mask and one percent for a full facepiece.

(vi) A stable challenge agent concentration shall be obtained prior to the actual start of testing.

(A) Respirator restraining straps may not be overtightened for testing. The straps shall be adjusted by the wearer to give a reasonably comfortable fit typical of normal use.

(e) Exercise regime. Prior to entering the test chamber, the test subject shall be given complete instructions as to her/his part in the test procedures. The test subject shall perform the following exercises, in the order given, for each independent test.

(i) Normal breathing (NB). In the normal standing position, without talking, the subject shall breathe normally for at least one minute.

(ii) Deep breathing (DB). In the normal standing position the subject shall do deep breathing for at least one minute pausing so as not to hyperventilate.

(iii) Turning head side to side (SS). Standing in place the subject shall slowly turn his/her head from side between the extreme positions to each side. The head shall be held at each extreme position for at least five seconds. Perform for at least three complete cycles.

(iv) Moving head up and down (UD). Standing in place, the subject shall slowly move his/her head up and down between the extreme position straight up and the extreme position straight down. The head shall be held

at each extreme position for at least five seconds. Perform for at least three complete cycles.

(v) Reading (R). The test subject (~~shall read out slowly and loud so as~~) (keeping eyes closed) shall repeat after the test conductor the "rainbow passage" at the end of this section. The subject shall talk slowly and aloud so as to be heard clearly by the test conductor or monitor. The test subject shall read the "rainbow passage" at the end of this section.

(vi) Grimace (G). The test subject shall grimace, smile, frown, and generally contort the face using the facial muscles. Continue for at least fifteen seconds.

(vii) Bend over and touch toes (B). The test subject shall bend at the waist and touch toes and return to upright position. Repeat for at least thirty seconds.

(viii) Jogging in place (J). The test subject shall perform jog in place for at least thirty seconds.

(ix) Normal breathing (NB). Same as exercise (e)(i) of this subsection.

"Rainbow Passage."

When the sunlight strikes raindrops in the air, they act like a prism and form a rainbow. The rainbow is a division of white light into many beautiful colors. These take the shape of a long round arch, with its path high above, and its two ends apparently beyond the horizon. There is, according to legend, a boiling pot of gold at one end. People look, but no one ever finds it. When a man looks for something beyond reach, his friends say he is looking for the pot of gold at the end of the rainbow.

(f) The test shall be terminated whenever any single peak penetration exceeds five percent for half-masks and one percent for full facepieces. The test subject may be refitted and retested. If two of the three required tests are terminated, the fit shall be deemed inadequate. ~~((See (d)(ii) of this subsection.))~~

(g) Calculation of fit factors.

(i) The fit factor is determined by dividing the average challenge agent concentration in the test chamber by the average challenge agent concentration inside the respirator facepiece for the test exercise.

(ii) The average test chamber concentration is the arithmetic average of the test chamber concentration at the beginning and at the end of the test.

(iii) The average peak concentration of the challenge agent inside the respirator shall be the arithmetic average peak concentrations for each of the nine exercises of the test which are computed as the arithmetic average of the peak concentrations found for each breath during the exercise.

(iv) The average peak concentration for an exercise may be determined graphically if there is not a great variation in the peak concentrations during a single exercise.

(h) Interpretation of test results. The fit factor measured by the quantitative fit testing shall be the lowest of the three fit factors resulting from three independent tests.

(i) Other requirements.

(i) The test subject shall not be permitted to wear a half-mask or full facepiece mask if the minimum fit factor of one hundred or one thousand, respectively,

cannot be obtained. If hair growth or apparel interfere with a satisfactory fit, then they shall be altered or removed so as to eliminate interference and allow a satisfactory fit. If a satisfactory fit is still not attained, the test subject must use a positive-pressure respirator such as powered air-purifying respirators, supplied-air respirator, or self-contained breathing apparatus.

(ii) The test shall not be conducted if there is any hair growth between the skin and the facepiece sealing surface.

(iii) If a test subject exhibits difficulty in breathing during the tests, she or he shall be referred to a physician trained in respirator diseases or pulmonary medicine to determine whether the test subject can wear a respirator while performing her or his duties.

(iv) The test subject shall be given the opportunity to wear the assigned respirator for one week. If the respirator does not provide a satisfactory fit during actual use, the test subject may request another QNFT which shall be performed immediately.

(v) A respirator fit factor card shall be issued to the test subject with the following information:

- (A) Name.
- (B) Date of fit test.
- (C) Fit factor obtained for each manufacturer, model and approval number of respirator tested.
- (D) Name and signature of the person that conducted the test.

(vi) Filters used for qualitative or quantitative fit testing shall be replaced weekly, whenever increased breathing resistance is encountered, or when the test agent has altered the integrity of the filter media. Organic vapor cartridges/canisters shall be replaced daily or sooner if there is any indication of breakthrough by the test agent.

(j) In addition, because the sealing of the respirator may be affected, quantitative fit testing shall be repeated immediately when the test subject has a:

- (i) Weight change of twenty pounds or more,
- (ii) Significant facial scarring in the area of the facepiece seal,

(iii) Significant dental changes; i.e., multiple extractions without prosthesis, or acquiring dentures,

(iv) Reconstructive or cosmetic surgery, or

(v) Any other condition that may interfere with facepiece sealing.

(k) Recordkeeping.

A summary of all test results shall be maintained for three years. The summary shall include:

- (i) Name of test subject.
- (ii) Date of testing.
- (iii) Name of the test conductor.
- (iv) Fit factors obtained from every respirator tested (indicate manufacturer, model, size and approval number).

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07741 APPENDIX D—MEDICAL QUESTIONNAIRES—MANDATORY. This mandatory appendix contains the medical questionnaires that must be administered to all employees who are exposed to asbestos(~~(, tremolite, anthophyllite, actinolite, or a~~

~~combination of these minerals~~)) above the action level, and who will therefore be included in their employer's medical surveillance program. Part 1 of the appendix contains the initial medical questionnaire, which must be obtained for all new hires who will be covered by the medical surveillance requirements. Part 2 includes the abbreviated periodical medical questionnaire, which must be administered to all employees who are provided periodic medical examinations under the medical surveillance provisions of the standard.

Part I  
INITIAL MEDICAL QUESTIONNAIRE

1. NAME \_\_\_\_\_

2. SOCIAL SECURITY # \_\_\_\_\_  

1	2	3	4	5	6	7	8	9
---	---	---	---	---	---	---	---	---

3. CLOCK NUMBER \_\_\_\_\_  

10	11	12	13	14	15
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4. PRESENT OCCUPATION \_\_\_\_\_

5. PLANT \_\_\_\_\_

6. ADDRESS \_\_\_\_\_

7. \_\_\_\_\_  
(Zip Code)

8. TELEPHONE NUMBER \_\_\_\_\_

9. INTERVIEWER \_\_\_\_\_

10. DATE \_\_\_\_\_  

16	17	18	19	20	21
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11. Date of birth \_\_\_\_\_  

Month	Day	Year	22	23	24	25	26	27
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12. Place of birth \_\_\_\_\_

13. Sex  
 1. Male \_\_\_\_\_  
 2. Female \_\_\_\_\_

14. What is your marital status?  
 1. Single \_\_\_\_\_ 4. Separated/Divorced \_\_\_\_\_  
 2. Married \_\_\_\_\_  
 3. Widowed \_\_\_\_\_

15. Race  
 1. White \_\_\_\_\_ 4. Hispanic \_\_\_\_\_  
 2. Black \_\_\_\_\_ 5. Indian \_\_\_\_\_  
 3. Asian \_\_\_\_\_ 6. Other \_\_\_\_\_

16. What is the highest grade completed in school?  
 (For example 12 years is completion of high school)

OCCUPATIONAL HISTORY

17A. Have you ever worked full time (30 hours per week or more) for 6 months or more? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 17A:

B. Have you ever worked for a year or more in any dusty job? 1. Yes \_\_\_ 2. No \_\_\_  
 3. Does not apply \_\_\_  
 Specify job/industry \_\_\_\_\_ Total years worked \_\_\_\_\_  
 Was dust exposure: 1. Mild \_\_\_ 2. Moderate \_\_\_ 3. Severe \_\_\_

C. Have you ever been exposed to gas or chemical fumes in your work? 1. Yes \_\_\_ 2. No \_\_\_  
 Specify job/industry \_\_\_\_\_ Total years worked \_\_\_\_\_  
 Was exposure: 1. Mild \_\_\_ 2. Moderate \_\_\_ 3. Severe \_\_\_

D. What has been your usual occupation or job—the one you have worked at the longest?  
 1. Job occupation \_\_\_\_\_  
 2. Number of years employed in this occupation \_\_\_\_\_  
 3. Position/job title \_\_\_\_\_  
 4. Business, field or industry \_\_\_\_\_

(Record on lines the years in which you have worked in any of these industries, e.g., 1960-1969.)

Have you ever worked:

		YES	NO
E.	In a mine? .....	<input type="checkbox"/>	<input type="checkbox"/>
F.	In a quarry? .....	<input type="checkbox"/>	<input type="checkbox"/>
G.	In a foundry? .....	<input type="checkbox"/>	<input type="checkbox"/>
H.	In a pottery? .....	<input type="checkbox"/>	<input type="checkbox"/>

- I. In a cotton, flax or hemp mill?
- J. With asbestos?

18. PAST MEDICAL HISTORY

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | YES                      | NO                       |
| A. Do you consider yourself to be in good health? <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If "NO" state reason _____   |                          |                          |
| B. Have you any defect in vision? <input type="checkbox"/>                 | <input type="checkbox"/> | <input type="checkbox"/> |
| If "YES" state nature of defect _____                                      |                          |                          |
| C. Have you any hearing defect? <input type="checkbox"/>                   | <input type="checkbox"/> | <input type="checkbox"/> |
| If "YES" state nature of defect _____                                      |                          |                          |
| D. Are you suffering from or have you ever suffered from:                  |                          |                          |
| a. Epilepsy (or fits, seizures, convulsions)? <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Rheumatic fever? <input type="checkbox"/>                               | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Kidney disease? <input type="checkbox"/>                                | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Bladder disease? <input type="checkbox"/>                               | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Diabetes? <input type="checkbox"/>                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Jaundice? <input type="checkbox"/>                                      | <input type="checkbox"/> | <input type="checkbox"/> |

19. CHEST COLDS AND CHEST ILLNESSES

- 19A. If you get a cold, does it usually go to your chest? (Usually means more than 1/2 the time.) 1. Yes \_\_\_ 2. No \_\_\_ 3. Don't get colds \_\_\_
- 20A. During the past 3 years, have you had any chest illnesses that have kept you off work, indoors at home, or in bed? 1. Yes \_\_\_ 2. No \_\_\_
- IF YES TO 20A:
- B. Did you produce phlegm with any of these chest illnesses? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_
- C. In the last 3 years, how many such illnesses with (increased) phlegm did you have which lasted a week or more? Number of illnesses \_\_\_ No such illnesses \_\_\_
21. Did you have any lung trouble before the age of 16? 1. Yes \_\_\_ 2. No \_\_\_
22. Have you ever had any of the following?
- 1A. Attacks of bronchitis? 1. Yes \_\_\_ 2. No \_\_\_
- IF YES TO 1A:
- B. Was it confirmed by a doctor? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_
- C. At what age was your first attack? Age in years \_\_\_ Does not apply \_\_\_
- 2A. Pneumonia? (include broncho-pneumonia) 1. Yes \_\_\_ 2. No \_\_\_
- IF YES TO 2A:
- B. Was it confirmed by a doctor? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_
- C. At what age did you first have it? Age in years \_\_\_ Does not apply \_\_\_
- 3A. Hay fever? 1. Yes \_\_\_ 2. No \_\_\_
- IF YES TO 3A:
- B. Was it confirmed by a doctor? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_
- C. At what age did it start? Age in years \_\_\_ Does not apply \_\_\_
- 23A. Have you ever had chronic bronchitis? 1. Yes \_\_\_ 2. No \_\_\_
- IF YES TO 23A:
- B. Do you still have it? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_
- C. Was it confirmed by a doctor? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_
- D. At what age did it start? Age in years \_\_\_ Does not apply \_\_\_
- 24A. Have you ever had emphysema? 1. Yes \_\_\_ 2. No \_\_\_
- IF YES TO 24A:
- B. Do you still have it? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

- C. Was it confirmed by a doctor? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

- D. At what age did it start? Age in years \_\_\_ Does not apply \_\_\_

- 25A. Have you ever had asthma? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 25A:

- B. Do you still have it? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

- C. Was it confirmed by a doctor? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

- D. At what age did it start? Age in years \_\_\_ Does not apply \_\_\_

- E. If you no longer have it, at what age did it stop? Age stopped \_\_\_ Does not apply \_\_\_

26. Have you ever had: 1. Yes \_\_\_ 2. No \_\_\_

- A. Any other chest illness? 1. Yes \_\_\_ 2. No \_\_\_
- If yes, please specify \_\_\_\_\_

- B. Any chest operations? 1. Yes \_\_\_ 2. No \_\_\_
- If yes, please specify \_\_\_\_\_

- C. Any chest injuries? 1. Yes \_\_\_ 2. No \_\_\_
- If yes, please specify \_\_\_\_\_

- 27A. Has a doctor ever told you that you had heart trouble? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 27A:

- B. Have you ever had treatment for heart trouble in the past 10 years? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

- 28A. Has a doctor ever told you that you had high blood pressure? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 28A:

- B. Have you had any treatment for high blood pressure (hypertension) in the past 10 years? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

29. When did you last have your chest x-rayed? (Year) \_\_\_/\_\_\_/\_\_\_

30. Where did you last have your chest x-rayed (if known)? \_\_\_\_\_ What was the outcome? \_\_\_\_\_

FAMILY HISTORY

31. Were either of your natural parents ever told by a doctor that they had a chronic lung condition such as:

	FATHER			MOTHER		
	1. Yes	2. No	3. Don't Know	1. Yes	2. No	3. Don't Know
A. Chronic Bronchitis?	___	___	___	___	___	___
B. Emphysema?	___	___	___	___	___	___
C. Asthma?	___	___	___	___	___	___
D. Lung cancer?	___	___	___	___	___	___
E. Other chest conditions?	___	___	___	___	___	___
F. Is parent currently alive?	___	___	___	___	___	___
G. Please specify	___ Age if living	___ Age at death	___ Don't know	___ Age if living	___ Age at death	___ Don't know

- H. Please specify cause of death \_\_\_\_\_

COUGH

- 32A. Do you usually have a cough? (Count a cough with first smoke or on first going out of doors. Exclude clearing of throat.) (If no, skip to question 32C.) 1. Yes \_\_\_ 2. No \_\_\_

- B. Do you usually cough as much as 4 to 6 times a day 4 or more days out of the week? 1. Yes \_\_\_ 2. No \_\_\_

C. Do you usually cough at all on getting up or first thing in the morning? 1. Yes \_\_\_ 2. No \_\_\_

D. Do you usually cough at all during the rest of the day or at night? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO ANY OF ABOVE (32A, B, C, OR D), ANSWER THE FOLLOWING. IF NO TO ALL, CHECK DOES NOT APPLY AND SKIP TO NEXT PAGE

E. Do you usually cough like this on most days for 3 consecutive months or more during the year? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

F. For how many years have you had the cough? Number of years \_\_\_ Does not apply \_\_\_

33A. Do you usually bring up phlegm from your chest? (Count phlegm with the first smoke or on first going out of doors. Exclude phlegm from the nose. Count swallowed phlegm.) (If no, skip to 33C.) 1. Yes \_\_\_ 2. No \_\_\_

B. Do you usually bring up phlegm like this as much as twice a day 4 or more days out of the week? 1. Yes \_\_\_ 2. No \_\_\_

C. Do you usually bring up phlegm at all on getting up or first thing in the morning? 1. Yes \_\_\_ 2. No \_\_\_

D. Do you usually bring up phlegm at all during the rest of the day or at night? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO ANY OF THE ABOVE (33A, B, C, OR D), ANSWER THE FOLLOWING: IF NO TO ALL, CHECK DOES NOT APPLY AND SKIP TO 34A.

E. Do you bring up phlegm like this on most days for 3 consecutive months or more during the year? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

F. For how many years have you had trouble with phlegm? Number of years \_\_\_ Does not apply \_\_\_

EPISODES OF COUGH AND PHLEGM

34A. Have you had periods or episodes of (increased\*) cough and phlegm lasting for 3 weeks or more each year? 1. Yes \_\_\_ 2. No \_\_\_ \*(For persons who usually have cough and/or phlegm.)

IF YES TO 34A:

B. For how long have you had at least 1 such episode per year? Number of years \_\_\_ Does not apply \_\_\_

WHEEZING

35A. Does your chest ever sound wheezy or whistling: 1. When you have a cold? 1. Yes \_\_\_ 2. No \_\_\_ 2. Occasionally apart from colds? 1. Yes \_\_\_ 2. No \_\_\_ 3. Most days or nights? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 1, 2, OR 3 IN 35A:

B. For how many years has this been present? Number of years \_\_\_ Does not apply \_\_\_

36A. Have you ever had an attack of wheezing that has made you feel short of breath? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 36A:

B. How old were you when you had your first such attack? Age in years \_\_\_ Does not apply \_\_\_

C. Have you had 2 or more such episodes? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

D. Have you ever required medicine or treatment for the(se) attack(s)? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

BREATHLESSNESS

37. If disabled from walking by any condition other than heart or lung disease, please describe and proceed to question 39A. Nature of condition(s) \_\_\_\_\_

38A. Are you troubled by shortness of breath when hurrying on the level or walking up a slight hill? 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 38A:

B. Do you have to walk slower than people of your age on the level because of breathlessness? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

C. Do you ever have to stop for breath when walking at your own pace on the level? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

D. Do you ever have to stop for breath after walking about 100 yards (or after a few minutes) on the level? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

E. Are you too breathless to leave the house or breathless on dressing or climbing one flight of stairs? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

TOBACCO SMOKING

39A. Have you ever smoked cigarettes? (No means less than 20 packs of cigarettes or 12 oz. of tobacco in a lifetime or less than 1 cigarette a day for 1 year.) 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 39A:

B. Do you now smoke cigarettes (as of one month ago)? 1. Yes \_\_\_ 2. No \_\_\_ 3. Does not apply \_\_\_

C. How old were you when you first started regular cigarette smoking? Age in years \_\_\_ Does not apply \_\_\_

D. If you have stopped smoking cigarettes completely, how old were you when you stopped? Aged stopped \_\_\_ Check if still smoking \_\_\_ Does not apply \_\_\_

E. How many cigarettes do you smoke per day now? Cigarettes per day \_\_\_ Does not apply \_\_\_

F. On the average of the entire time you smoked, how many cigarettes did you smoke per day? Cigarettes per day \_\_\_ Does not apply \_\_\_

G. Do you or did you inhale the cigarette smoke? 1. Does not apply \_\_\_ 2. Not at all \_\_\_ 3. Slightly \_\_\_ 4. Moderately \_\_\_ 5. Deeply \_\_\_

40A. Have you ever smoked a pipe regularly? (Yes means more than 12 ounces of tobacco in a lifetime.) 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 40A:

FOR PERSONS WHO HAVE EVER SMOKED A PIPE

B. 1. How old were you when you started to smoke a pipe regularly? Age \_\_\_

2. If you have stopped smoking a pipe completely, how old were you when you stopped? Age stopped \_\_\_ Check if still smoking pipe \_\_\_ Does not apply \_\_\_

C. On the average over the entire time you smoked a pipe, how much pipe tobacco did you smoke per week? \_\_\_ oz. per week (a standard pouch of tobacco contains 1-1/2 ounces) Does not apply \_\_\_

D. How much pipe tobacco are you smoking now? oz. per week \_\_\_ Not currently smoking a pipe \_\_\_

E. Do you or did you inhale the pipe smoke? 1. Never smoked \_\_\_ 2. Not at all \_\_\_ 3. Slightly \_\_\_ 4. Moderately \_\_\_ 5. Deeply \_\_\_

41A. Have you ever smoked cigars regularly? (Yes means more than 1 cigar a week for a year.) 1. Yes \_\_\_ 2. No \_\_\_

IF YES TO 41A:

FOR PERSONS WHO HAVE EVER SMOKED CIGARS

B. 1. How old were you when you started smoking cigars regularly? Age \_\_\_

2. If you have stopped smoking cigars completely, how old were you when you stopped? Age stopped \_\_\_ Check if still smoking cigars \_\_\_ Does not apply \_\_\_

- C. On the average over the entire time you smoked cigars, how many cigars did you smoke per week? Cigars per week   
Does not apply
- D. How many cigars are you smoking per week now? Cigars per week   
Check if not smoking cigars currently
- E. Do you or did you inhale the cigar smoke? 1. Never smoked   
2. Not at all   
3. Slightly   
4. Moderately   
5. Deeply

- IF YES TO 15A:
- 15B. Did you produce phlegm with any of these chest illnesses? 1. Yes  2. No   
3. Does not apply

- 15C. In the past year, how many such illnesses with (increased) phlegm did you have which lasted a week or more? Number of illnesses   
No such illnesses

16. RESPIRATORY SYSTEM  
In the past year have you had: Yes or No Further Comment on Positive Answers

- Asthma
- Bronchitis
- Hay fever
- Other allergies

- Pneumonia
- Tuberculosis
- Chest surgery
- Other lung Problems
- Heart disease

- Do you have: Yes or No Further Comment on Positive Answers

- Frequent colds
- Chronic cough
- Shortness of breath when walking or climbing one flight of stairs

- Do you: Wheeze   
Cough up phlegm   
Smoke cigarettes  Packs per day  How many years

Signature \_\_\_\_\_ Date \_\_\_\_\_

Part 2 PERIODIC MEDICAL QUESTIONNAIRE

- 1. NAME \_\_\_\_\_
- 2. SOCIAL SECURITY #
- 3. CLOCK NUMBER
- 4. PRESENT OCCUPATION \_\_\_\_\_
- 5. PLANT \_\_\_\_\_
- 6. ADDRESS \_\_\_\_\_
- 7. \_\_\_\_\_ (Zip Code) \_\_\_\_\_
- 8. TELEPHONE NUMBER \_\_\_\_\_
- 9. INTERVIEWER \_\_\_\_\_
- 10. DATE

11. What is your marital status? 1. Single  4. Separated/Divorced   
2. Married  3. Widowed

12. OCCUPATIONAL HISTORY
- 12A. In the past year, did you work full time (30 hours per week or more) for 6 months or more? 1. Yes  2. No

IF YES TO 12A:

- 12B. In the past year, did you work in a dusty job? 1. Yes  2. No   
3. Does not apply
- 12C. Was dust exposure: 1. Mild  2. Moderate  3. Severe
- 12D. In the past year, were you exposed to gas or chemical fumes in your work? 1. Yes  2. No
- 12E. Was exposure: 1. Mild  2. Moderate  3. Severe
- 12F. In the past year, what was your: 1. Job/occupation? \_\_\_\_\_  
2. Position/job title? \_\_\_\_\_

13. RECENT MEDICAL HISTORY
- 13A. Do you consider yourself to be in good health? Yes  No   
If NO, state reason \_\_\_\_\_

- 13B. In the past year, have you developed: Yes No
- Epilepsy?
  - Rheumatic fever?
  - Kidney disease?
  - Bladder disease?
  - Diabetes?
  - Jaundice?
  - Cancer?

14. CHEST COLDS AND CHEST ILLNESS
- 14A. If you get a cold, does it usually go to your chest? (Usually means more than 1/2 the time.) 1. Yes  2. No   
3. Don't get colds
- 15A. During the past year, have you had any chest illnesses that have kept you off work, indoors at home, or in bed? 1. Yes  2. No   
3. Does not apply

Date \_\_\_\_\_ Signature \_\_\_\_\_

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07743 APPENDIX E—INTERPRETATION AND CLASSIFICATION OF CHEST ROENTGENOGRAMS—MANDATORY. (1) Chest roentgenograms shall be interpreted and classified in accordance with a professionally accepted classification system and recorded on ((a roentgenographic interpretation form. \*Form CSD/NIOSH (M) 2.8)) an interpretation form following the format of the CDC/NIOSH (M) 2.8 form. As a minimum, the content within the bold lines of this form (items one through four) shall be included. This form is not to be submitted to NIOSH.

(2) Roentgenograms shall be interpreted and classified only by a B-reader, a board eligible/certified radiologist, or an experienced physician with known expertise in pneumoconioses.

(3) All interpreters, whenever interpreting chest roentgenograms made under this section, shall have immediately available for reference a complete set of the ILO-U/C International Classification of Radiographs for Pneumoconioses, 1980.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07745 APPENDIX F—WORK PRACTICES AND ENGINEERING CONTROLS



**FOR AUTOMOTIVE BRAKE REPAIR OPERATIONS—NONMANDATORY.** This appendix is intended as guidance for employers in the automotive brake and clutch repair industry who wish to reduce their employees' asbestos exposures during repair operations to levels below the new standard's action level (0.1 f/cc). WISHA believes that employers in this industry sector are likely to be able to reduce their employees' exposures to asbestos by employing the engineering and work practice controls described in subsections (1) and (2) of this section. Those employers who choose to use these controls and who achieve exposures below the action level will thus be able to avoid any burden that might be imposed by complying with such requirements as medical surveillance, recordkeeping, training, respiratory protection, and regulated areas, which are triggered when employee exposures exceed the action level or PEL.

Asbestos exposure in the automotive brake and clutch repair industry occurs primarily during the replacement of clutch plates and brake pads, shoes, and linings. Asbestos fibers may become airborne when an automotive mechanic removes the asbestos-containing residue that has been deposited as brakes and clutches wear. Employee exposures to asbestos occur during the cleaning of the brake drum or clutch housing.

WISHA believes that employers engaged in brake repair operations who implement any of the work practices and engineering controls described in subsections (1) and (2) of this section may be able to reduce their employees' exposures to levels below the action level (0.1 fiber/cc). These control methods and the relevant record evidence on these and other methods are described in the following sections.

(1) Enclosed cylinder/HEPA vacuum system method.

The enclosed cylinder-vacuum system used in one of the facilities visited by representatives of the National Institute for Occupational Safety and Health (NIOSH) during a health hazard evaluation of brake repair facilities consists of three components:

(a) A wheel-shaped cylinder designed to cover and enclose the wheel assembly;

(b) A compressed-air hose and nozzle that fits into a port in the cylinder; and

(c) A HEPA-filtered vacuum used to evacuate airborne dust generated within the cylinder by the compressed air.

To operate the system, the brake assembly is enclosed in a cylinder that has viewing ports to provide visibility and cotton sleeves through which the mechanic can handle the brake assembly parts. The cylinder effectively isolates asbestos dust in the drum from the mechanic's breathing zone. ~~((The brake assembly isolation cylinder is available from the Nilfisk Company<sup>1</sup> and comes in two sizes to fit brake drums in the seven-to-twelve-inch size range common to automobiles and light trucks and the twelve-to-nineteen-inch size range common to large commercial vehicles.))~~ One company manufactures the brake assembly isolation cylinder. The cylinder is equipped with built-in compressed-air guns and a connection for a vacuum cleaner equipped with a high efficiency particulate air (HEPA) filter. This type of filter is

capable of removing all particles greater than 0.3 microns from the air. When the vacuum cleaner's filter is full, it must be replaced according to the manufacturer's instruction, and appropriate HEPA-filtered dual cartridge respirators should be worn during the process. The filter of the vacuum cleaner is assumed to be contaminated with asbestos fibers and should be handled carefully, wetted with a fine mist of water, placed immediately in a labelled plastic bag, and disposed of properly. When the cylinder is in place around the brake assembly and the HEPA vacuum is connected, compressed air is blown into the cylinder to loosen the residue from the brake assembly parts. The vacuum then evacuates the loosened material from within the cylinder, capturing the airborne material on the HEPA filter.

The HEPA vacuum system can be disconnected from the brake assembly isolation cylinder when the cylinder is not being used. The HEPA vacuum can then be used for clutch facing work, grinding, or other routine cleaning.

(2) Compressed air/solvent system method.

A compressed-air hose fitted at the end with a bottle of solvent can be used to loosen the asbestos-containing residue and to capture the resulting airborne particles in the solvent mist. The mechanic should begin spraying the asbestos-contaminated parts with the solvent at a sufficient distance to ensure that the asbestos particles are not dislodged by the velocity of the solvent spray. After the asbestos particles are thoroughly wetted, the spray may be brought closer to the parts and the parts may be sprayed as necessary to remove grease and other material. The automotive parts sprayed with the mist are then wiped with a rag, which must then be disposed of appropriately. Rags should be placed in a labelled plastic bag or other container while they are still wet. This ensures that the asbestos fibers will not become airborne after the brake and clutch parts have been cleaned. (If cleanup rags are laundered rather than disposed of, they must be washed using methods appropriate for the laundering of asbestos-contaminated materials.)

WISHA believes that a variant of this compressed-air/solvent mist process offers advantages over the compressed-air/solvent mist technique discussed above, both in terms of costs and employee protection. The variant involves the use of spray cans filled with any of several solvent cleaners commercially available from auto supply stores. Spray cans of solvent are inexpensive, readily available, and easy to use. These cans will also save time, because no solvent delivery system has to be assembled, i.e., no compressed-air hose/mister ensemble. OSHA believes that a spray can will deliver solvent to the parts to be cleaned with considerably less force than the alternative compressed-air delivery system described above, and will thus generate fewer airborne asbestos fibers than the compressed-air method. The agency therefore believes that the exposure levels of automotive repair mechanics using the spray can/solvent mist process will be even lower than the exposures reported by NIOSH for the compressed-air/solvent mist system (0.08 f/cc).

(3) Information on the effectiveness of various control measures.

The amount of airborne asbestos generated during brake and clutch repair operations depends on the work practices and engineering controls used during the repair or removal activity.

(a) Prohibited methods.

The use of compressed air to blow the asbestos-containing residue off the surface of the brake drum removes the residue effectively but simultaneously produces an airborne cloud of asbestos fibers. According to NIOSH, the peak exposures of mechanics using this technique were as high as fifteen fibers/cc, and eight-hour TWA exposures ranged from 0.03 to 0.19 f/cc.

Dr. William J. Nicholson of the Mount Sinai School of Medicine cited data from Knight and Hickish (1970) that indicated that the concentration of asbestos ranged from 0.84 to 5.35 f/cc over a sixty-minute sampling period when compressed air was being used to blow out the asbestos-containing residue from the brake drum. In the same study, a peak concentration of eighty-seven f/cc was measured for a few seconds during brake cleaning performed with compressed air. Rohl et al. (1976) measured area concentrations (of unspecified duration) within three to five feet of operations involving the cleaning of brakes with compressed air and obtained readings ranging from 6.6 to 29.8 f/cc. Because of the high exposure levels that result from cleaning brake and clutch parts using compressed air, WISHA has prohibited this practice in the revised standard.

(b) Ineffective methods.

When dry brushing was used to remove the asbestos-containing residue from the brake drums and wheel assemblies, peak exposures measured by NIOSH ranged from 0.61 to 0.81 f/cc, while eight-hour TWA levels were at the new standard's permissible exposure limit (PEL) of 0.2 f/cc. Rohl and his colleagues collected area samples one to three feet from a brake cleaning operation being performed with a dry brush, and measured concentrations ranging from 1.3 to 3.6 f/cc; however, sampling times and TWA concentrations were not presented in the Rohl et al. study.

When a brush wetted with water, gasoline, or Stoddart solvent was used to clean the asbestos-containing residue from the affected parts, exposure levels (eight-hour TWAs) measured by NIOSH also exceeded the new 0.2 f/cc PEL, and peak exposures ranged as high as 2.62 f/cc.

(c) Preferred methods.

Use of an engineering control system involving a cylinder that completely encloses the brake shoe assembly and a high efficiency particulate air (HEPA) filter-equipped vacuum produced eight-hour TWA employee exposures of 0.01 f/cc and peak exposures ranging from nondetectable to 0.07 f/cc. (Because this system achieved exposure levels below the standard's action level, it is described in detail (~~below~~) above.) Data collected by the Mount Sinai Medical Center for Nilfisk of America, Inc., the manufacturer of the brake assembly enclosure system, showed that for two of three operations sampled, the exposure of mechanics to airborne asbestos fibers was nondetectable. For the third operator sampled by Mt. Sinai researchers, the exposure was 0.5 f/cc, which

the authors attributed to asbestos that had contaminated the operator's clothing in the course of previous brake repair operations performed without the enclosed cylinder/vacuum system.

Some automotive repair facilities use a compressed-air hose to apply a solvent mist to remove the asbestos-containing residue from the brake drums before repair. The NIOSH data indicated that mechanics employing this method experienced exposures (eight-hour TWAs) of 0.8 f/cc, with peaks of 0.25 to 0.68 f/cc. This technique, and a variant of it that OSHA believes is both less costly and more effective in reducing employee exposures, is described in greater detail in subsections (1) and (2) of this section.

(4) Summary.

In conclusion, WISHA believes that it is likely that employers in the brake and clutch repair industry will be able to avail themselves of the action level trigger built into the revised standard if they conscientiously employ one of the three control methods described above: The enclosed cylinder/HEPA vacuum system, the compressed air/solvent method, or the spray can/solvent mist system.

(<sup>1</sup>—Mention of tradenames or commercial products does not constitute endorsement or recommendation for use.)

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07747 APPENDIX G—SUBSTANCE TECHNICAL INFORMATION FOR ASBESTOS—NONMANDATORY. (1) Substance identification.

(a) Substance: "Asbestos" is the name of a class of magnesium-silicate minerals that occur in fibrous form. Minerals that are included in this group are chrysotile, crocidolite, amosite, tremolite asbestos, anthophyllite asbestos, and actinolite asbestos.

(b) Asbestos(~~(, tremolite, anthophyllite, and actinolite are)~~) is used in the manufacture of heat-resistant clothing, automotive brake and clutch linings, and a variety of building materials including floor tiles, roofing felts, ceiling tiles, asbestos-cement pipe and sheet, and fire-resistant drywall. Asbestos is also present in pipe and boiler insulation materials, and in sprayed-on materials located on beams, in crawlspaces, and between walls.

(c) The potential for a product containing asbestos, tremolite, anthophyllite, and actinolite to release breathable fibers depends on its degree of friability. Friable means that the material can be crumbled with hand pressure and is therefore likely to emit fibers. The fibrous or fluffy sprayed-on materials used for fireproofing, insulation, or sound proofing are considered to be friable, and they readily release airborne fibers if disturbed. Materials such as vinyl-asbestos floor tile or roofing felts are considered nonfriable and generally do not emit airborne fibers unless subjected to sanding or sawing operations. Asbestos-cement pipe or sheet can emit airborne fibers if the materials are cut or sawed, or if they are broken during demolition operations.

(d) Permissible exposure: Exposure to airborne asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fibers

may not exceed 0.2 fibers per cubic centimeter of air (0.2 f/cc) averaged over the eight-hour workday.

(2) Health hazard data.

(a) Asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) can cause disabling respiratory disease and various types of cancers if the fibers are inhaled. Inhaling or ingesting fibers from contaminated clothing or skin can also result in these diseases. The symptoms of these diseases generally do not appear for twenty or more years after initial exposure.

(b) Exposure to asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) has been shown to cause lung cancer, mesothelioma, and cancer of the stomach and colon. Mesothelioma is a rare cancer of the thin membrane lining of the chest and abdomen. Symptoms of mesothelioma include shortness of breath, pain in the walls of the chest, and/or abdominal pain.

(3) Respirators and protective clothing.

(a) Respirators: You are required to wear a respirator when performing tasks that result in asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) exposure that exceeds the permissible exposure limit (PEL) of 0.2 f/cc. These conditions can occur while your employer is in the process of installing engineering controls to reduce asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) exposure, or where engineering controls are not feasible to reduce asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) exposure. Air-purifying respirators equipped with a high-efficiency particulate air (HEPA) filter can be used where airborne asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fiber concentrations do not exceed 2 f/cc; otherwise, air-supplied, positive-pressure, full facepiece respirators must be used. Disposable respirators or dust masks are not permitted to be used for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) work. For effective protection, respirators must fit your face and head snugly. Your employer is required to conduct fit tests when you are first assigned a respirator and every six months thereafter. Respirators should not be loosened or removed in work situations where their use is required.

(b) Protective clothing: You are required to wear protective clothing in work areas where asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fiber concentrations exceed the permissible exposure limit (PEL) of 0.2 f/cc to prevent contamination of the skin. Where protective clothing is required, your employer must provide you with clean garments. Unless you are working on a large asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) removal or demolition project, your employer must also provide a change room and separate lockers for your street clothes and contaminated work clothes. If you are working on a large asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) removal or demolition project, and where it is feasible to do so, your employer must provide a clean room, shower, and decontamination room contiguous to the work area. When leaving the work area, you must remove contaminated clothing before proceeding to the shower. If the shower is not adjacent to the work area, you must vacuum your clothing before proceeding to the change room and shower. To

prevent inhaling fibers in contaminated change rooms and showers, leave your respirator on until you leave the shower and enter the clean change room.

(4) Disposal procedures and cleanup.

(a) Wastes that are generated by processes where asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) is present include:

(i) Empty asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) shipping containers.

(ii) Process wastes such as cuttings, trimmings, or reject material.

(iii) Housekeeping waste from sweeping or vacuuming.

(iv) Asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fireproofing or insulating material that is removed from buildings.

(v) Building products that contain asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) removed during building renovation or demolition.

(vi) Contaminated disposable protective clothing.

(b) Empty shipping bags can be flattened under exhaust hoods and packed into airtight containers for disposal. Empty shipping drums are difficult to clean and should be sealed.

(c) Vacuum (~~(logs)~~) bags or disposable paper filters should not be cleaned, but should be sprayed with a fine water mist and placed into a labeled waste container.

(d) Process waste and housekeeping waste should be wetted with water or a mixture of water and surfactant prior to packaging in disposable containers.

(e) Material containing asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) that is removed from buildings must be disposed of in leaktight 6-mil thick plastic bags, plastic-lined cardboard containers, or plastic-lined metal containers. These wastes, which are removed while wet, should be sealed in containers before they dry out to minimize the release of asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) fibers during handling.

(5) Access to information.

(a) Each year, your employer is required to inform you of the information contained in this standard and appendices for asbestos(~~(, tremolite, anthophyllite, and actinolite)~~). In addition, your employer must instruct you in the proper work practices for handling materials containing asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) and the correct use of protective equipment.

(b) Your employer is required to determine whether you are being exposed to asbestos(~~(, tremolite, anthophyllite, and actinolite)~~). You or your representative has the right to observe employee measurements and to record the results obtained. Your employer is required to inform you of your exposure, and, if you are exposed above the permissible limit, he or she is required to inform you of the actions that are being taken to reduce your exposure to within the permissible limit.

(c) Your employer is required to keep records of your exposures and medical examinations. These exposure records must be kept for at least thirty years. Medical records must be kept for the period of your employment plus thirty years.

(d) Your employer is required to release your exposure and medical records to your physician or designated representative upon your written request.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-62-07749 APPENDIX H—MEDICAL SURVEILLANCE GUIDELINES FOR ASBESTOS(~~(; tremolite, anthophyllite, and actinolite)~~)—NONMANDATORY. (1) Route of entry inhalation, ingestion.

(2) Toxicology.

Clinical evidence of the adverse effects associated with exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) is present in the form of several well-conducted epidemiological studies of occupationally exposed workers, family contacts of workers, and persons living near asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) mines. These studies have shown a definite association between exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) and an increased incidence of lung cancer, pleural and peritoneal mesothelioma, gastrointestinal cancer, and asbestosis. The latter is a disabling fibrotic lung disease that is caused only by exposure to asbestos. Exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) has also been associated with an increased incidence of esophageal, kidney, laryngeal, pharyngeal, and buccal cavity cancers. As with other known chronic occupational diseases, disease associated with asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) generally appears about twenty years following the first occurrence of exposure: There are no known acute effects associated with exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~).

Epidemiological studies indicate that the risk of lung cancer among exposed workers who smoke cigarettes is greatly increased over the risk of lung cancer among nonexposed smokers or exposed nonsmokers. These studies suggest that cessation of smoking will reduce the risk of lung cancer for a person exposed to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) but will not reduce it to the same level of risk as that existing for an exposed worker who has never smoked.

(3) Signs and symptoms of exposure-related disease.

The signs and symptoms of lung cancer or gastrointestinal cancer induced by exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) are not unique, except that a chest x-ray of an exposed patient with lung cancer may show pleural plaques, pleural calcification, or pleural fibrosis. Symptoms characteristic of mesothelioma include shortness of breath, pain in the walls of the chest, or abdominal pain. Mesothelioma has a much longer latency period compared with lung cancer (forty years versus fifteen to twenty years), and mesothelioma is therefore more likely to be found among workers who were first exposed to asbestos at an early age. Mesothelioma is always fatal.

Asbestosis is pulmonary fibrosis caused by the accumulation of asbestos fibers in the lungs. Symptoms include shortness of breath, coughing, fatigue, and vague feelings of sickness. When the fibrosis worsens, shortness

of breath occurs even at rest. The diagnosis of asbestosis is based on a history of exposure to asbestos, the presence of characteristic radiologic changes, endinspiratory crackles (rales), and other clinical features of fibrosing lung disease. Pleural plaques and thickening are observed on x-rays taken during the early stages of the disease. Asbestosis is often a progressive disease even in the absence of continued exposure, although this appears to be a highly individualized characteristic. In severe cases, death may be caused by respiratory or cardiac failure.

(4) Surveillance and preventive considerations.

As noted above, exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) has been linked to an increased risk of lung cancer, mesothelioma, gastrointestinal cancer, and asbestosis among occupationally exposed workers. Adequate screening tests to determine an employee's potential for developing serious chronic diseases, such as cancer, from exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) do not presently exist. However, some tests, particularly chest x-rays and pulmonary function tests, may indicate that an employee has been overexposed to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) increasing his or her risk of developing exposure-related chronic diseases. It is important for the physician to become familiar with the operating conditions in which occupational exposure to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) is likely to occur. This is particularly important in evaluating medical and work histories and in conducting physical examinations. When an active employee has been identified as having been overexposed to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) measures taken by the employer to eliminate or mitigate further exposure should also lower the risk of serious long-term consequences.

The employer is required to institute a medical surveillance program for all employees who are or will be exposed to asbestos(~~(; tremolite, anthophyllite, and actinolite)~~) at or above the action level (0.1 fiber per cubic centimeter of air) (~~(for thirty or more days per year and for all employees who are assigned to wear a negative-pressure respirator)~~). All examinations and procedures must be performed by or under the supervision of a licensed physician, at a reasonable time and place, and at no cost to the employee.

Although broad latitude is given to the physician in prescribing specific tests to be included in the medical surveillance program, (~~(OSHA)~~) WISHA requires inclusion of the following elements in the routine examination:

(a) Medical and work histories with special emphasis directed to symptoms of the respiratory system, cardiovascular system, and digestive tract.

(b) Completion of the respiratory disease questionnaire contained in WAC 296-62-07741, Appendix D.

(c) A physical examination including a chest roentgenogram and pulmonary function test that includes measurement of the employee's forced vital capacity (FVC) and forced expiratory volume at one second (FEV<sub>1</sub>).

(d) Any laboratory or other test that the examining physician deems by sound medical practice to be necessary.

The employer is required to make the prescribed tests available at least annually to those employees covered; more often than specified if recommended by the examining physician; and upon termination of employment.

The employer is required to provide the physician with the following information: A copy of this standard and appendices; a description of the employee's duties as they relate to asbestos exposure; the employee's representative level of exposure to asbestos(~~(, tremolite, anthophyllite, and actinolite)~~); a description of any personal protective and respiratory equipment used; and information from previous medical examinations of the affected employee that is not otherwise available to the physician. Making this information available to the physician will aid in the evaluation of the employee's health in relation to assigned duties and fitness to wear personal protective equipment, if required.

The employer is required to obtain a written opinion from the examining physician containing the results of the medical examination; the physician's opinion as to whether the employee has any detected medical conditions that would place the employee at an increased risk of exposure-related disease; any recommended limitations on the employee or on the use of personal protective equipment; and a statement that the employee has been informed by the physician of the results of the medical examination and of any medical conditions related to asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) exposure that require further explanation or treatment. This written opinion must not reveal specific findings or diagnoses unrelated to exposure to asbestos(~~(, tremolite, anthophyllite, and actinolite)~~) and a copy of the opinion must be provided to the affected employee.

## NEW SECTION

WAC 296-62-07751 APPENDIX I—WORK PRACTICES AND ENGINEERING CONTROLS FOR MAJOR ASBESTOS REMOVAL, RENOVATION, AND DEMOLITION OPERATIONS—NONMANDATORY. This is a nonmandatory appendix designed to provide guidelines to assist employers in complying with the requirements of WAC 296-62-077 through 296-62-07753. Specifically, this appendix describes the equipment, methods, and procedures that should be used in major asbestos removal projects conducted to abate a recognized asbestos hazard or in preparation for building renovation or demolition. These projects require the construction of negative-pressure temporary enclosures to contain the asbestos material and to prevent the exposure of bystanders and other employees at the worksite. WAC 296-62-07712 of the standard requires that " . . . . Whenever feasible, the employer shall establish negative-pressure enclosures before commencing asbestos removal, demolition, or renovation operations." Employers should also be aware that, when conducting asbestos removal projects, they may be required under the National Emissions Standards for Hazardous Air Pollutants (NESHAPS), 40

CFR Part 61, Subpart M, or EPA regulations under the Clean Water Act.

(1) Introduction. Construction of a negative-pressure enclosure is a simple but time-consuming process that requires careful preparation and execution; however, if the procedures below are followed, contractors should be assured of achieving a temporary barricade that will protect employees and others outside the enclosure from exposure to asbestos and minimize to the extent possible the exposure of asbestos workers inside the barrier as well.

The equipment and materials required to construct these barriers are readily available and easily installed and used. In addition to an enclosure around the removal site, the standard requires employers to provide hygiene facilities that ensure that their asbestos contaminated employees do not leave the worksite with asbestos on their persons or clothing; the construction of these facilities is also described below. The steps in the process of preparing the asbestos removal site, building the enclosure, constructing hygiene facilities, removing the asbestos-containing material, and restoring the site include:

- (a) Planning the removal project;
- (b) Procuring the necessary materials and equipment;
- (c) Preparing the work area;
- (d) Removing the asbestos-containing material;
- (e) Cleaning the work area; and
- (f) Disposing of the asbestos-containing waste.

(2) Planning the removal project. The planning of an asbestos removal project is critical to completing the project safely and cost-effectively. A written asbestos removal plan should be prepared that describes the equipment and procedures that will be used throughout the project. The asbestos abatement plan will aid not only in executing the project but also in complying with the reporting requirements of the USEPA asbestos regulations (40 CFR 61, Subpart M), which call for specific information such as a description of control methods and control equipment to be used and the disposal sites the contractor proposes to use to dispose of the asbestos-containing materials.

The asbestos abatement plan should contain the following information:

- (a) A physical description of the work area;
- (b) A description of the approximate amount of material to be removed;
- (c) A schedule for turning off and sealing existing ventilation systems;
- (d) Personnel hygiene procedures;
- (e) Labeling procedures;
- (f) A description of personal protective equipment and clothing to be worn by employees;
- (g) A description of the local exhaust ventilation systems to be used;
- (h) A description of work practices to be observed by employees;
- (i) A description of the methods to be used to remove the asbestos-containing material;
- (j) The wetting agent to be used;
- (k) A description of the sealant to be used at the end of the project;

- (l) An air monitoring plan;
- (m) A description of the method to be used to transport waste material; and
- (n) The location of the dump site.

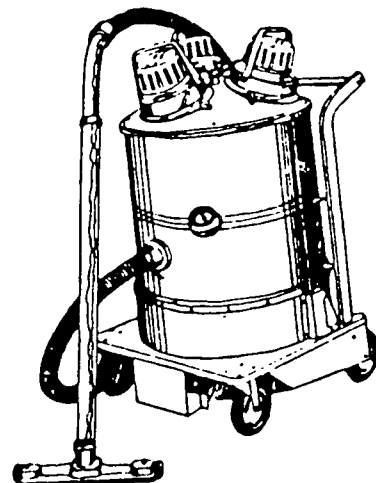
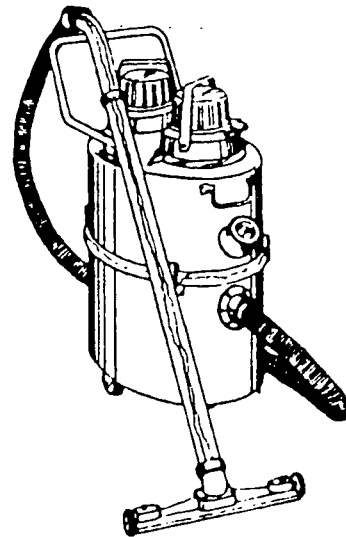
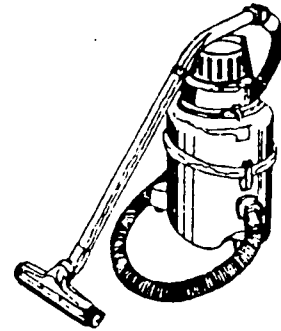
(3) Materials and equipment necessary for asbestos removal. Although individual asbestos removal projects vary in terms of the equipment required to accomplish the removal of the material, some equipment and materials are common to most asbestos removal operations. Equipment and materials that should be available at the beginning of each project are: (a) Rolls of polyethylene sheeting; (b) rolls of gray duct tape or clear plastic tape; (c) HEPA-filtered vacuum(s); (d) HEPA-filtered portable ventilation system(s); (e) a wetting agent; (f) an airless sprayer; (g) a portable shower unit; (h) appropriate respirators; (i) disposable coveralls; (j) signs and labels; (k) preprinted disposal bags; and (l) a manometer or pressure gauge.

(a) and (b) Rolls of polyethylene plastic and tape. Rolls of polyethylene plastic (6 mil in thickness) should be available to construct the asbestos removal enclosure and to seal windows, doors, ventilation systems, wall penetrations, and ceilings and floors in the work area. Gray duct tape or clear plastic tape should be used to seal the edges of the plastic and to seal any holes in the plastic enclosure. Polyethylene plastic sheeting can be purchased in rolls up to twelve to twenty feet in width and up to one hundred feet in length.

(c) HEPA-filtered vacuum. A HEPA-filtered vacuum is essential for cleaning the work area after the asbestos has been removed. Such vacuums are designed to be used with a HEPA (high-efficiency particulate air) filter, which is capable of removing 99.97 percent of the asbestos particles from the air. Various sizes and capacities of HEPA vacuums are available. One manufacturer produces three models that range in capacity from five and one-quarter gallons to seventeen gallons (see Figure I-1). All of these models are portable, and all have long hoses capable of reaching out-of-the-way places, such as areas above ceiling tiles, behind pipes, etc.

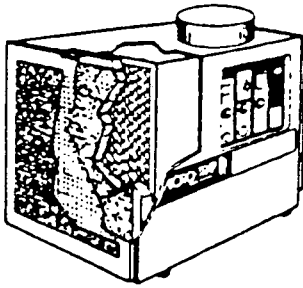
(d) Exhaust air filtration system. A portable ventilation system is necessary to create a negative-pressure within the asbestos removal enclosure. Such units are equipped with a HEPA filter and are designed to exhaust and clean the air inside the enclosure before exhausting it to the outside of the enclosure (see Figure I-2). Systems are available from several manufacturers. One supplier has two ventilation units that range in capacity from six hundred cubic feet per minute (CFM) to one thousand seven hundred CFM. According to the manufacturer's literature, these units filter particles of 0.3 micron in size with an efficiency of 99.99 percent. The number and capacity of units required to ventilate an enclosure depend on the size of the area to be ventilated.

Figure I-1. HEPA-filtered vacuums



Source: Product Catalog, Asbestos Control Technologies, Inc., Maple Shade, N.J., 1985

Figure I-2. Portable exhaust ventilation system with HEPA filter



Source: Product Catalog, Asbestos Control Technologies, Inc., Maple Shade, N.J., 1985

(e) Wetting agents. Wetting agents (surfactants) are added to water (which is then called amended water) and used to soak asbestos-containing materials; amended water penetrates more effectively than plain water and permits more thorough soaking of the asbestos-containing materials. Wetting the asbestos-containing material reduces the number of fibers that will break free and become airborne when the asbestos-containing material is handled or otherwise disturbed. Asbestos-containing materials should be thoroughly soaked before removal is attempted; the dislodged material should feel spongy to the touch. Wetting agents are generally prepared by mixing one to three ounces of wetting agent to five gallons of water.

One type of asbestos, amosite, is relatively resistant to soaking, either with plain or amended water. The work practices of choice when working with amosite-containing material are to soak the material as much as possible and then to bag it for disposal immediately after removal, so that the material has no time to dry and be ground into smaller particles that are more likely to liberate airborne asbestos.

In a very limited number of situations, it may not be possible to wet the asbestos-containing material before removing it. Examples of such rare situations are: (i) Removal of asbestos material from a "live" electrical box that was oversprayed with the material when the rest of the area was sprayed with asbestos-containing coating; and (ii) removing asbestos-containing insulation from a live steam pipe. In both of these situations, the preferred approach would be to turn off the electricity or steam, respectively, to permit wet removal methods to be used. However, where removal work must be performed during working hours, i.e., when normal operations cannot be disrupted, the asbestos-containing material must be removed dry. Immediate bagging is then the only method of minimizing the amount of airborne asbestos generated.

(f) Airless sprayer. Airless sprayers are used to apply amended water to asbestos-containing materials. Airless sprayers allow the amended water to be applied in a fine

spray that minimizes the release of asbestos fibers by reducing the impact of the spray on the material to be removed. Airless sprayers are inexpensive and readily available.

(g) Portable shower. Unless the site has available a permanent shower facility that is contiguous to the removal area, a portable shower system is necessary to permit employees to clean themselves after exposure to asbestos and to remove any asbestos contamination from their hair and bodies. Taking a shower prevents employees from leaving the work area with asbestos on their clothes and thus prevents the spread of asbestos contamination to areas outside the asbestos removal area. This measure also protects members of the families of asbestos workers from possible exposure to asbestos. Showers should be supplied with warm water and a drain. A shower water filtration system to filter asbestos fibers from the shower water is recommended. Portable shower units are readily available, inexpensive, and easy to install and transport.

(h) Respirators. Employees involved in asbestos removal projects should be provided with appropriate NIOSH-approved respirators. Selection of the appropriate respirator should be based on the concentration of asbestos fibers in the work area. If the concentration of asbestos fibers is unknown, employees should be provided with respirators that will provide protection against the highest concentration of asbestos fibers that can reasonably be expected to exist in the work area. For all work within an enclosure, employees should wear supplied air respirators (see WAC 296-62-07715(3)).

(i) Disposable coveralls. Employees involved in asbestos removal operations should be provided with disposable impervious coveralls that are equipped with head and foot covers. Such coveralls are typically made of Tyvek.<sup>1</sup> The coverall has a zipper front and elastic wrists and ankles.

(j) Signs and labels. Before work begins, a supply of signs to demarcate the entrance to the work area should be obtained. Signs are available that have the wording required by the final WISHA standard. The required labels are also commercially available as press-on labels and preprinted on the 6-mil polyethylene plastic bags used to dispose of asbestos-containing waste material.

(4) Preparing the work area. Preparation for constructing negative-pressure enclosures should begin with the removal of all movable objects from the work area, e.g., desks, chairs, rugs, and light fixtures, to ensure that these objects do not become contaminated with asbestos. When objects or surfaces are contaminated or are suspected of being contaminated, they should be vacuumed with a HEPA vacuum and cleaned with amended water, unless they are made of material that will be damaged by the wetting agent; wiping with plain water is recommended in those cases where amended water will damage the object. Before the asbestos removal work begins, objects that cannot be removed from the work area should be covered with a 6-mil-thick polyethylene plastic sheeting that is securely taped with duct tape or plastic tape to achieve an air-tight seal around the object.



(5) Constructing the enclosure. When all objects have either been removed from the work area or covered with plastic, all penetrations of the floor, walls, and ceiling should be sealed with 6-mil polyethylene plastic and tape to prevent airborne asbestos from escaping into areas outside the work area or from lodging in cracks around the penetrations. Penetrations that require sealing are typically found around electrical conduits, telephone wires, and water supply and drain pipes. A single entrance to be used for access and egress to the work area should be selected, and all other doors and windows should be sealed with tape or be covered with 6-mil polyethylene plastic sheeting and securely taped. Covering windows and unnecessary doors with a layer of polyethylene before covering the walls provides a second layer of protection and saves time in installation because it reduces the number of edges that must be cut and taped. All other surfaces such as support columns, ledges, pipes, and other surfaces should also be covered with polyethylene plastic sheeting and taped before the walls themselves are completely covered with sheeting.

Next a thin layer of spray adhesive should be sprayed along the top of all walls surrounding the enclosed work area, close to the wall-ceiling interface, and a layer of polyethylene plastic sheeting should be stuck to this adhesive and taped. The entire inside surfaces of all wall areas are covered in this manner, and the sheeting over the walls is extended across the floor area until it meets in the center of the area, where it is taped to form a single layer of material encasing the entire room except for the ceiling. A final layer of plastic sheeting is then laid across the plastic-covered floor area and up the walls to a level of two feet or so; this layer provides a second protective layer of plastic sheeting over the floor, which can then be removed and disposed of easily after the asbestos-containing material that has dropped to the floor has been bagged and removed.

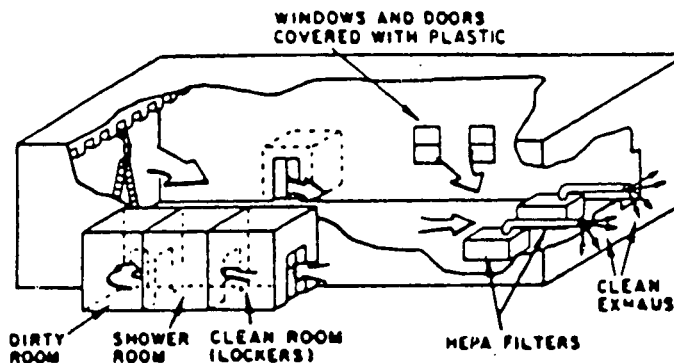
(6) Building hygiene facilities. WAC 296-62-07719 mandates that employers involved in asbestos removal, demolition, or renovation operations provide their employees with hygiene facilities to be used to decontaminate asbestos-exposed workers, equipment, and clothing before such employees leave the work area. These decontamination facilities consist of:

- (a) A clean change room;
- (b) A shower; and
- (c) An equipment room.

The clean change room is an area in which employees remove their street clothes and don their respirators and disposable protective clothing. The clean room should have hooks on the wall or be equipped with lockers for the storage of workers' clothing and personal articles. Extra disposable coveralls and towels can also be stored in the clean change room.

The shower should be contiguous with both the clean and dirty change room (see Figure I-3) and should be used by all workers leaving the work area. The shower should also be used to clean asbestos-contaminated equipment and materials, such as the outsides of asbestos waste bags and hand tools used in the removal process.

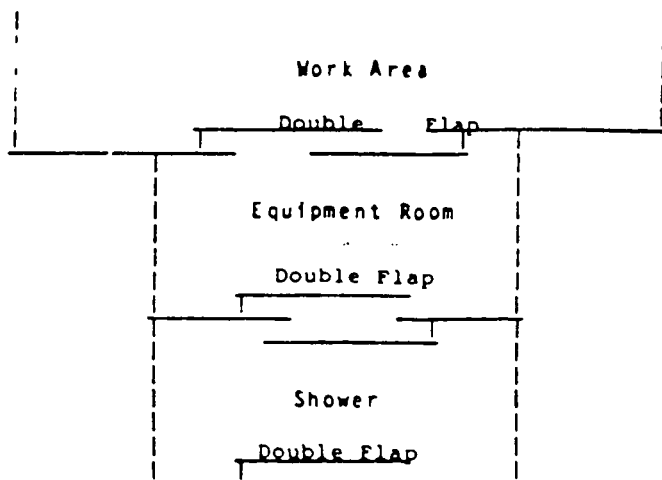
Figure I-3. Cutaway view of enclosure and hygiene facilities



Source: EPA 1985. Asbestos Waste Management Guidance (EPA/530 SW-85-007)

The equipment room (also called the dirty change room) is the area where workers remove their protective coveralls and where equipment that is to be used in the work area can be stored. The equipment room should be lined with 6-mil-thick polyethylene plastic sheeting in the same way as was done in the work area enclosure. Two layers of 6-mil polyethylene plastic sheeting that are not taped together from a double flap or barrier between the equipment room and the work area and between the shower and the clean change room (see Figure I-4).

Figure I-4. Typical hygiene facility layout



When feasible, the clean change room, shower, and equipment room should be contiguous and adjacent to the negative-pressure enclosure surrounding the removal area. In the overwhelming number of cases, hygiene facilities can be built contiguous to the negative-pressure



enclosure. In some cases, however, hygiene facilities may have to be located on another floor of the building where removal of asbestos-containing materials is taking place. In these instances, the hygiene facilities can in effect be made to be contiguous to the work area by constructing a polyethylene plastic "tunnel" from the work area to the hygiene facilities. Such a tunnel can be made even in cases where the hygiene facilities are located several floors above or below the work area; the tunnel begins with a double flap door at the enclosure, extends through the exit from the floor, continues down the necessary number of flights of stairs and goes through a double flap entrance to the hygiene facilities, which have been prepared as described above. The tunnel is constructed of two-inch by four-inch lumber or aluminum struts and covered with 6-mil-thick polyethylene plastic sheeting.

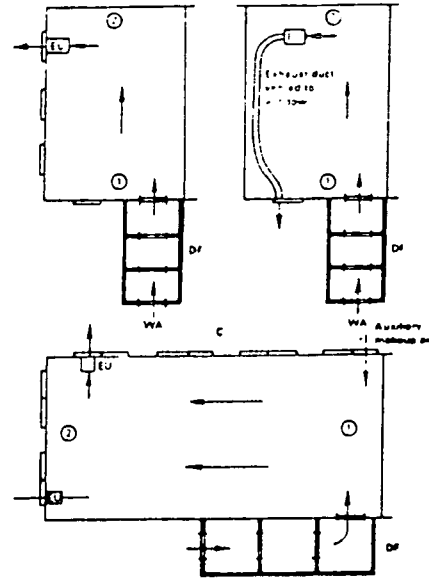
In the rare instances when there is not enough space to permit any hygiene facilities to be built at the work-site, employees should be directed to change into a clean disposable worksuit immediately after exiting the enclosure (without removing their respirators) and to proceed immediately to the shower. Alternatively, employees could be directed to vacuum their disposable coveralls with a HEPA-filtered vacuum before proceeding to a shower located a distance from the enclosure.

The clean room, shower, and equipment room must be sealed completely to ensure that the sole source of air flow through these areas originates from uncontaminated areas outside the asbestos removal, demolition, or renovation enclosure. The shower must be drained properly after each use to ensure that contaminated water is not released to uncontaminated areas. If waste water is inadvertently released, it should be cleaned up as soon as possible to prevent any asbestos in the water from drying and becoming airborne in areas outside the work area.

(7) Establishing negative-pressure within the enclosure. After construction of the enclosure is completed, a ventilation system(s) should be installed to create a negative-pressure within the enclosure with respect to the area outside the enclosure. Such ventilation systems must be equipped with HEPA filters to prevent the release of asbestos fibers to the environment outside the enclosure and should be operated twenty-four hours per day during the entire project until the final cleanup is completed and the results of final air samples are received from the laboratory. A sufficient amount of air should be exhausted to create a pressure of  $-0.02$  inches of water within the enclosure with respect to the area outside the enclosure.

These ventilation systems should exhaust the HEPA-filtered clean air outside the building in which the asbestos removal, demolition, or renovation is taking place (see Figure I-5). If access to the outside is not available, the ventilation system can exhaust the HEPA-filtered asbestos-free air to an area within the building that is as far away as possible from the enclosure. Care should be taken to ensure that the clean air is released either to an asbestos-free area or in such a way as not to disturb any asbestos-containing materials.

Figure I-5. Examples of negative-pressure systems. DF, decontamination facility; EU, exhaust unit; WA, worker access; A, single-room work area with multiple windows; B, single-room work area with single window near entrance; C, large single-room work area with windows and auxiliary makeup air source (dotted arrow). Arrows denote direction of air flow. Circled numbers indicate progression of removal sequence.



Source: EPA 1985. Guidance for Controlling Asbestos-Containing Materials in Buildings (EPA 560/5-85-024)

A manometer or pressure gauge for measuring the negative pressure within the enclosure should be installed and should be monitored frequently throughout all work shifts during which asbestos removal, demolition, or renovation takes place. Several types of manometers and pressure gauges are available for this purpose.

All asbestos removal, renovation, and demolition operations should have a program for monitoring the concentration of airborne asbestos and employee exposures to asbestos. Area samples should be collected inside the enclosure (approximately four samples for five thousand square feet of enclosure area). At least two samples should be collected outside the work area, one at the entrance to the clean change room and one at the exhaust of the portable ventilation system. In addition, several breathing zone samples should be collected from those workers who can reasonably be expected to have the highest potential exposure to asbestos.

(8) Removing asbestos materials. Employers involved in asbestos removal, demolition, or renovation operations designate a competent person to:

- (a) Set up the enclosure;
- (b) Ensure the integrity of the enclosure;
- (c) Control entry to and exit from the enclosure;

(d) Supervise all employee exposure monitoring required by this section;

(e) Ensure the use of protective clothing and equipment;

(f) Ensure that employees are trained in the use of engineering controls, work practices, and personal protective equipment;

(g) Ensure the use of hygiene facilities and the observance of proper decontamination procedures; and

(h) Ensure that engineering controls are functioning properly.

The competent person will generally be a certified industrial hygienist, an industrial hygienist with training and experience in the handling of asbestos, or a person who has such training and experience as a result of on-the-job training and experience.

Ensuring the integrity of the enclosure is accomplished by inspecting the enclosure before asbestos removal work begins and prior to each work shift throughout the entire period work is being conducted in the enclosure. The inspection should be conducted by locating all areas where air might escape from the enclosure; this is best accomplished by running a hand over all seams in the plastic enclosure to ensure that no seams are ripped and the tape is securely in place.

The competent person should also ensure that all unauthorized personnel do not enter the enclosure and that all employees and other personnel who enter the enclosure have the proper protective clothing and equipment. He or she should also ensure that all employees and other personnel who enter the enclosure use the hygiene facilities and observe the proper decontamination procedures (described below).

Proper work practices are necessary during asbestos removal, demolition, and renovation to ensure that the concentration of asbestos fibers inside the enclosure remains as low as possible. One of the most important work practices is to wet the asbestos-containing material before it is disturbed. After the asbestos-containing material is thoroughly wetted, it should be removed by scraping (as in the case of sprayed-on or troweled-on ceiling material) or removed by cutting the metal bands or wire mesh that support the asbestos-containing material on boilers or pipes. Any residue that remains on the surface of the object from which asbestos is being removed should be wire brushed and wet wiped.

Bagging asbestos waste material promptly after its removal is another work practice control that is effective in reducing the airborne concentration of asbestos within the enclosure. Whenever possible, the asbestos should be removed and placed directly into bags for disposal rather than dropping the material to the floor and picking up all of the material when the removal is complete. If a significant amount of time elapses between the time that the material is removed and the time it is bagged, the asbestos material is likely to dry out and generate asbestos-laden dust when it is disturbed by people working within the enclosure. Any asbestos-contaminated supplies and equipment that cannot be decontaminated should be disposed of in pre-labeled bags; items in this category include plastic sheeting, disposable work clothing, respirator cartridges, and contaminated wash water.

A checklist is one of the most effective methods of ensuring adequate surveillance of the integrity of the asbestos removal enclosure. Such a checklist is shown in Figure I-6. Filling out the checklist at the beginning of each shift in which asbestos removal is being performed will serve to document that all the necessary precautions will be taken during the asbestos removal work. The checklist contains entries for ensuring that:

- The work area enclosure is complete;
- The negative-pressure system is in operation;
- Necessary signs and labels are used;

Asbestos Removal, Renovation, and Demolition Checklist

Date \_\_\_\_\_ Location \_\_\_\_\_

Supervisor \_\_\_\_\_ Project # \_\_\_\_\_

Work Area (sq. ft.) \_\_\_\_\_

	Yes	No
<b>I. Work site barrier</b>		
Floor covered	___	___
Walls covered	___	___
Area ventilation off	___	___
All edges sealed	___	___
Penetrations sealed	___	___
Entry curtains	___	___
<b>II. Negative air pressure</b>		
HEPA Vac _____ Ventilation system _____		
Constant operation	___	___
Negative pressure achieved	___	___
<b>III. Signs</b>		
Work area entrance	___	___
Bags labeled	___	___
<b>IV. Work practices</b>		
Removed material promptly bagged	___	___
Material worked wet	___	___
HEPA vacuum used	___	___
No smoking	___	___
No eating, drinking	___	___
Work area cleaned after completion	___	___
Personnel decontaminated each departure	___	___
<b>V. Protective equipment</b>		
Disposable clothing used one time	___	___
Proper NIOSH-approved respirators	___	___
<b>VII. Showers</b>		
On site	___	___
Functioning	___	___
Soap and towels	___	___
Used by all personnel	___	___

Figure I-6. Checklist

- Appropriate work practices are used;
- Necessary protective clothing and equipment are used; and
- Appropriate decontamination procedures are being followed.

(9) Cleaning the work area. After all of the asbestos-containing material is removed and bagged, the entire work area should be cleaned until it is free of all visible asbestos dust. All surfaces from which asbestos has been removed should be cleaned by wire brushing the surfaces, HEPA vacuuming these surfaces, and wiping them with amended water. The inside of the plastic enclosure should be vacuumed with a HEPA vacuum and wet

wiped until there is no visible dust in the enclosure. Particular attention should be given to small horizontal surfaces such as pipes, electrical conduits, lights, and support tracks for drop ceilings. All such surfaces should be free of visible dust before the final air samples are collected.

Additional sampling should be conducted inside the enclosure after the cleanup of the work area has been completed. Approximately four area samples should be collected for each five thousand square feet of enclosure area. The enclosure should not be dismantled unless the final samples show asbestos concentrations of less than the action level.

A clearance checklist is an effective method of ensuring that all surfaces are adequately cleaned and the enclosure is ready to be dismantled. Figure I-7 shows a checklist that can be used during the final inspection phase of asbestos abatement, removal, or renovation operations.

Final Inspection of Asbestos Removal, Renovation, and Demolition Projects

Date: \_\_\_\_\_  
 Project: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Building: \_\_\_\_\_

CHECKLIST:

Residual dust on:	Yes	No		Yes	No
a. Floor	_____	_____	e. Horizontal surfaces	_____	_____
b. Horizontal surfaces	_____	_____	f. Pipes	_____	_____
c. Pipes	_____	_____	g. Ducts	_____	_____
d. Ventilation equipment	_____	_____	h. Register	_____	_____
			i. Lights	_____	_____

FIELD NOTES:

Record any problems encountered here.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FINAL AIR SAMPLE RESULTS: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

Figure I-7. Clearance Checklist

Mention of trade names or commercial products does not constitute endorsement or recommendation for use.

NEW SECTION

WAC 296-62-07753 APPENDIX J—WORK PRACTICES AND ENGINEERING CONTROLS FOR SMALL-SCALE, SHORT-DURATION ASBESTOS RENOVATION AND MAINTENANCE OPERATIONS—NONMANDATORY. This appendix is not mandatory, in that employers may choose to comply with all of the requirements of WISHA's standard for occupational exposure to asbestos during construction activities, WAC 296-62-077 through 296-62-07753. However, employers wishing to be exempted from the requirements of WAC 296-62-07712 shall

comply with the provisions of this appendix when performing small-scale, short-duration renovation or maintenance operations. WISHA anticipates that employers in the electrical, carpentry, utility, plumbing, and interior construction trades may wish to avail themselves of the final standard's exemptions for small-scale, short-duration renovation and maintenance operations.

(1) Definition of small-scale, short-duration operations. For the purposes of this appendix, small-scale, short-duration renovation and maintenance activities are tasks involving less than ten linear feet and less than eleven square feet of material. This means a total of eleven square feet of material whether on flat surfaces or not and includes pipes. Regardless of pipe diameter, runs cannot exceed ten linear feet. The tasks include but are not limited to:

- Removal of asbestos-containing insulation on pipes;
- Removal of small quantities of asbestos-containing insulation on beams or above ceilings;
- Replacement of an asbestos-containing gasket on a valve;
- Installation or removal of a small section of drywall;
- Installation of electrical conduits through or proximate to asbestos-containing materials.

Evidence in the record suggests that the use of certain engineering and work practice controls is capable of reducing employee exposures to asbestos to levels below the action level (0.1 f/cc). Several controls and work practices, used either singly or in combination, can be employed effectively to reduce asbestos exposures during small maintenance and renovation operations. These include:

- Wet methods;
- Removal methods;
- Use of glove bags;
- Removal of entire asbestos insulated pipes or structures;
- Use of mini-enclosures;
- Enclosure of asbestos materials; and
- Maintenance programs.

This appendix describes these controls and work practices in detail.

(2) Preparation of the area before renovation or maintenance activities. The first step in preparing to perform a small-scale, short-duration asbestos renovation or maintenance task, regardless of the abatement method that will be used, is the removal from the work area of all objects that are movable to protect them from asbestos contamination. Objects that cannot be removed must be covered completely with a 6-mil-thick polyethylene plastic sheeting before the task begins. If objects have already been contaminated, they should be thoroughly cleaned with a high-efficiency particulate air (HEPA) filtered vacuum or be wet wiped before they are removed from the work area or completely encased in the plastic.

(3) Wet methods. Whenever feasible, and regardless of the abatement method to be used (e.g., removal, enclosure, use of glove bags), wet methods must be used during small-scale, short-duration maintenance and renovation activities that involve disturbing asbestos-containing materials. Handling asbestos materials wet is

one of the most reliable methods of ensuring that asbestos fibers do not become airborne, and this practice should therefore be used whenever feasible. Wet methods can be used in the great majority of workplace situations. Only in cases where asbestos work must be performed on live electrical equipment, on live steam lines, or in other areas where water will seriously damage materials or equipment may dry removal be performed. Amended water or another wetting agent should be applied by means of an airless sprayer to minimize the extent to which the asbestos-containing material is disturbed.

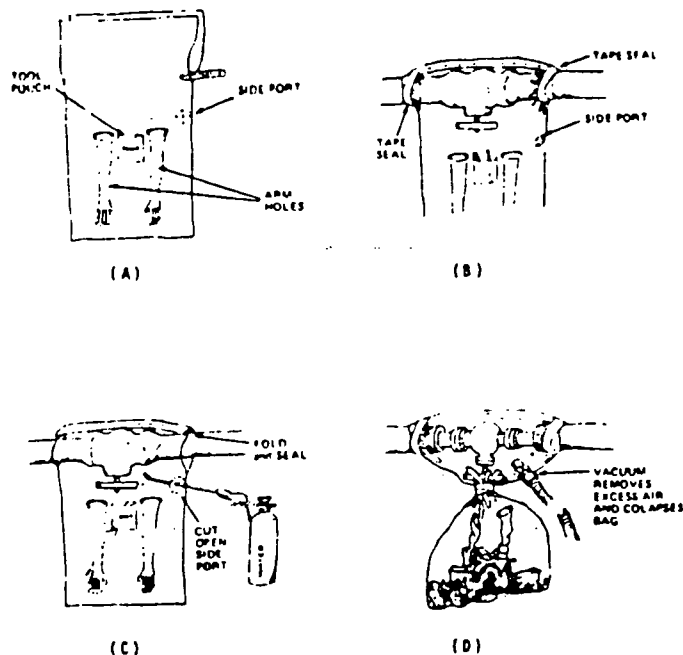
Asbestos-containing materials should be wetted from the initiation of the maintenance or renovation operation and wetting agents should be used continually throughout the work period to ensure that any dry asbestos-containing material exposed in the course of the work is wet and remains wet until final disposal.

(4) Removal of small amount of asbestos-containing materials. Several methods can be used to remove small amounts of asbestos-containing materials during small-scale, short-duration renovation or maintenance tasks. These include the use of glove bags, the removal of an entire asbestos-covered pipe or structure, and the construction of mini-enclosures. The procedures that employers must use for each of these operations if they wish to avail themselves of the final rule's exemptions are described in the following subsections.

(5) Glove bags. The use of glove bags to enclose the work area during small-scale, short-duration maintenance or renovation activities will result in employee exposures to asbestos that are below the action level of 0.1 f/cc. This appendix provides requirements for glove bag procedures to be followed by employers wishing to avail themselves of the standard's exemptions for each activities. WISHA has determined that the use of these procedures will reduce the eight-hour time-weighted average (TWA) exposures of employees involved in these work operations to levels below the action level and will thus provide a degree of employee protection equivalent to that provided by compliance with all provisions of the final rule.

(a) Glove bag installation. Glove bags are approximately forty-inch-wide times sixty-four-inch-long bags fitted with arms through which the work can be performed (see Figure J-1(A)). When properly installed and used, they permit workers to remain completely isolated from the asbestos material removed or replaced inside the bag. Glove bags can thus provide a flexible, easily installed, and quickly dismantled temporary small work area enclosure that is ideal for small-scale asbestos renovation or maintenance jobs.

Figure J-1. Diagrams showing proper use of glove bags in small-scale, short-duration maintenance and renovation operations



These bags are single use control devices that are disposed of at the end of each job. The bags are made of transparent 6-mil-thick polyethylene plastic with arms made of material such as Tyvek\* (the same material used to make the disposable protective suits used in major asbestos removal, renovation, and demolition operations and in protective gloves). Glove bags are readily available from safety supply stores or specialty asbestos removal supply houses. Glove bags come pre-labeled with the asbestos warning label prescribed by WISHA and EPA for bags used to dispose of asbestos waste.

(b) Glove bag equipment and supplies. Supplies and materials that are necessary to use glove bags effectively include:

(i) Tape to seal the glove bag to the area from which asbestos is to be removed;

(ii) Amended water or other wetting agents;

(iii) An airless sprayer for the application of the wetting agent;

(iv) Bridging encapsulant (a paste-like substance for coating asbestos) to seal the rough edges of any asbestos-containing materials that remain within the glove bag at the points of attachment after the rest of the asbestos has been removed;

(v) Tools such as razor knives, nips, and wire brushes (or other tools suitable for cutting wire, etc.);

(vi) A HEPA filter-equipped vacuum for evacuating the glove bag (to minimize the release of asbestos fibers) during removal of the bag from the work area and for cleaning any material that may have escaped during the installation of the glove bag; and

(vii) HEPA-equipped cartridge respirators for use by the employees involved in the removal of asbestos with the glove bag.

(c) Glove bag work practices. The proper use of glove bags requires the following steps:

(i) Glove bags must be installed so that they completely cover the pipe or other structure where asbestos work is to be done. Glove bags are installed by cutting the sides of the glove bag to fit the size of the pipe from which asbestos is to be removed. The glove bag is attached to the pipe by folding the open edges together and securely sealing them with tape. All openings in the glove bag must be sealed with duct tape or equivalent material. The bottom seam of the glove bag must also be sealed with duct tape or equivalent to prevent any leakage from the bag that may result from a defect in the bottom seam (Figure J-1(B)).

(ii) The employee who is performing the asbestos removal with the glove bag must don a half-mask dual-cartridge HEPA-equipped respirator; respirators and protective clothing should be worn by employees who are in close contact with the glove bag and who may thus be exposed as a result of small gaps in the seams of the bag or holes punched through the bag by a razor knife or a piece of wire mesh.

(iii) The removed asbestos material from the pipe or other surface that has fallen into the enclosed bag must be thoroughly wetted with a wetting agent (applied with an airless sprayer through the precut port provided in most glove bags or applied through a small hole cut in the bag) (Figure J-1(C)).

(iv) Once the asbestos material has been thoroughly wetted, it can be removed from the pipe, beam or other surface. The choice of tool to use to remove the asbestos-containing material depends on the type of material to be removed. Asbestos-containing materials are generally covered with painted canvas and/or wire mesh. Painted canvas can be cut with a razor knife and peeled away from the asbestos-containing material underneath. Once the canvas has been peeled away, the asbestos-containing material underneath may be dry, in which case it should be resprayed with a wetting agent to ensure that it generates as little dust as possible when removed. If the asbestos-containing material is covered with wire mesh, the mesh should be cut with nips, tin snips, or other appropriate tool and removed.

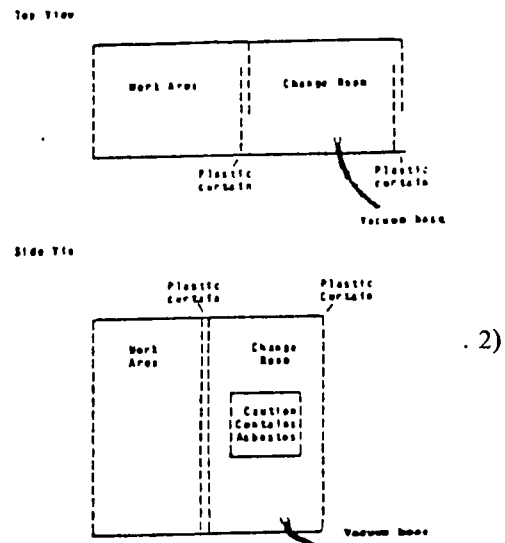
A wetting agent must then be used to spray any layer of dry material that is exposed beneath the mesh, the surface of the stripped underlying structure, and the inside of the glove bag.

(v) After removal of the layer of asbestos-containing material, the pipe or surface from which asbestos has been removed must be thoroughly cleaned with a wire brush and wet wiped with a wetting agent until no traces of the asbestos-containing material can be seen.

(vi) Any asbestos-containing insulation edges that have been exposed as a result of the removal or maintenance activity must be encapsulated with bridging encapsulant to ensure that the edges do not release asbestos fibers to the atmosphere after the glove bag has been removed.

(vii) When the asbestos removal and encapsulation have been completed, a vacuum hose from a HEPA-filtered vacuum must be inserted into the glove bag through the port to remove any air in the bag that may contain asbestos fibers. When the air has been removed from the bag, the bag should be squeezed tightly (as close to the top as possible), twisted, and sealed with tape, to keep the asbestos materials safely in the bottom of the bag. The HEPA vacuum can then be removed from the bag and the glove bag itself can be removed from the work area to be disposed of properly (Figure J-1(D)).

Figure J-2. Schematic of mini-enclosure



(6) Mini-enclosures. In some instances, such as removal of asbestos from a small ventilation system or from a short length of duct, a glove bag may not be either large enough or of the proper shape to enclose the work area. In such cases, a mini-enclosure can be built around the area where small-scale, short-duration asbestos maintenance or renovation work is to be performed (Figure J-2). Such an enclosure should be constructed of 6-mil-thick polyethylene plastic sheeting and can be small enough to restrict entry to the asbestos work area to one worker.

For example, a mini-enclosure can be built in a small utility closet when asbestos-containing duct covering is to be removed. The enclosure is constructed by:

(a) Affixing plastic sheeting to the walls with spray adhesive and tape;

(b) Covering the floor with plastic and sealing the plastic covering the floor to the plastic on the walls;

(c) Sealing any penetrations such as pipes or electrical conduits with tape; and

(d) Constructing a small change room (approximately three feet square) made of 6-mil-thick polyethylene plastic supported by two-inch by four-inch lumber (the plastic should be attached to the lumber supports with staples or spray adhesive and tape).

The change room should be contiguous to the mini enclosure, and is necessary to allow the worker to vacuum off his protective coveralls and remove them before leaving the work area. While inside the enclosure, the worker should wear Tyvek<sup>1</sup> disposable coveralls and use the appropriate HEPA filtered dual cartridge respiratory protection.

The advantages of mini-enclosures are that they limit the spread of asbestos contamination, reduce the potential exposure of bystanders and other workers who may be working in adjacent areas, and are quick and easy to install. The disadvantage of mini-enclosures is that they may be too small to contain the equipment necessary to create a negative pressure within the enclosure; however, the double layer of plastic sheeting will serve to restrict the release of asbestos fibers to the area outside the enclosure.

(7) Removal of entire structures. When pipes are insulated with asbestos-containing materials, removal of the entire pipe may be more protective, easier, and more cost-effective than stripping the asbestos insulation from the pipe. Before such a pipe is cut, the asbestos-containing insulation must be wrapped with 6-mil polyethylene plastic and securely sealed with duct tape or equivalent. This plastic covering will prevent asbestos fibers from becoming airborne as a result of the vibration created by the power saws used to cut the pipe. If possible, the pipes should be cut at locations that are not insulated to avoid disturbing the asbestos. If a pipe is completely insulated with asbestos-containing materials, small sections should be stripped using the glove-bag method described above before the pipe is cut at the stripped sections.

(8) Enclosure. The decision to enclose rather than remove asbestos-containing material from an area depends on the building owner's preference, i.e., for removal or containment. Owners consider such factors as cost effectiveness, the physical configuration of the work area, and the amount of traffic in the area when determining which abatement method to use.

If the owner chooses to enclose the structure rather than to remove the asbestos-containing material insulating it, a solid structure (airtight walls and ceilings) must be built around the asbestos covered pipe or structure to prevent the release of asbestos-containing materials into the area beyond the enclosure and to prevent disturbing these materials by casual contact during future maintenance operations.

Such a permanent (i.e., for the life of the building) enclosure should be built of new construction materials and should be impact resistant and airtight. Enclosure walls should be made of tongue-and-groove boards, boards with spine joints, or gypsum boards having taped seams. The underlying structure must be able to support the weight of the enclosure. (Suspended ceilings with laid in panels do not provide airtight enclosures and should not be used to enclose structures covered with asbestos-containing materials.) All joints between the walls and ceiling of the enclosure should be caulked to prevent the escape of asbestos fibers. During the installation of enclosures, tools that are used (such as drills or

rivet tools) should be equipped with HEPA-filtered vacuums. Before constructing the enclosure, all electrical conduits, telephone lines, recessed lights, and pipes in the area to be enclosed should be moved to ensure that the enclosure will not have to be reopened later for routine or emergency maintenance. If such lights or other equipment cannot be moved to a new location for logistic reasons, or if moving them will disturb the asbestos-containing materials, removal rather than enclosure of the asbestos-containing materials is the appropriate control method to use.

(9) Maintenance program. An asbestos maintenance program must be initiated in all facilities that have asbestos-containing materials. Such a program should include:

- Development of an inventory of all asbestos-containing materials in the facility;

- Periodic examination of all asbestos-containing materials to detect deterioration;

- Written procedures for handling asbestos materials during the performance of small-scale, short-duration maintenance and renovation activities;

- Written procedures for asbestos disposal; and

- Written procedures for dealing with asbestos-related emergencies.

Members of the building's maintenance engineering staff (electricians, heating/air conditioning engineers, plumbers, etc.) who may be required to handle asbestos-containing materials should be trained in safe procedures. Such training should include at a minimum:

- Information regarding types of asbestos and its various uses and forms;

- Information on the health effects associated with asbestos exposure;

- Descriptions of the proper methods of handling asbestos-containing materials; and

- Information on the use of HEPA-equipped dual cartridge respiratory and other personal protection during maintenance activities.

(10) Prohibited activities. The training program for the maintenance engineering staff should describe methods of handling asbestos-containing materials as well as routine maintenance activities that are prohibited when asbestos-containing materials are involved. For example, maintenance staff employees should be instructed:

- Not to drill holes in asbestos-containing materials;

- Not to hang plants or pictures on structures covered with asbestos-containing materials;

- Not to sand asbestos-containing floor tile;

- Not to damage asbestos-containing materials while moving furniture or other objects;

- Not to install curtains, drapes, or dividers in such a way that they damage asbestos-containing materials;

- Not to dust floors, ceilings, moldings or other surfaces in asbestos-contaminated environments with a dry brush or sweep with a dry broom;

- Not to use an ordinary vacuum to clean up asbestos-containing debris;

- Not to remove ceiling tiles below asbestos-containing materials without wearing the proper respiratory protection, clearing the area of other people, and observing asbestos removal waste disposal procedures;

Not to remove ventilation system filters dry; and  
Not to shake ventilation system filters.

- \* Mention of trade names or commercial products does not constitute endorsement or recommendation for use.
- 1 Mention of trade names or commercial products does not constitute endorsement or recommendation for use.

### NEW SECTION

WAC 296-62-07761 NONASBESTIFORM  
TREMOLITE, ANTHOPHYLLITE, AND  
ACTINOLITE. (1) Definitions. For the purpose of this section:

(a) "Department" means the department of labor and industries.

(b) "Director" means the director of the department of labor and industries or his/her authorized representatives.

(c) "Employee exposure" means that exposure to airborne tremolite, anthophyllite, actinolite, or a combination of these minerals that would occur if the employee were not using respiratory protective equipment.

(d) "Fiber" means a particulate form of tremolite, anthophyllite, or actinolite, five micrometers or longer, with a length-to-diameter ratio of at least three to one.

(e) "Tremolite, anthophyllite, or actinolite" means the nonasbestos form of these minerals, and any of these minerals that have been chemically treated and/or altered.

(2) Permissible exposure to airborne concentrations of tremolite, anthophyllite, and actinolite fibers including any combination of these minerals.

(a) The eight-hour time-weighted average airborne concentration of tremolite, anthophyllite, and actinolite fibers to which any employee may be exposed shall not exceed two fibers per cubic centimeter of air, as determined by the method prescribed in subsection (5) of this section.

(b) Ceiling concentration. No employee shall be exposed at any time to an airborne concentration of tremolite, anthophyllite, and actinolite fibers in excess of ten fibers per cubic centimeter of air, as determined by the method prescribed in subsection (5) of this section.

(3) Methods of compliance.

(a) Engineering methods.

(i) Engineering controls. Engineering controls, such as, but not limited to, isolation, enclosure, exhaust ventilation, and dust collection, shall be used to meet the exposure limits prescribed in subsection (2) of this section.

(ii) Local exhaust ventilation. Local exhaust ventilation and dust collection systems shall be designed, constructed, installed, and maintained in accordance with the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2-1971, which is incorporated by reference herein.

(iii) Particular tools. All hand-operated and power-operated tools which may produce or release tremolite, anthophyllite, and actinolite fibers in excess of the exposure limits prescribed in subsection (2) of this section, such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided with local exhaust

ventilation systems in accordance with (a)(ii) of this subsection.

(b) Work practices.

(i) Wet methods. Insofar as practicable, tremolite, anthophyllite, and actinolite shall be handled, mixed, applied, removed, cut, scored, or otherwise worked in a wet state sufficient to prevent the emission of airborne fibers in excess of the exposure limits prescribed in subsection (2) of this section, unless the usefulness of the product would be diminished thereby.

(ii) Particular products and operations. No tremolite, anthophyllite, and actinolite cement, mortar, coating, grout, plaster, or similar material containing tremolite, anthophyllite, and actinolite shall be removed from bags, cartons, or other containers in which they are shipped, without being either wetted, or enclosed, or ventilated so as to prevent effectively the release of airborne tremolite, anthophyllite, and actinolite fibers in excess of the limits prescribed in subsection (2) of this section.

(iii) Spraying, demolition, or removal. Employees engaged in the spraying of tremolite, anthophyllite, and actinolite, the removal, or demolition of pipes, structures, or equipment covered or insulated with tremolite, anthophyllite, and actinolite, and in the removal or demolition of tremolite, anthophyllite, and actinolite insulation or coverings shall be provided with Type "C" supplied air respiratory equipment and with special clothing in accordance with subsection (4)(c) of this section.

(4) Personal protective equipment.

(a) Compliance with the exposure limits prescribed by subsection (2) of this section may not be achieved by the use of respirators or shift rotation of employees except:

(i) During the time period necessary to install the engineering controls and to institute the work practices required by subsection (3) of this section.

(ii) In work situations in which the methods prescribed in subsection (3) of this section are either technically not feasible or feasible to an extent insufficient to reduce the airborne concentration of tremolite, anthophyllite, and actinolite fibers below the limits prescribed by subsection (2) of this section; or

(iii) In emergencies.

(iv) Where both respirators and personnel rotation are allowed by (a)(i), (ii), or (iii) of this subsection, and both are practicable, personnel rotation shall be preferred and used.

(b) Where a respirator is permitted by (a)(i), (ii), or (iii) of this subsection, it shall comply with the applicable provisions of WAC 296-62-071.

(i) Respirator selection. The employer shall select, provide, and ensure the use of respirators, at no cost to the employees, in accordance with the respirator protection factors listed in Table 1 of this section.

(ii) Establishment of a respirator program.

(A) The employer shall establish a respirator program in accordance with the requirements of chapter 296-62 WAC.

(B) No employee shall be assigned to tasks requiring the use of respirators if, based upon his most recent examination, an examining physician determines that the employee will be unable to function normally wearing a respirator, or that the safety or health of the employee

or other employees will be impaired by his/her use of a respirator. Such employee shall be rotated to another job or given the opportunity to transfer to a different position whose duties he/she is able to perform with the same employer, in the same geographical area and with the same seniority, status, and rate of pay he/she had just prior to such transfer, if such a different position is available.

(c) Special clothing: The employer shall provide at no cost, and require the use of, special clothing, such as coveralls or similar whole body clothing, head coverings, gloves, and foot coverings for any employee exposed to an airborne concentration of tremolite, anthophyllite, and actinolite fibers, which exceeds 2 f/cc.

(d) Change rooms:

(i) At any place of employment exposed to an airborne concentration of tremolite, anthophyllite, and actinolite fibers in excess of the exposure limits prescribed in subsection (2) of this section, the employer shall provide change rooms for employees.

(ii) Clothes lockers: The employer shall provide two separate lockers or containers for each employee, so separated or isolated as to prevent contamination of the employee's street clothes from his/her work clothes.

(iii) Laundering:

(A) Laundering of tremolite, anthophyllite, and actinolite contaminated clothing shall be done so as to prevent the release of airborne fibers in excess of the exposure limits prescribed in subsection (2) of this section.

(B) Any employer who gives contaminated clothing to another person for laundering shall inform such person of the requirement in (d) of this subsection to effectively prevent the release of airborne tremolite, anthophyllite, and actinolite fibers in excess of the exposure limits prescribed in subsection (2) of this section.

(C) Contaminated clothing shall be transported in sealed impermeable bags, or other closed, impermeable containers, and labeled in accordance with subsection (7)(b) of this section.

(5) Method of measurement. All determinations of airborne concentrations of tremolite, anthophyllite, and actinolite fibers shall be made by the membrane filter method at 400-450 X (magnification) four millimeter objective with phase contrast illumination.

(6) Monitoring.

(a) Initial determinations. Every employer shall cause every place of employment where tremolite, anthophyllite, and actinolite fibers are released to be monitored in such a way as to determine whether every employee's exposure to tremolite, anthophyllite, and actinolite fibers is below the limits prescribed in subsection (2) of this section. If the limits are exceeded, the employer shall immediately undertake a compliance program in accordance with subsection (3) of this section.

(b) Personal monitoring.

(i) Samples shall be collected from within the breathing zone of the employees, on membrane filters of 0.8 micrometer porosity mounted in an open-face filter

holder. Samples shall be taken for the determination of the eight-hour time-weighted average airborne concentration and of the ceiling concentration of tremolite, anthophyllite, and actinolite fibers.

(ii) Sampling frequency and patterns. After the initial determinations required by (a) of this subsection, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of employees. In no case shall the sampling be done at intervals greater than six months for employees whose exposure to tremolite, anthophyllite, and actinolite may reasonably be foreseen to exceed the limits prescribed by subsection (2) of this section.

(c) Environmental monitoring.

(i) Samples shall be collected from areas of a work environment which are representative of the airborne concentration of tremolite, anthophyllite, and actinolite fibers which may reach the breathing zone of employees. Samples shall be collected on a membrane filter of 0.8 micrometer porosity mounted in an open-face filter holder. Samples shall be taken for the determination of the eight-hour time-weighted average airborne concentration and of the ceiling concentration of tremolite, anthophyllite, and actinolite fibers.

(ii) Sampling frequency and patterns. After the initial determinations required by (a) of this subsection, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of the employees. In no case shall sampling be at intervals greater than six months for employees whose exposures to tremolite, anthophyllite, and actinolite may reasonably be foreseen to exceed the exposure limits prescribed in subsection (2) of this section.

(d) Employee observation of monitoring. Affected employees, or their representatives, shall be given a reasonable opportunity to observe any monitoring required by this subsection and shall have access to the records thereof.

(7) Caution signs and labels.

(a) Caution signs.

(i) Posting. Caution signs shall be provided and displayed at each location where airborne concentrations of tremolite, anthophyllite, and actinolite fibers are reasonably expected to be released or where airborne concentrations of tremolite, anthophyllite, and actinolite fibers may be in excess of the exposure limits prescribed in subsection (2) of this section. Signs shall be posted at such a distance from such a location so that an employee may read the signs and take necessary protective steps before entering the area marked by the signs. Signs shall be posted at all approaches to areas containing airborne tremolite, anthophyllite, and actinolite fibers.

(ii) Sign specifications. The warning signs required by (a)(i) of this subsection shall conform to the requirements of 20" X 14" vertical format signs specified in WAC 296-24-14007(4) and to this subsection. The signs shall display the following legend in the lower panel, with letter sizes and styles of a visibility at least equal to that specified in this subdivision.



Legend	Notation
Tremolite, anthophyllite, and actinolite _____	1" Sans Serif, Gothic or Block.
Dust hazard _____	3/4" Sans Serif, Gothic or Block.
Avoid breathing dust _____	1/4" Gothic.
Wear assigned protective equipment _____	1/4" Gothic.
Do not remain in area unless your work requires it _____	1/4" Gothic.
Breathing tremolite, anthophyllite, and actinolite fibers may be hazardous to your health _____	14 point Gothic.

Spacing between lines shall be at least equal to the height of the upper of any two lines.

(b) Caution labels.

(i) Labeling. Caution labels shall be affixed to all raw materials, mixtures, scrap, waste, debris, and other products containing tremolite, anthophyllite, and actinolite fibers, or to their containers, except that no label is required where fibers have been modified by a bonding agent, coating, binder, or other material so that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne fibers will be released.

(ii) Label specifications. The caution labels required by (b)(i) of this subsection shall be printed in letters of sufficient size and contrast as to be readily visible and legible. The label shall state:

CAUTION

Contains Tremolite, Anthophyllite, or Actinolite Fibers

Avoid Creating Dust

Breathing Tremolite, Anthophyllite, or Actinolite Fibers May Cause

Serious Bodily Harm

(8) Housekeeping.

(a) Cleaning. All external surfaces in any place of employment shall be maintained free of accumulations of tremolite, anthophyllite, and actinolite fibers.

(b) Waste disposal. Tremolite, anthophyllite, and actinolite waste, scrap, debris, bags, containers, equipment, and contaminated clothing, consigned for disposal, shall be collected and disposed of in sealed impermeable bags at least 6 mils in thickness, or other closed, impermeable containers.

(c) Deterioration. Friable tremolite, anthophyllite, or actinolite and friable tremolite, anthophyllite, or actinolite containing material which has become damaged or deteriorated shall be repaired, enclosed, encapsulated, or removed.

(9) Recordkeeping.

(a) Exposure records. Every employer shall maintain records of any personal or environmental monitoring required by subsection (6) of this section. Records shall be maintained for a period of at least thirty years and shall be made available upon request to the director of the department of labor and industries.

(b) Access. Employee exposure records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and WAC 296-62-05213 through 296-62-05217.

(c) Employee notification. Any employee found to have been exposed at any time to an airborne concentration of tremolite, anthophyllite, or actinolite fibers in excess of the limits prescribed in subsection (2) of this section shall be notified in writing of the exposure as soon as practicable but not later than five days of the finding. The employee shall also be timely notified of the corrective action being taken.

(10) Medical examinations.

(a) General. The employer shall provide or make available at his/her cost, medical examinations relative to exposure to tremolite, anthophyllite, or actinolite required by this section.

(b) Preplacement. The employer shall provide or make available to each of his/her employees, within thirty calendar days following his/her first employment in an occupation exposed to an airborne concentration of tremolite, anthophyllite, or actinolite fibers, a comprehensive medical examination, which shall include, as a minimum, a chest roentgenogram (posterior-anterior fourteen by seventeen inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV<sub>1.0</sub>).

(c) Annual examinations. Every employer shall provide or make available on an annual basis, comprehensive medical examinations to each of his/her employees engaged in occupations exposed to airborne concentrations of tremolite, anthophyllite, and actinolite fibers. Such annual examination shall include, as a minimum, a chest roentgenogram (posterior-anterior fourteen by seventeen inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV<sub>1.0</sub>).

(d) Termination of employment. The employer shall provide, or make available, within thirty calendar days before or after the termination of employment of any employee engaged in an occupation exposed to an airborne concentration of tremolite, anthophyllite, or actinolite fibers, a comprehensive medical examination which shall include, as a minimum, a chest roentgenogram (posterior-anterior fourteen by seventeen inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV<sub>1.0</sub>).

(e) Recent examinations. No medical examination is required of any employee, if adequate records show that the employee has been examined in accordance with this subsection within the past one-year period.

(f) Medical records.

(i) Maintenance. Employers of employees examined pursuant to this subsection shall cause to be maintained

complete and accurate records of all such medical examinations. Records shall be retained by employers for at least thirty years.

(ii) Access. Records of the medical examinations required by this subsection shall be provided upon request to employees, designated representative and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and WAC 296-62-05213 through 296-62-05217. These records shall also be provided upon request to the director of the department of labor and industries. Any physician who conducts a medical examination required by this subsection shall furnish to the employer of the examined employee all the information specifically required by this subsection, and any other medical information related to occupational exposure to tremolite, anthophyllite, and actinolite fibers.

TABLE 1—RESPIRATORY PROTECTION FOR TREMOLITE, ANTHOPHYLLITE, AND ACTINOLITE FIBERS

CONCENTRATION OF TREMOLITE, ANTHOPHYLLITE, ACTINOLITE, OR A COMBINATION OF THESE MINERALS	REQUIRED RESPIRATOR <sup>a</sup>
Not in excess of 2 f/cc.	1. Half-mask, air-purifying respirator equipped with high-efficiency cartridge filters. <sup>b</sup>
Not in excess of 10 f/cc.	1. Full facepiece air-purifying respirator equipped with high-efficiency filters.
Not in excess of 20 f/cc	1. Any powered air-purifying respirator equipped with high-efficiency filters. 2. Any supplied-air respirator operated in continuous flow mode.
Not in excess of 200 f/cc.	1. Full facepiece supplied-air respirator operated in pressure demand mode.
Greater than 200 f/cc or unknown concentration.	1. Full facepiece supplied-air respirator operated in pressure-demand mode equipped with either an auxiliary positive pressure self-contained breathing apparatus or a HEPA filter. 2. Full facepiece positive-pressure self-contained breathing apparatus (SCBA).

Note: a. Respirators assigned for higher environmental concentrations may be used at lower concentrations.  
b. A high-efficiency filter means a filter that is capable of trapping and retaining at least 99.97 percent of all monodispersed particles of 0.3 micrometers mean aerodynamic diameter or larger.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-62-07729 OBSERVATION OF MONITORING.

**AMENDATORY SECTION** (Amending Order 85-30, filed 10/22/85)

WAC 296-65-003 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Approved" means approved by the department.
- (2) "Asbestos" includes different forms of chrysotile, amosite, crocidolite, tremolite, anthophyllite and actinolite.
- (3) "Asbestos fiber((s))" means asbestos fiber(~~(s longer than 5 micrometers)~~) as defined in WAC 296-62-07703.
- (4) "Asbestos project" includes the construction, demolition, repair, maintenance or renovation of any public or private building or structure, mechanical piping equipment or system involving the demolition, removal, encapsulation, salvage, or disposal of material releasing or likely to release asbestos fibers into the air.
- (5) "Auxiliary project" means a work activity which does not directly involve an asbestos project but which may disturb or expose asbestos or asbestos-containing materials.
- (6) "Certificate" means the certificate issued by the department.
- (7) "Certified asbestos worker" means an individual who has successfully completed an approved asbestos training course and has received the certificate.
- (8) "Contractor" includes any partnership, firm, association, corporation or sole proprietorship that contracts to perform the removal or encapsulation of asbestos.
- (9) "Department" means the department of labor and industries.
- (10) "Demolition" includes the wrecking or removal of any load-supporting structural member of a facility including any related handling operations.
- (11) "Direct on-site supervision" means the supervision of no more than three workers by a certified asbestos worker who is physically present at all times at the asbestos project. It includes the authority to immediately correct any deficiencies on the project.
- (12) "Encapsulation" means the application of an encapsulant to asbestos containing materials to control the release of asbestos fibers into the air. The encapsulant creates a membrane over the surface (bridging encapsulant) or penetrates the material and binds its components together (penetrating encapsulant).
- (13) "HEPA filtration" means high efficiency particulate air filtration found in respirators and vacuum systems capable of filtering 0.3 micron particles with 99.97% efficiency.
- (14) "NESHAP" means the National Emission Standards for Hazardous Air Pollutants.
- (15) "Person" means any partnership, firm, association, corporation, sole proprietorship or the state of Washington or its political subdivisions.
- (16) "Removal" includes the stripping of any asbestos containing materials from the surface or components of a facility.
- (17) "Renovation" includes altering in any way one or more facility components. Operations in which load-

supporting structural members are wrecked or removed are excluded.

(18) "Repair" includes the restoration of asbestos containing insulation that has been damaged, usually located on pipes, boilers, tanks, turbines, ducts or other facility components. Repair usually consists of the application of duct tape, rewettable glass cloth, canvas, cement or other suitable material to seal exposed areas where asbestos fibers may be released. Repair of previously encapsulated asbestos containing materials may involve filling damaged areas with nonasbestos substitutes and reencapsulating. Repair of enclosures around asbestos containing materials is contemplated by this term.

(19) "Structural component" includes any pipe, duct, boiler, tank, reactor, turbine or furnace at or in a facility or any structural member of a facility.

(20) "Structural member" means any load-supporting or non-load-supporting member of a facility such as beams, walls, and ceilings.

(21) "Structure" means an entire facility, building or major portion thereof, such as a building wing.

#### AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-65-005 TRAINING COURSE CONTENT. An approved basic asbestos course shall consist of at least thirty hours of training. The initial training course shall provide, at a minimum, information on the following topics:

(1) The physical characteristics of asbestos including types, fiber size, aerodynamic characteristics and physical appearance.

(2) Examples of different types of asbestos and asbestos containing materials. Real asbestos shall be used only for observation by trainees and shall be enclosed in sealed unbreakable containers.

(3) The health hazards of asbestos including the nature of asbestos related diseases, routes of exposure, dose-response relationships, synergism between cigarette smoking and asbestos exposure, latency period of diseases, hazards to immediate family, and the health basis for asbestos standards.

(4) Employee personal protective equipment including the classes and characteristics of respirator types, limitations of respirators, proper selection, inspection, donning, use, maintenance and storage procedure, methods for field checking of the facepiece-to-face seal (positive and negative pressure checks), qualitative and quantitative fit testing procedures, variability between field and laboratory protection factors, factors that alter respirator fit (e.g., eye glasses and facial hair), the components of a proper respiratory protection program, respirator program administrator, requirements on oil lubricated reciprocating piston compressors for breathing air, and selection and use of personal protective clothing.

(5) Use, storage and handling of launderable clothing, nonslip footwear, gloves, eye protection and hard hats.

(6) Medical monitoring procedures and requirements, including the provisions of WAC 296-62-071 through 296-62-07121 and ((296-62-07517)) 296-62-07725,

any additional recommended procedures and tests, benefits of medical monitoring and employee access to records.

(7) Air monitoring procedures and requirements specified in WAC 296-62-07709 ((and 296-155-17530)), including a description of equipment, sampling methods and strategies, reasons for air monitoring, types of samples, including area, personal and clearance samples, current standards with proposed changes if any, employee observation and notification, recordkeeping and employee access to records, interpretation of air monitoring results, and analytical methods for bulk and air samples.

(8) State-of-the-art work practices for asbestos removal and encapsulation activities including purpose, proper construction and maintenance of barriers and decontamination enclosure systems, posting of warning signs, electrical and ventilation system lock-out, proper working techniques and tools with vacuum attachments for minimizing fiber release, use of wet methods and surfactants, use of negative pressure ventilation equipment for minimizing employee exposure to asbestos fibers and contamination prevention, scoring and breaking techniques for rigid asbestos products, glove bag techniques, use of HEPA vacuums and proper clean-up and disposal procedures. Work practice requirements for removal, encapsulation, enclosure and repair shall be discussed individually. Appropriate work practices for both indoor and outdoor asbestos projects shall be included.

(9) Personal hygiene including entry and exit procedures for the work area, use of showers and prohibition of eating, drinking, smoking and chewing (gum or tobacco) in the work area.

(10) Additional safety hazards that may be encountered during asbestos removal and encapsulation activities and hazard abatement; including electrical hazards, scaffold and ladder hazards, slips, trips and falls, confined spaces, noise, and heat stress.

(11) The requirements, procedures and standards established by:

(a) The Environmental Protection Agency, 40 CFR Part 61, Subparts A and M.

(b) Washington state department of ecology.

(c) Local air pollution control agencies.

(d) Washington state department of labor and industries, division of industrial safety and health, chapter 49.17 RCW (Washington Industrial Safety and Health Act), chapter 49.17 RCW (Health and safety—Asbestos), and ensuing regulations.

(12) Actual worksite considerations.

(13) The instruction required by this section shall include, at a minimum, hands-on training for the following:

(a) Glove bag techniques;

(b) The opportunity to don respirators including half facepiece and full facepiece air purifying respirators, powered air purifying respirators (PAPR), and Type-C supplied-air respirators. Qualitative or quantitative fit testing shall be performed on each student in accordance with WAC ((296-62-071 through 296-62-07121)) 296-62-07715 and 296-62-07739;

(c) Removal and repair of sprayed-on material, troweled-on material and pipe lagging;

(d) Basic construction of a decontamination unit, and proper entry and exit;

(e) Suit-up in protective clothing consisting of coveralls, foot coverings and head coverings.

(14) Asbestos containing materials shall not be used for hands-on training.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

**WAC 296-65-015 TRAINING COURSE CERTIFICATION.** Basic and refresher asbestos training courses may be provided by any person, environmental health consulting firm, union, trade association, educational institution, public health organization, individual, governmental agency, or other entity.

(1) Each course shall be evaluated by the department for the breadth of knowledge and experience required to properly train asbestos workers. Course content shall be carefully scrutinized for adequacy and accuracy. Training techniques will be evaluated by the department.

(2) Sponsors of basic and refresher training courses proposed for approval must submit:

(a) Background information about course sponsors;

(b) Course locations and fees;

(c) Copies of course handouts;

(d) A detailed description of course content and the amount of time allotted to each major topic;

(e) A description of teaching methods to be utilized and a list of all audio-visual materials; the department may, in its discretion, request that copies of the materials be provided for review. Any audio-visual materials provided to the department will be returned to the applicant;

(f) A list of all personnel involved in course preparation and presentation and a description of the background, special training and qualifications of each;

(g) A description of student evaluation methods and a copy of the required written examination including the scoring methodology to be used in grading the examination;

(h) A description of course evaluation methods; and

(i) Any restrictions on attendance (language, class size, affiliation, etc.).

(3) Application for training course approval and course materials shall be submitted to the department at least forty-five days prior to the requested approval date. Materials may be mailed to:

Asbestos Certification Program  
Department of Labor and  
Industries, HC-412  
805 Plum Street S.E.  
P.O. Box 207  
Olympia, Washington 98504

(4) Upon approval of a basic or refresher asbestos training course, the department will issue the course sponsor a certificate. The certificate is valid for one year from the date of issuance. Application for renewal must follow the procedures described in subsections (2) and (3) of this section.

(5) To be considered timely, the training course certificate renewal must be received by the department no later than sixty days after the certificate expiration date.

(6) Any changes to a training course must be approved by the department in advance.

(7) The course sponsor shall provide the department with a list of all persons who have completed a basic or refresher training course. The list must be provided no later than ten days after a course is completed and must include the name and address of each trainee.

(8) The course sponsor must notify the department at least one week before a training course is scheduled to begin. The notification must include the date, time and address where the training will be conducted.

(9) A representative of the department may, at the department's discretion, attend a training course as an observer to verify that the training course is conducted in accordance with the program approved by the department.

(10) The department may suspend or revoke the certification of a training course if its sponsor fails to maintain the course content and quality as initially approved.

(11) The training course sponsor shall limit each class to a maximum of thirty participants (~~unless granted an exception in writing by the department. To apply for an exception allowing class size to exceed thirty, the course sponsor must submit the following information in writing to the department for evaluation and approval prior to expanding class size beyond thirty participants:~~

~~(a) The class attendance limit;~~

~~(b) The teaching methods and techniques for training the proposed larger class; and~~

~~(c) The protocol for conducting the written examination)).~~

(12) The instructor to student ratio shall not exceed one-to-ten for any of the training required by WAC 296-65-005(13).

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

**WAC 296-65-020 NOTIFICATION REQUIREMENTS.** A copy of any notice of intention to demolish or renovate a facility required to be filed with ~~((an))~~ a federal, state, or local air pollution control agency ~~((in accordance with NESHAP (40 CFR Part 61)))~~ shall be sent directly to the department by each person whose employees, if any, are renovating or demolishing any structure. Notices must be received within the same time periods required ~~((under NESHAP))~~ by the federal, state, or local agency and may be mailed to:

Asbestos Certification Program  
Department of Labor and  
Industries, HC-412  
805 Plum Street S.E.  
P.O. Box 207  
Olympia, Washington 98504.

**AMENDATORY SECTION** (Amending Order 85-30, filed 10/22/85)

WAC 296-65-025 CERTIFICATE FEE. (1) A nonrefundable administrative fee of twenty-five dollars shall be assessed for each initial or renewal certificate application. The fee (check or money order) must accompany the certificate application and be made payable to the department. An application form may be obtained from any approved training course instructor or directly from the department.

(2) A nonrefundable administrative fee of one hundred fifty dollars shall be assessed for each initial or renewal application for ~~((an approved))~~ training course ~~((certificate))~~ approval. A check or money order shall accompany any application made under the provisions of WAC 296-65-015 and be made payable to the department.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 296-65-040 APPEALS—NOTICE AND FILING.

WAC 296-65-045 APPEALS—PROCEDURE.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-155-160 GASES, VAPORS, FUMES, DUSTS, AND MISTS. (1) Exposure of employees to inhalation, ingestion, skin absorption, or contact with any material or substance at a concentration above those specified in the general occupational health standards, WAC 296-62-07515 shall be avoided.

(2) To achieve compliance with subsection (1) of this section, administrative or engineering controls must first be implemented whenever feasible. When such controls are not feasible to achieve full compliance, protective equipment or other protective measures shall be used to keep the exposure of employees to air contaminants within the limits prescribed in WAC 296-62-07515. Any equipment and technical measures used for this purpose must first be approved for each particular use by a competent industrial hygienist or other technically qualified person. Whenever respirators are used, their use shall comply with WAC 296-155-220.

(3) Whenever internal combustion equipment exhausts in enclosed spaces, tests shall be made and recorded to ensure that employees are not exposed to unsafe concentrations of toxic gases or oxygen deficient atmospheres. See chapter 296-62 WAC, the general occupational health standards.

(4) Whenever any employee is exposed to asbestos, the provisions of the general occupational health standards, chapter 296-62 WAC shall apply.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-155-775 PREPARATORY OPERATIONS. (1) Prior to permitting employees to start demolition operations, an engineering survey shall be

made, by a competent person, of the structure to determine structural integrity and the possibility of unplanned collapse of any portion of the structure. Any adjacent structure where employees may be exposed shall also be similarly checked. The employer shall have in writing, evidence that such a survey has been performed.

(2) A copy of the survey report and of the plans and/or methods of operations shall be maintained at the job site for the duration of the demolition operation.

(3) Any device or equipment such as scaffolds, ladders, derricks, hoists, etc., used in connection with demolition work shall be constructed, installed, inspected, maintained and operated in accordance with the regulations governing the construction, installation, inspection, maintenance and operation of such device or equipment as specified in other parts of this chapter.

(4) Federal and state codes, safety standards, rules, regulations, and ordinances governing any and all phases of demolition work shall be observed at all times.

(5) Demolition of all buildings and structures shall be conducted under competent supervision, and safe working conditions shall be afforded the employees.

(6) When employees are required to work within a structure to be demolished which has been damaged by fire, flood, explosion, or other cause, the walls or floor shall be shored or braced.

(7) All electric, gas, water, steam, sewer, and other service lines shall be shut off, capped, or otherwise controlled, outside the building line before demolition work is started. In each case, any utility company which is involved shall be notified in advance.

(8) If it is necessary to maintain any power, water or other utilities during demolition, such lines shall be temporarily relocated, as necessary, and protected.

(9) It shall be determined whether asbestos, hazardous materials, hazardous chemicals, gases, explosives, flammable materials, or similarly dangerous substances are present at the work site. When the presence of any such substance is apparent or suspected, testing and removal or purging shall be performed and the hazard eliminated before demolition is started. Removal of such substances shall be in accordance with the requirements of ~~((WAC 296-155-175 through 296-155-193 and))~~ chapters 296-62 and 296-65 WAC.

(10) Where a hazard exists from fragmentation of glass, such hazards shall be removed.

(11) Where a hazard exists to employees falling through wall openings, the opening shall be protected to a height of between thirty-six and forty-two inches.

(12) When debris is dropped without the use of chutes, the area onto which the material is dropped shall be completely enclosed with barricades not less than forty-two inches high and not less than twenty feet back from the projected edge of the opening above. Signs, warning of the hazard of falling materials, shall be posted at each level. Removal shall not be permitted in this lower area until debris handling ceases above.

(13) All floor openings, not used as material drops, shall be covered over with material substantial enough to support the weight of any load which may be imposed.

Such material shall be properly secured to prevent its accidental movement.

(14) Except for the cutting of holes in floors for chutes, holes through which to drop materials, preparation of storage space, and similar necessary preparatory work, the demolition of exterior walls and floor construction shall begin at the top of the structure and proceed downward. Each story of exterior wall and floor construction shall be removed and dropped into the storage space before commencing the removal of exterior walls and floors in the story next below.

(15) Workmen shall not be permitted to carry on a demolition operation which will expose men working on a lower level to danger.

(16) Employee entrances to multistory structures being demolished shall be completely protected by sidewalk sheds or canopies, or both, providing protection from the face of the building for a minimum of eight feet. All such canopies shall be at least two feet wider than the building entrances or openings one foot wider on each side thereof, and shall be capable of sustaining a load of one hundred fifty pounds per square foot.

(17) Protruding nails in boards, planks and timber shall be withdrawn, driven in or bent over as soon as the same is removed from the structure being demolished.

(18) Any material to be removed which will cause dust to be formed, shall be sprinkled with water to lay the dust incidental to its removal.

**AMENDATORY SECTION** (Amending Order 87-06, filed 4/27/87)

WAC 296-62-05405 DEFINITIONS APPLICABLE TO THIS SECTION. (1) Article – a manufactured item:

(a) Which is formed to a specific shape or design during manufacture;

(b) Which has end use function(s) dependent in whole or in part upon its shape or design during end use; and

(c) Which does not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use.

(2) Chemical – any element, chemical compound or mixture of elements and/or compounds.

(3) Chemical manufacturer – an employer with a workplace where chemical(s) are produced for use or distribution.

(4) Chemical name – the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service (CAS) rules of nomenclature, or a name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

(5) Combustible liquid – any liquid having a flashpoint at or above 100°F (37.8°C), but below 200°F (93.3°C), except any mixture having components with flashpoints of 200°F (93.3°C), or higher, the total volume of which make up ninety-nine percent or more of the total volume of the mixture.

(6) Common name – any designation or identification such as code name, code number, trade name, brand

name or generic name used to identify a chemical other than by its chemical name.

(7) Compressed gas

(a) A gas or mixture of gases having, in a container, an absolute pressure exceeding 40 psi at 70°F (21.1°C); or

(b) A gas or mixture of gases having, in a container, an absolute pressure exceeding 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C); or

(c) A liquid having a vapor pressure exceeding 40 psi at 100°F (37.8°C) as determined by ASTM D-323-72.

(8) Container – any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical. For purposes of this section, pipes or piping systems are not considered to be containers.

(9) Designated representative – any individual or organization to whom an employee gives written authorization to exercise such employee's rights under this section. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative without regard to written employee authorization.

(10) Director – the director of the department of labor and industries or his/her designee.

(11) Distributor – a business, other than a chemical manufacturer or importer, which supplies hazardous chemicals to other distributors or to purchasers.

(12) Employee – means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this standard whether by way of manual labor or otherwise. However, for the purposes of this subsection, employee shall not mean immediate family members of the officers of any corporation, partnership, sole proprietorship, or other business entity or officers of any closely held corporation engaged in agricultural production of crops or livestock.

(13) Employer – means any person, firm, corporation, partnership, business trust, legal representative, or other business entity that engages in any business, industry, profession, or activity in this state and employs one or more employees or who contract with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations.

(14) Explosive – a chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.

(15) Exposure or exposed – an employee that is subjected to a hazardous chemical in the course of employment through any route of entry (inhalation, ingestion, skin contact or absorption, etc.), and includes potential (e.g., accidental or possible) exposure.

(16) Flammable – a chemical that falls into one of the following categories:

(a) Aerosol flammable – an aerosol that, when tested by the method described in 16 CFR 1500.45, yields a flame projection exceeding eighteen inches at full valve opening, or a flashback (a flame extending back to the valve) at any degree of valve opening;

(b) Gas, flammable:

(i) A gas that, at ambient temperature and pressure, forms a flammable mixture with air at a concentration of thirteen percent by volume or less; or

(ii) A gas that, at ambient temperature and pressure, forms a range of flammable mixtures with air wider than twelve percent by volume, regardless of the lower limit;

(c) Liquid, flammable – any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up ninety-nine percent or more of the total volume of the mixture.

(d) Solid, flammable – a solid, other than a blasting agent or explosive as defined in ((29—CFR 1910.109(a))) WAC 296-52-030, that is liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard. A chemical shall be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

(17) Flashpoint – the minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested as follows:

(a) Tagliabue closed tester – (see American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

(b) Pensky-Martens closed tester – (see American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100°F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

(c) Setaflash closed tester – (see American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78)).

Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified above.

(18) Foreseeable emergency – any potential occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which could result in an uncontrolled release of a hazardous chemical into the workplace.

(19) Hazardous chemical – any chemical which is a physical hazard or a health hazard.

(20) Hazard warning – any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the hazards of the chemical(s) in the container(s).

(21) Health hazard – a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. Appendix A provides further definitions and explanations of the scope of health hazards covered by this section, and Appendix B describes the criteria to be used to determine whether or not a chemical is to be considered hazardous for purposes of this standard.

(22) Identity – any chemical or common name which is indicated on the material safety data sheet (MSDS) for the chemical. The identity used shall permit cross-references to be made among the required list of hazardous chemicals, the label and the MSDS.

(23) Immediate use – that the hazardous chemical will be under the control of and used only by the person who transfers it from a labeled container and only within the work shift in which it is transferred.

(24) Importer – the first business within Washington which receives hazardous chemicals produced in other states or countries, for the purpose of supplying them to distributors or purchasers within Washington.

(25) Label – any written, printed, or graphic material displayed on or affixed to containers of hazardous chemicals.

(26) Material safety data sheet (MSDS) – written or printed material concerning a hazardous chemical which is prepared in accordance with WAC 296-62-05413.

(27) Mixture – any combination of two or more chemicals if the combination is not, in whole or in part, the result of a chemical reaction.

(28) Organic peroxide – an organic compound that contains the bivalent-O-O-structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

(29) Oxidizer – a chemical other than a blasting agent or explosive as defined in WAC 296-52-030, that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.

(30) Physical hazard – a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.

(31) Produce – to manufacture, process, formulate, or repackage.

(32) Purchaser – an employer with a workplace who purchases a hazardous chemical for use within that workplace.

(33) Pyrophoric – a chemical that will ignite spontaneously in air at a temperature of 130°F (54.4°C) or below.

(34) Responsible party – someone who can provide additional information on the hazardous chemical and appropriate emergency procedures, if necessary.

(35) Specific chemical identity – the chemical name, Chemical Abstracts Service (CAS) registry number, or any other information that reveals the precise chemical designation of the substance.

(36) Trade secret – any confidential formula, pattern, process, device, information or compilation of information that is used in an employer's business, and that gives the employer an opportunity to obtain an advantage over competitors who do not know or use it. WAC 296-62-05427, Appendix D, sets out the criteria to be used in evaluating trade secrets.

(37) Unstable (reactive) – a chemical which in the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

(38) Use – to package, handle, react, or transfer.

(39) Water-reactive – a chemical that reacts with water to release a gas that is either flammable or presents a health hazard.

(40) Work area – a room or defined space in a workplace where hazardous chemicals are produced or used, and where employees are present.

(41) Workplace – an establishment at one geographical location containing one or more work areas.

#### AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-58503 SCOPE, APPLICATION AND DEFINITIONS APPLICABLE. (1) Scope. This subpart contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of chapter 296-24 WAC.

(2) Application. This subpart applies to all employments except for maritime, construction, and agriculture.

(3) Definitions applicable to this subpart.

(a) "After-flame," means the time a test specimen continues to flame after the flame source has been removed.

(b) "Aqueous film forming foam (AFFF)," means a fluorinated surfactant with a foam stabilizer which is diluted with water to act as a temporary barrier to exclude air from mixing with the fuel vapor by developing an aqueous film on the fuel surface of some hydrocarbons which is capable of suppressing the generation of fuel vapors.

(c) "Approved," means acceptable to the director under the following criteria:

(i) If it is accepted, or certified, or listed, or labeled or otherwise determined to be safe by a nationally recognized testing laboratory, such as, but not limited to, Underwriters' Laboratories, Inc. or the Factory Mutual System; or

(ii) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency and found in compliance with the provisions of the applicable National Fire Protection Association Fire Code; or

(iii) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director; and

(iv) For the purposes of ~~((this subsection (3)))~~ (c) of this ~~((section))~~ subsection:

(A) Equipment is listed if it is of a kind mentioned in a list which is published by a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and which states that such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner;

(B) Equipment is labeled if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner;

(C) Equipment is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes; and

(D) Equipment is certified if it has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner or is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and if it bears a label, tag, or other record of certification.

(d) "Automatic fire detection device," means a device designed to automatically detect the presence of fire by heat, flame, light, smoke or other products of combustion.

(e) "Buddy-breathing device," means an accessory to self-contained breathing apparatus which permits a second person to share the same air supply as that of the wearer of the apparatus.

(f) "Carbon dioxide," means a colorless, odorless, electrically nonconductive inert gas (chemical formula CO<sub>2</sub>) that is a medium for extinguishing fires by reducing the concentration of oxygen or fuel vapor in the air to the point where combustion is impossible.

(g) "Class A fire," means a fire involving ordinary combustible materials such as paper, wood, cloth, and some rubber and plastic materials.

(h) "Class B fire," means a fire involving flammable or combustible liquids, flammable gases, greases and similar materials, and some rubber and plastic materials.

(i) "Class C fire," means a fire involving energized electrical equipment where safety to the employee requires the use of electrically nonconductive extinguishing media.



(j) "Class D fire," means a fire involving combustible metals such as magnesium, titanium, zirconium, sodium, lithium and potassium.

(k) "Dry chemical," means an extinguishing agent composed of very small particles of chemicals such as, but not limited to, sodium bicarbonate, potassium bicarbonate, urea-based potassium bicarbonate, potassium chloride, or monoammonium phosphate supplemented by special treatment to provide resistance to packing and moisture absorption (caking) as well as to provide proper flow capabilities. Dry chemical does not include dry powders.

(l) "Dry powder," means a compound used to extinguish or control Class D fires.

(m) "Education," means the process of imparting knowledge or skill through systematic instruction. It does not require formal classroom instruction.

(n) "Enclosed structure," means a structure with a roof or ceiling and at least two walls which may present fire hazards to employees, such as accumulations of smoke, toxic gases and heat similar to those found in buildings.

(o) "Extinguisher classification," means the letter classification given an extinguisher to designate the class or classes of fire on which an extinguisher will be effective.

(p) "Extinguisher rating," means the numerical rating given to an extinguisher which indicates the extinguishing potential of the unit based on standardized tests developed by Underwriters' Laboratories, Inc.

(q) "Fire brigade," (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.

(r) "Fixed extinguishing system," means a permanently installed system that either extinguishes or controls a fire at the location of the system.

(s) "Flame resistance," is the property of materials, or combinations of component materials, to retard ignition and restrict the spread of flame.

(t) "Foam," means a stable aggregation of small bubbles which flow freely over a burning liquid surface and form a coherent blanket which seals combustible vapors and thereby extinguishes the fire.

(u) "Gaseous agent," is a fire extinguishing agent which is in the gaseous state at normal room temperature and pressure. It has low viscosity, can expand or contract with changes in pressure and temperature, and has the ability to diffuse readily and to distribute itself uniformly throughout an enclosure.

(v) "Halon 1211," means a colorless, faintly sweet smelling, electrically nonconductive liquefied gas (chemical formula  $\text{CBrClF}_2$ ) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromochlorodifluoromethane.

(w) "Halon 1301," means a colorless, odorless, electrically nonconductive gas (chemical formula  $\text{CBrF}_3$ ) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromotrifluoromethane.

(x) "Helmet," is a head protective device consisting of a rigid shell, energy absorption system and chin strap intended to be worn to provide protection for the head or portions thereof, against impact, flying or falling objects, electric shock, penetration, heat and flame.

(y) "Incipient stage fire," means a fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.

(z) "Inspection," means a visual check of fire protection systems and equipment to ensure that they are in place, charged, and ready for use in the event of a fire.

(aa) "Interior structural fire fighting," means the physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage.

(bb) "Lining," means a material permanently attached to the inside of the outer shell of a garment for the purpose of thermal protection and padding.

(cc) "Local application system," means a fixed fire suppression system which has a supply of extinguishing agent, with nozzles arranged to automatically discharge extinguishing agent directly on the burning material to extinguish or control a fire.

(dd) "Maintenance," means the performance of services on fire protection equipment and systems to assure that they will perform as expected in the event of a fire. Maintenance differs from inspection in that maintenance requires the checking of internal fitting, devices and agent supplies.

(ee) "Multipurpose dry chemical," means a dry chemical which is approved for use on Class A, Class B and Class C fires.

(ff) "Outer shell," is the exterior layer of material on the fire coat and protective trousers which forms the outermost barrier between the fire fighter and the environment. It is attached to the vapor barrier and liner and is usually constructed with a storm flap, suitable closures, and pockets.

(gg) "Positive-pressure breathing apparatus," means self-contained breathing apparatus in which the pressure in the breathing zone is positive in relation to the immediate environment during inhalation and exhalation.

(hh) "Predischarge employee alarm," means an alarm which will sound at a set time prior to actual discharge of an extinguishing system so that employees may evacuate the discharge area prior to system discharge.

(ii) "Quick disconnect valve," means a device which starts the flow of air by inserting of the hose (which leads from the facepiece) into the regulator of self-contained breathing apparatus, and stops the flow of air by disconnection of the hose from the regulator.

(jj) "Sprinkler alarm," means an approved device installed so that any waterflow from a sprinkler system equal to or greater than that from single automatic sprinkler will result in an audible alarm signal on the premises.

(kk) "Sprinkler system," means a system of piping designed in accordance with fire protection engineering standards and installed to control or extinguish fires. The system includes an adequate and reliable water supply,

and a network of specially sized piping and sprinklers which are interconnected. The system also includes a control valve and a device for actuating an alarm when the system is in operation.

(ll) "Standpipe systems:"

(i) "Class I standpipe system," means a two and one-half-inch (6.3 cm) hose connection for use by fire departments and those trained in handling heavy fire streams.

(ii) "Class II standpipe system," means a one and one-half-inch (3.8 cm) hose system which provides a means for the control or extinguishment of incipient stage fires.

(iii) "Class III standpipe system," means a combined system of hose which is for the use of employees trained in the use of hose operations and which is capable of furnishing effective water discharge during the more advanced stages of fire (beyond the incipient stage) in the interior of workplaces. Hose outlets are available for both one and one-half-inch (3.8 cm) and two and one-half-inch (6.3 cm) hose.

(iv) "Small hose system," means a system of hose ranging in diameter from five-eighths-inch (1.6 cm) up to one and one-half-inch (3.8 cm) which is for the use of employees and which provides a means for the control and extinguishment of incipient stage fires.

(mm) "Total flooding system," means a fixed suppression system which is arranged to automatically discharge a predetermined concentration of agent into an enclosed space for the purpose of fire extinguishment or control.

(nn) "Training," means the process of making proficient through instruction and hands-on practice in the operation of equipment, including respiratory protection equipment, that is expected to be used in the performance of assigned duties.

(oo) "Vapor barrier," means that material used to prevent or substantially inhibit the transfer of water, corrosive liquids and steam or other hot vapors from the outside of a garment to the wearer's body.

#### AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-58513 PROTECTIVE CLOTHING. The following requirements apply to those employees who perform interior structural fire fighting. The requirements do not apply to employees who use fire extinguishers or standpipe systems to control or extinguish fires only in the incipient stage.

(1) General.

(a) The employer shall provide at no cost to the employee and assure the use of protective clothing which complies with the requirements of this section. The employer shall assure that protective clothing ordered or purchased after January 1, 1982, meets the requirements contained in this section. As the new equipment is provided, the employer shall assure that all fire brigade members wear the equipment when performing interior structural fire fighting. After July 1, 1985, the employer shall assure that all fire brigade members wear protective clothing meeting the requirements of this section when performing interior structural fire fighting.

(b) The employer shall assure that protective clothing protects the head, body, and extremities, and consists of at least the following components: Foot and leg protection; hand protection; body protection; eye, face and head protection.

(2) Foot and leg protection.

(a) Foot and leg protection shall meet the requirements of ~~((subsection (2)))~~ (b) and (c) of this ~~((section))~~ subsection, and may be achieved by either of the following methods:

(i) Fully extended boots which provide protection for the legs; or

(ii) Protective shoes or boots worn in combination with protective trousers that meet the requirements of subsection (3) of this section.

(b) Protective footwear shall meet the requirements of WAC 296-24-088 for Class 75 footwear. In addition, protective footwear shall be water-resistant for at least five inches (12.7 cm) above the bottom of the heel and shall be equipped with slip-resistant outer soles.

(c) Protective footwear shall be tested in accordance with paragraph (1) Appendix E, and shall provide protection against penetration of the midsole by a size 8D common nail when at least 300 pounds (1330 N) of static force is applied to the nail.

(3) Body protection.

(a) Body protection shall be coordinated with foot and leg protection to ensure full body protection for the wearer. This shall be achieved by one of the following methods:

(i) Wearing of a fire-resistive coat meeting the requirements of ~~((subsection (3)))~~ (b) of this ~~((section))~~ subsection, in combination with fully extended boots meeting the requirements of subsection (2)(b) and (c) of this section; or

d,21(ii) Wearing of fire-resistive coat in combination with protective trousers both of which meet the requirements of ~~((subsection (3)))~~ (b) of this ~~((section))~~ subsection.

(b) The performance, construction, and testing of fire-resistive coats and protective trousers shall be at least equivalent to the requirements of the National Fire Protection Association (NFPA) standard NFPA No. 1971-1975, "Protective Clothing for Structural Fire Fighting," (see Appendix D) with the following permissible variations from those requirements:

(i) Tearing strength of the outer shell shall be a minimum of eight pounds (35.6 N) in any direction when tested in accordance with paragraph (2) of Appendix E; and

(ii) The outer shell may discolor but shall not separate or melt when placed in a forced air laboratory oven at a temperature of 500°F (260°C) for a period of five minutes. After cooling to ambient temperature and using the test method specified in paragraph (3) of Appendix E, char length shall not exceed 4.0 inches (10.2 cm) and after-flame shall not exceed 2.0 seconds.

(4) Hand protection.

(a) Hand protection shall consist of protective gloves or glove system which will provide protection against cut, puncture, and heat penetration. Gloves or glove system shall be tested in accordance with the test methods

contained in the National Institute for Occupational Safety and Health (NIOSH) 1976 publication, "The Development of Criteria for Fire Fighter's Gloves; Vol. II, Part II: Test Methods," (see Appendix D to Subpart L) and shall meet the following criteria for cut, puncture, and heat penetration:

(i) Materials used for gloves shall resist surface cut by a blade with an edge having a 60 degree included angle and a .025 mm (.001 inch) radius, under an applied force of ((7-2 kg)) (16 pounds) 72N, and at a slicing velocity of greater or equal to 2.5 cm/sec (60 in/min);

(ii) Materials used for the palm and palm side of the fingers shall resist puncture by a penetrometer (simulating a 4d lath nail), under an applied force of ((6 kg)) (13.2 pounds) 60N, and at a velocity greater or equal to .85 cm/sec (20 in/min); and

(iii) The temperature inside the palm and gripping surface of the fingers of gloves shall not exceed 57°C (135°F) when gloves or glove system are exposed to 500°C (932°F) for five seconds at 28 kPa (4 psi) pressure.

(b) Exterior materials of gloves shall be flame resistant and shall be tested in accordance with paragraph (3) of Appendix E. Maximum allowable after-flame shall be 2.0 seconds, and the maximum char length shall be 4.0 inches (10.2 cm).

(c) When design of the fire-resistant coat does not otherwise provide protection for the wrists, protective gloves shall have wristlets of at least 4.0 inches (10.2 cm) in length to protect the wrist area when the arms are extended upward and outward from the body.

(5) Head, eye and face protection.

(a) Head protection shall consist of a protective head device with ear flaps and chin strap which meet the performance, construction, and testing requirements of the National Fire Safety and Research Office of the National Fire Prevention and Control Administration, United States Department of Commerce (now known as the United States Fire Administration), which are contained in, "Model Performance Criteria for Structural Firefighters' Helmets," (August 1977) (see Appendix D).

(b) Protective eye and face devices which comply with WAC 296-24-078 shall be used by fire brigade members when performing operations where the hazards of flying or falling materials which may cause eye and face injuries are present. Protective eye and face devices provided as accessories to protective head devices (face shields) are permitted when such devices meet the requirements of WAC 296-24-078.

(c) Full facepieces, helmets, or hoods of breathing apparatus which meet the requirements of WAC 296-62-071 and 296-24-58515, shall be acceptable as meeting the eye and face protection requirements of ((subsection (5))) (b) of this ((section)) subsection.

**AMENDATORY SECTION** (Amending Order 81-32, filed 12/24/81)

**WAC 296-24-59211 HYDROSTATIC TESTING.**

(1) The employer shall assure that hydrostatic testing is performed by trained persons with suitable testing equipment and facilities.

(2) The employer shall assure that portable extinguishers are hydrostatically tested at the intervals listed in Table I of this section, except under any of the following conditions:

- (a) When the unit has been repaired by soldering, welding, brazing, or use of patching compounds;
- (b) When the cylinder or shell threads are damaged;

TABLE I

Type of Extinguishers	Test Interval (Years)
Soda acid (soldered brass shells) (until January 1, 1982) .....	(1)
Soda acid (stainless steel shell) .....	5
Cartridge operated water and/or antifreeze .....	5
Stored pressure water and/or antifreeze .....	5
Wetting agent .....	5
Foam (soldered brass shells) (until January 1, 1982) .....	(1)
Foam (stainless steel shell) .....	5
Aqueous film forming form (AFFF) .....	5
Loaded stream .....	5
Dry chemical with stainless steel .....	5
Carbon dioxide .....	5
Dry chemical, stored pressure, with mild steel, brazed brass or aluminum shells .....	12
Dry chemical, cartridge or cylinder operated, with mild steel shells .....	12
Halon 1211 .....	12
Halon 1301 .....	12
Dry powder, cartridge or cylinder operated, with mild steel shell .....	12

(1) Extinguishers having shells constructed of copper or brass joined by soft solder or rivets shall not be hydrostatically tested and shall be removed from service by January 1, 1982. (Not permitted.)

(c) When there is corrosion that has caused pitting, including corrosion under removable name plate assemblies;

(d) When the extinguisher has been burned in a fire; or

(e) When a calcium chloride extinguishing agent has been used in a stainless steel shell.

(3) In addition to an external visual examination, the employer shall assure that an internal examination of cylinders and shells to be tested is made prior to the hydrostatic tests.

(4) The employer shall assure that portable fire extinguishers are hydrostatically tested whenever they show new evidence of corrosion or mechanical injury, except under the conditions listed in subsection (2)(a) through (e) of this section.

(5) The employer shall assure that hydrostatic tests are performed on extinguisher hose assemblies which are equipped with a shut-off nozzle at the discharge end of the hose. The test interval shall be the same as specified for the extinguisher on which the hose is installed.

(6) The employer shall assure that carbon dioxide hose assemblies with a shut-off nozzle are hydrostatically tested at 1,250 psi (8,620 kPa).

(7) The employer shall assure that dry chemical and dry powder hose assemblies with a shut-off nozzle are hydrostatically tested at 300 psi (2,070 kPa).

(8) Hose assemblies passing a hydrostatic test do not require any type of recording or stamping.

(9) The employer shall assure that hose assemblies for carbon dioxide extinguishers that require a hydrostatic test are tested within a protective cage device.

(10) The employer shall assure that carbon dioxide extinguishers and nitrogen or carbon dioxide cylinders used with wheeled extinguishers are tested every five years at 5/3 of the service pressure as stamped into the cylinder. Nitrogen cylinders which comply with DOT 173.39(e)(15) may be hydrostatically tested every ten years.

(11) The employer shall assure that all stored pressure and Halon 1211 types of extinguishers are hydrostatically tested at the factory test pressure not to exceed two times the service pressure.

(12) The employer shall assure that acceptable self-generating type soda acid and foam extinguishers are tested at 350 psi (2,410 kPa).

(13) Air or gas pressure may not be used for hydrostatic testing.

(14) Extinguisher shells, cylinders, or cartridges which fail a hydrostatic pressure test, or which are not fit for testing shall be removed from service and from the workplace.

(15)(a) The equipment for testing compressed gas type cylinders shall be of the water-jacket type. The equipment shall be provided with an expansion indicator which operates with an accuracy within one percent of the total expansion or 0.1 cc (.1 mL) of liquid.

(b) The equipment for testing noncompressed gas type cylinders shall consist of the following:

(i) A hydrostatic test pump, hand or power operated, capable of producing not less than one hundred fifty percent of the test pressure, which shall include appropriate check valves and fittings;

(ii) A flexible connection for attachment to fittings to test through the extinguisher nozzle, test bonnet, or hose outlet, as is applicable; and

(iii) A protective cage or barrier for personal protection of the tester, designed to provide visual observation of the extinguisher under test.

(16) The employer shall maintain and provide upon request to the director evidence that the required hydrostatic testing of fire extinguishers has been performed at the time intervals shown in Table I. Such evidence shall include the date of test, the test pressure used, and the person or agency performing the test. Such records shall be kept until the extinguisher is hydrostatically retested at the time interval specified in Table I, or until the extinguisher is taken out of service, whichever is less.

#### AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-63399 APPENDIX C—FIRE PROTECTION REFERENCES FOR FURTHER INFORMATION. (I) Appendix general references. The following references provide information which can be helpful in understanding the requirements contained in all of the sections of Subpart L:

(A) Fire Protection Handbook, National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(B) Accident Prevention Manual for Industrial Operations, National Safety Council, 425 North Michigan Avenue, Chicago, IL 60611.

(C) Various associations also publish information which may be useful in understanding these standards. Examples of these associations are: Fire Equipment Manufacturers Association (FEMA) of Arlington, VA 22204, and the National Association of Fire Equipment Distributors (NAFED) of Chicago, IL 60601.

(II) Appendix references applicable to individual sections. The following references are grouped according to individual sections contained in Subpart L. These references provide information which may be helpful in understanding and implementing the standards of each section of Subpart L.

(A) WAC 296-24-58505 – Fire brigades:

(1) Private Fire Brigades, NFPA 27; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Initial Fire Attack, Training Standard On, NFPA 197; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Fire Fighter Professional Qualifications, NFPA 1001; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(4) Organization for Fire Services, NFPA 1201; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(5) Organization of a Fire Department, NFPA 1202; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(6) Protective Clothing for Structural Fire Fighting, ANSI/NFPA 1971; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(7) American National Standard for Men's Safety-Toe Footwear, ANSI ((Z4-1)) Z41.1; American National Standards Institute, New York, NY 10018.

(8) American National Standard for Occupational and Educational Eye and Face Protection, ANSI Z87.1; American National Standards Institute, New York, NY 10018.

(9) American National Standard, Safety Requirements for Industrial Head Protection, ANSI Z89.1; American National Standards Institute, New York, NY 10018.

(10) Specifications for Protective Headgear for Vehicular Users, ANSI Z90.1; American National Standards Institute, New York, NY 10018.

(11) Testing Physical Fitness; Davis and Santa Maria, Fire Command, April 1975.

(12) Development of a Job-Related Physical Performance Examination for Fire Fighters; Dotson and Others. A summary report for the National Fire Prevention and Control Administration, Washington, D.C., March 1977.

(13) Proposed Sample Standards for Fire Fighters' Protective Clothing and Equipment; International Association of Fire Fighters, Washington, D.C.

(14) A Study of Facepiece Leakage of Self-Contained Breathing Apparatus by DOP Man Tests; Los Alamos Scientific Laboratory, Los Alamos, N.M.

(15) The Development of Criteria for Fire Fighters' Gloves; Vol. II: Glove Criteria and Test Methods; National Institute for Occupational Safety and Health, Cincinnati, Ohio, 1976.

(16) Made Performance Criteria for Structural Fire Fighters' Helmets; National Fire Prevention and Control Administration, Washington, D.C., 1977.

(17) Firefighters; Job Safety and Health Magazine, Occupational Safety and Health Administration, Washington, D.C., June 1978.

(18) Eating Smoke—The Dispensable Diet; Utech, H.P. The Fire Independent, 1975.

(19) Project Monoxide—A Medical Study of an Occupational Hazard of Fire Fighters; International Association of Fire Fighters, Washington, D.C.

(20) Occupational Exposures to Carbon Monoxide in Baltimore Firefighters; Radford Baltimore, MD. Journal of Occupational Medicine, September, 1976.

(21) Fire Brigades; National Safety Council, Chicago, IL, 1966.

(22) American National Standard, Practice for Respiratory Protection for the Fire Service, ANSI Z88.5; American National Standards Institute, New York, NY 10018.

(23) Respirator Studies for the Nuclear Regulatory Commission; October 1, 1977—September 30, 1978. Evaluation and Performance of Open-Circuit Breathing Apparatus. NUREG/CR-1235. Los Alamos Scientific Laboratory; Los Alamos, NM 87545, January, 1980.

(B) WAC 296-24-592 - Portable fire extinguishers:

(1) Standard for Portable Fire Extinguishers, ANSI/NFPA 10; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Methods for Hydrostatic Testing of Compressed-Gas Cylinders, C-1; Compressed Gas Association, 500 Fifth Avenue, New York, NY 10036.

(3) Recommendations for the Disposition of Unserviceable Compressed-Gas Cylinders, C-2; Compressed Gas Association, 500 Fifth Avenue, New York, NY 10036.

(4) Standard for Visual Inspection of Compressed-Gas Cylinders, C-6; Compressed Gas Association, 500 Fifth Avenue, New York, NY 10036.

(5) Portable Fire Extinguisher Selection Guide, National Association of Fire Equipment Distributors; 111 East Wacker Drive, Chicago, IL 60601.

(C) WAC 296-24-602 - Standpipe and hose systems:

(1) Standard for the Installation of Sprinkler Systems, ANSI/NFPA 13; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Standard of the Installation of Standpipe and Hose Systems, ANSI/NFPA 14; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard for the Installation of Centrifugal Fire Pumps, ANSI/NFPA 20; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(4) Standard for Water Tanks for Private Fire Protection, ANSI/NFPA 22; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(5) Standard for Screw Threads and Gaskets for Fire Hose Connections, ANSI/NFPA 194; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(6) Standard for Fire Hose, NFPA 196; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(7) Standard for the Care of Fire Hose, NFPA 198; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(D) WAC 296-24-607 - Automatic sprinkler systems:

(1) Standard of the Installation of Sprinkler Systems, ANSI/NFPA 13; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Standard for the Care and Maintenance of Sprinkler Systems, ANSI/NFPA 13A; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard for the Installation of Standpipe and Hose Systems, ANSI/NFPA 14; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(4) Standard for the Installation of Centrifugal Fire Pumps, ANSI/NFPA 20; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(5) Standard for Water Tanks for Private Fire Protection, ANSI/NFPA 22; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(6) Standard for Indoor General Storage, ANSI/NFPA 231; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(7) Standard for ((Rock)) Rack Storage of Materials, ANSI/NFPA 231C; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(E) WAC 296-24-617 - Fixed extinguishing systems, general information:

(1) Standard for Foam Extinguishing Systems, ANSI/NFPA 11; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Standard for Hi-Expansion Foam systems, ANSI/NFPA 11A; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard on Synthetic Foam and Combined Agent Systems, ANSI/NFPA 11B; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(4) Standard on Carbon Dioxide Extinguishing Systems, ANSI/NFPA 12; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(5) Standard on Halon 1301, ANSI/NFPA 12A; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(6) Standard on Halon 1211, ANSI/NFPA 12B; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(7) Standard for Water Spray Systems, ANSI/NFPA 15; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(8) Standard for Foam-Water Sprinkler Systems and Foam-Water Spray Systems, ANSI/NFPA 16; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(9) Standard for Dry Chemical Extinguishing Systems, ANSI/NFPA 17; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(F) WAC 296-24-622 - Fixed extinguishing systems, dry chemical:

(1) Standard for Dry Chemical Extinguishing Systems, ANSI/NFPA 17; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapor from Commercial Cooling Equipment, NFPA 96; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(G) WAC 296-24-623 - Fixed extinguishing systems, gaseous agents:

(1) Standard on Carbon Dioxide Extinguishing Systems, ANSI/NFPA 12; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Standard on Halon 1301, ANSI/NFPA 12B; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard on Halon 1211, ANSI/NFPA 12; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(4) Standard on Explosion Prevention Systems, ANSI/NFPA 69; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(5) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(6) Standard on Automatic Fire Detectors, ANSI/NFPA 72E; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(7) Determination of Halon 1301/1211 Threshold Extinguishing Concentrations Using the Cup Burner Method, Riley and Olson, Ansul Report AL-530-A.

(H) WAC 296-24-627 - Fixed extinguishing systems, water spray and foam agents:

(1) Standard for Foam Extinguisher Systems, ANSI/NFPA 11; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Standard for High-Expansion Foam Systems, ANSI/NFPA 11A; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard for Water Spray Fixed Systems for Fire Protection, ANSI/NFPA 15; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(4) Standard for the Installation of Foam-Water Sprinkler Systems and Foam-Water Spray Systems, ANSI/NFPA 16; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(I) WAC 296-24-629 - Fire detection systems:

(1) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Standard for Central Station Signaling Systems, ANSI/NFPA 71; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard on Automatic Fire Detectors, ANSI/NFPA 72E; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(J) WAC 296-24-631 - Employee alarm systems:

(1) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(2) Standard for Central Station Signaling Systems, ANSI/NFPA 71; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(3) Standard for Local Protective Signaling Systems, ANSI/NFPA 72A; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(4) Standard for Auxiliary Protective Signaling Systems, ANSI/NFPA 72B; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(5) Standard for Remote Station Protective Signaling Systems, ANSI/NFPA 72C; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(6) Standard for Proprietary Protective Signaling Systems, ANSI/NFPA 72D; National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210.

(7) Vocal Emergency Alarms in Hospitals and Nursing Facilities: Practice and Potential, National Bureau of Standards, Washington, D.C., July, 1977.

(8) Fire Alarm and Communication Systems, National Bureau of Standards, Washington, D.C., April, 1976.

#### AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-63599 APPENDIX E—TEST METHODS FOR PROTECTIVE CLOTHING. This appendix contains test methods which must be used to determine if protective clothing affords the required level of protection as specified in WAC 296-24-58505 - fire brigades.

(1) Puncture resistance test method for foot protection.

(a) Apparatus. The puncture resistance test shall be performed on a testing machine having a movable platform adjusted to travel at one-quarter-inch per minute (0.1 cm/sec). Two blocks of hardwood, metal, or plastic shall be prepared as follows: The blocks shall be of such size and thickness as to insure a suitable rigid test ensemble and allow for at least one-inch of the pointed end of an 8D nail to be exposed for the penetration. One block shall have a hole drilled to hold an 8D common nail firmly at an angle of  $((98 \pm 1/2)) 98^\circ$ . The second block shall have a maximum one-half inch (1.3 cm) diameter hole drilled through it so that the hole will allow free passage of the nail after it penetrates the insole during the test.

(b) Procedure. The test ensemble consisting of the sample unit, the two prepared blocks, a piece of leather outsole ten to eleven irons thick and a new 8D nail, shall be placed as follows: The 8D nail in the hole, the sample of outsole stock superimposed above the nail, the area of the sole plate to be tested placed on the outsole, and the second block with hole so placed as to allow for free

passage of the nail after it passes through the outsole stock and sole plate in that order. The machine shall be started and the pressure, in pounds required for the nail to completely penetrate the outsole and sole plate, recorded to the nearest five pounds. Two determinations shall be made on each sole plate and the results averaged. A new nail shall be used for each determination.

(c) Source. These test requirements are contained in "Military Specification For Fireman's Boots," MIL-B-2885D (1973 and amendment dated 1975) and are reproduced for your convenience.

(2) Test method for determining the strength of cloth by tearing: Trapezoid method.

(a) Test specimen. The specimen shall be a rectangle of cloth three-inches by six-inches (7.6 cm by 15.2 cm). The long dimension shall be parallel to the warp for warp tests and parallel to the filling for filling tests. No two specimens for warp tests shall contain the same warp yarns, nor shall any two specimens for filling tests contain the same filling yarns. The specimen shall be taken no nearer the selvage than 1/10 the width of the cloth. An isosceles trapezoid having an altitude of three inches (7.6 cm) and bases of one inch (2.5 cm) and four inches (10.2 cm) in length, respectively, shall be marked on each specimen, preferably with the aid of a template. A cut approximately three-eighths inch (1 cm) in length shall then be made in the center of a perpendicular to the one inch (2.5 cm) edge.

(b) Apparatus.

(i) Six-ounce (.17 kg) weight tension clamps shall be used so designed that the six ounces (.17 kg) of weight are distributed evenly across the complete width of the sample.

(ii) The machine shall consist of three main parts: Straining mechanism, clamps for holding specimen, and load and elongation recording mechanisms.

(iii) A machine wherein the specimen is held between two clamps and strained by a uniform movement of the pulling clamp shall be used.

(iv) The machine shall be adjusted so that the pulling clamp shall have a uniform speed of  $12 \pm 10.5$  inches per minute ( $0.5 \pm .02$  cm/sec).

(v) The machine shall have two clamps with two jaws on each clamp. The design of the two clamps shall be such that one gripping surface or jaw may be an integral part of the rigid frame of the clamp or be fastened to allow a slight vertical movement, while the other gripping surface or jaw shall be completely moveable. The dimension of the immovable jaw of each clamp parallel to the application of the load shall measure one inch, and the dimension of the jaw perpendicular to this direction shall measure three inches or more. The face of the moveable jaw of each clamp shall measure one inch by three inches.

Each jaw face shall have a flat, smooth, gripping surface. All edges which might cause a cutting action shall be rounded to a radius of not over 1/64 inch (.04 cm). In cases where a cloth tends to slip when being tested, the jaws may be faced with rubber or other material to prevent slippage. The distance between the jaws (gage length) shall be one inch at the start of the test.

(vi) Calibrated dial; scale or chart shall be used to indicate applied load and elongation. The machine shall be adjusted or set, so that the maximum load required to break the specimen will remain indicated on the calibrated dial or scale after the test specimen has ruptured.

(vii) The machine shall be of such capacity that the maximum load required to break the specimen shall be not greater than eighty-five percent or less than fifteen percent of the rated capacity.

(viii) The error of the machine shall not exceed two percent up to and including a fifty-pound load (22.6 kg) and one percent over a fifty-pound load (22.6 kg) at any reading within its loading range.

(ix) All machine attachments for determining maximum loads shall be disengaged during this test.

(c) Procedure.

(i) The specimen shall be clamped in the machine along the nonparallel sides of the trapezoid so that these sides lie along the lower edge of the upper clamp and the upper edge of the lower clamp with the cut halfway between the clamps. The short trapezoid base shall be held taut and the long trapezoid base shall lie in the folds.

(ii) The machine shall be started and the force necessary to tear the cloth shall be observed by means of an autographic recording device. The speed of the pulling clamp shall be 12 inches  $\pm$  0.5-inch per minute ( $0.5 \pm .02$  cm/sec).

(iii) If a specimen slips between the jaws, breaks in or at the edges of the jaws, or if for any reason attributable to faulty technique, an individual measurement falls markedly below the average test results for the sample unit, such result shall be discarded and another specimen shall be tested.

(iv) The tearing strength of the specimen shall be the average of the five highest peak loads of resistance registered for three inches (7.6 cm) of separation of the tear.

(d) Report.

(i) Five specimens in each of the warp and filling direction shall be tested from each sample unit.

(ii) The tearing strength of the sample unit shall be the average of the result obtained from the specimens tested in each of the warp and filling directions and shall be reported separately to the nearest 0.1 pound (.05 kg).

(e) Source. These test requirements are contained in "Federal Test Method Standard 191, Method 5136," and are reproduced for your convenience.

(3) Test method for determining flame resistance of cloth; vertical.

(a) Test specimen. The specimen shall be a rectangle of cloth two and three-quarter inches (7.0 cm) by twelve inches (30.5 cm) with the long dimension parallel to either the warp or filling direction of the cloth. No two warp specimens shall contain the same warp yarns, and no two filling specimens shall contain the same filling yarn.

(b) Number of determinations. Five specimens from each of the warp and filling directions shall be tested from each sample unit.

(c) Apparatus.

(i) Cabinet. A cabinet and accessories shall be fabricated in accordance with the requirements specified in



Figures L-1, L-2, and L-3. Galvanized sheet metal or other suitable metal shall be used. The entire inside back wall of the cabinet shall be painted black to facilitate the viewing of the test specimen and pilot flame.

(ii) Burner. The burner shall be equipped with a variable orifice to adjust the flame height, a barrel having a three-eighth inch (9.5 mm) inside diameter and a pilot light.

(A) The burner may be constructed by combining a three-eighth inch (~~(9.5 mm)~~) (1 cm) inside diameter barrel  $3 \pm 1/4$ -inches (~~(76.2 ± 6.4 mm)~~) ( $7.6 \pm .6$  cm) long from a fixed orifice burner with a base from a variable orifice burner.

(B) The pilot light tube shall have a diameter of approximately one-sixteenth inch (~~(1.6 mm)~~) (.2 cm) and shall be spaced one-eighth inch (~~(3.2 mm)~~) (.3 cm) away from the burner edge with a pilot flame one-eighth inch (~~(3.2 mm)~~) (.3 cm) long.

(C) The necessary gas connections and the applicable plumbing shall be as specified in Figure L-4 except that a solenoid valve may be used in lieu of the stopcock valve to which the burner is attached. The stopcock valve or solenoid valve, whichever is used, shall be capable of being fully opened or fully closed in 0.1 second.

(D) On the side of the barrel of the burner, opposite the pilot light there shall be a metal rod of approximately one-eighth inch (~~(3.2 mm)~~) (.3 cm) diameter spaced one-half inch (~~(12.7 mm)~~) (1.3 cm) from the barrel and extending above the burner. The rod shall have two five-sixteenth inch (~~(7.9 mm)~~) (.8 cm) prongs marking the distances of three-quarters inch (~~(19 mm)~~) (1.9 cm), and one and one-half inches (~~(38.1 mm)~~) (3.8 cm) above the top of the burner.

(E) The burner shall be fixed in a position so that the center of the barrel of the burner is directly below the center of the specimen.

(iii) There shall be a control valve system with a delivery rate designed to furnish gas to the burner under a pressure of  $2-1/2 \pm 1/4$  (~~(pounds (1.1 kg ± 0.1 kg))~~) (psi) ( $17.5 \pm 1.8$  kPa) per square inch at the burner inlet. The manufacturer's recommended delivery rate for the valve system shall be included in the required pressure.

(iv) A synthetic gas mixture shall be of the following composition within the following limits (analyzed at standard conditions):  $55 \pm 3$  percent hydrogen,  $24 \pm 1$  percent methane,  $3 \pm 1$  percent ethane, and  $18 \pm 1$  percent carbon monoxide which will give a specific gravity of  $0.365 \pm 0.018$  (air = 1) and a B.T.U. content of  $540 \pm 20$  per cubic foot ( $20.1 \pm 3.7$  kJL) (dry basis) at 69.8 F (21 C).

(v) There shall be metal hooks and weights to produce a series of total loads to determine length of char. The metal hooks shall consist of No. 19 gage steel wire or equivalent and shall be made from three inch (~~(76.2 mm)~~) (7.6 cm) lengths of wire and bent one-half inch (~~(12.7 mm)~~) (1.3 cm) from one end to a 45-degree hook. One end of the hook shall be fastened around the neck of the weight to be used.

(vi) There shall be a stop watch or other device to measure the burning time 0.2 second.

(vii) There shall be a scale, graduated in 0.1 inch (~~(mm)~~) (.3 cm) to measure the length of char.

(d) Procedure.

(i) The material undergoing test shall be evaluated for the characteristics of after-flame time and char length on each specimen.

(ii) All specimens to be tested shall be at moisture equilibrium under standard atmospheric conditions in accordance with subsection (3)(c) of this appendix. Each specimen to be tested shall be exposed to the test flame within twenty seconds after removal from the standard atmosphere. In case of dispute, all testing will be conducted under standard atmospheric conditions in accordance with subsection (3)(c) of this appendix.

(iii) The specimen in its holder shall be suspended vertically in the cabinet in such a manner that the entire length of the specimen is exposed and the lower end is three-quarters inch (~~(19 mm)~~) (1.9 cm) above the top of the gas burner. The apparatus shall be set up in a draft-free area.

(iv) Prior to inserting the specimen, the pilot flame shall be adjusted to approximately one-eighth inch (~~(3.2 mm)~~) (.3 cm) in height measured from its lowest point to the tip.

The burner flame shall be adjusted by means of the needle valve in the base of the burner to give a flame height of one and one-half inches (~~(38.1 mm)~~) (3.8 cm) with the stopcock fully open and the air supply to burner shut off and taped. The one and one-half inch (~~(38.1 mm)~~) (3.8 cm) flame height is obtained by adjusting the valve so that the uppermost portion (tip) of the flame is level with the tip of the metal prong (see Fig. L-2) specified for adjustment of flame height. It is an important aspect of the evaluation that the flame height to be adjusted with the tip of the flame level with the tip of the metal prong. After inserting the specimen, the stopcock shall be fully opened, and the burner flame applied vertically at the middle of the lower edge of the specimen for twelve seconds and the burner turned off. The cabinet door shall remain shut during testing.

(v) The after-flame shall be the time the specimen continues to flame after the burner flame is shut off.

(vi) After each specimen is removed, the test cabinet shall be cleared of fumes and smoke prior to testing the next specimen.

(vii) After both flaming and glowing have ceased, the char length shall be measured. The char length shall be the distance from the end of the specimen, which was exposed to the flame, to the end of a tear (made lengthwise) of the specimen through the center of the charred area as follows: The specimen shall be folded lengthwise and creased by hand along a line through the highest peak of the charred area. The hook shall be inserted in the specimen (or a hole, one-quarter inch (~~(6.4 mm)~~) (.6 cm) diameter or less, punched out for the hook) at one side of the charred area one-quarter inch (~~(6.4 mm)~~) (.6 cm) from the adjacent outside edge and one-quarter inch (~~(6.4 mm)~~) (.6 cm) in from the lower end. A weight of sufficient size such that the weight and hook together shall equal the total tearing load required in Table L-2 of this section shall be attached to the hook.



(viii) A tearing force shall be applied gently to the specimen by grasping the corner of the cloth at the opposite edge of the char from the load and raising the specimen and weight clear of the supporting surface. The end of the tear shall be marked off on the edge and the char length measurement made along the undamaged edge.

Loads for determining char length applicable to the weight of the test cloth shall be as shown in Table L-2.

TABLE L-2

Specified weight per square yard of cloth before any fire retardant treatment or coating - ounces	Total learning weight for determining the charred length - pound
2.0 to 6.0	0.25
Over 6.0 to 15.0	0.50
Over 15.0 to 23.0	0.75
Over 23.0	1.0

To change into S.I. (System International) units, 1 ounce = 28.35 grams, 1 pound = 453 grams, 1 yard = .91 metre.

(ix) The after-flame time of the specimen shall be recorded to the nearest 0.2 second and the char length to the nearest 0.1 inch ((+1 mm)) (.3 cm).

(e) Report.

(i) The after-flame time and char length of the sample unit shall be the average of the results obtained from the individual specimens tested. All values obtained from the individual specimens shall be recorded.

(ii) The after-flame time shall be reported in the nearest 0.2 second and the char length to the nearest 0.1 inch ((+1 mm)) (.3 cm).

(f) Source. These test requirements are contained in "Federal Test Method Standard 191, Method 5903 (1971)," and are reproduced for your convenience.

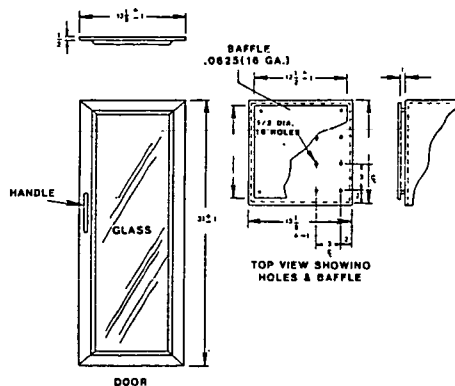


Figure L-2 - Vertical flame resistance textile apparatus, door and top view w/baffle. All given dimensions are in inches. System International (S.I.) unit: 1 inch = 2.54 cm.

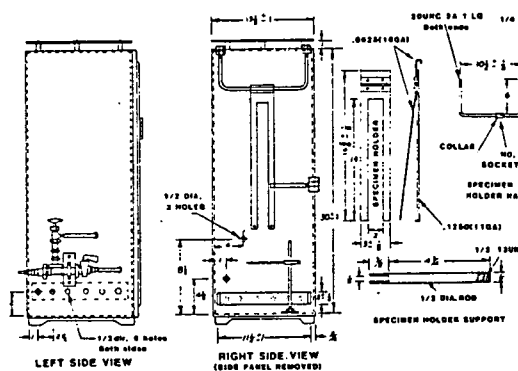


Figure L-3 - Vertical flame resistance textile apparatus, views and details. All given dimensions are in inches. System International (S.I.) unit: 1 inch = 2.54 cm.

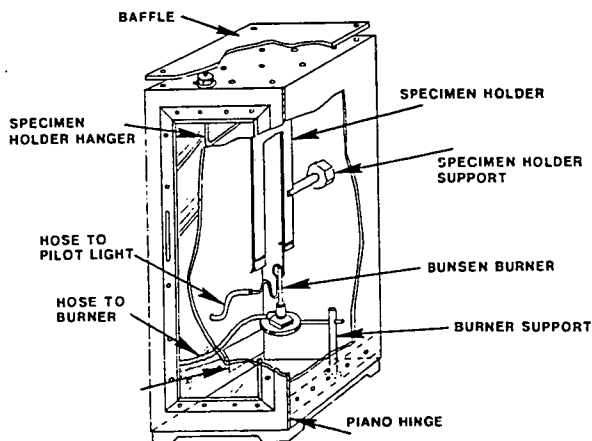


Figure L-1 - Vertical flame resistance textile apparatus. All given dimensions are in inches. System International (S.I.) unit: 1 inch = 2.54 cm.

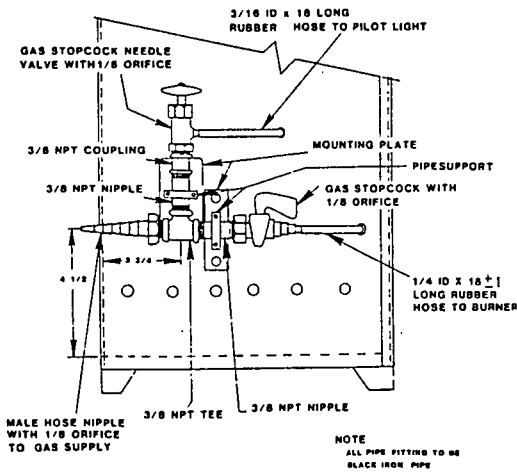


Figure L-4 – Vertical flame resistance textile apparatus. All given dimensions are in inches. System International (S.I.) unit: 1 inch = 2.54 cm.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 296-24-59001 GENERAL REQUIREMENTS.
- WAC 296-24-59003 SELECTION OF EXTINGUISHERS.
- WAC 296-24-59005 DISTRIBUTION OF PORTABLE FIRE EXTINGUISHERS.
- WAC 296-24-59007 INSPECTION, MAINTENANCE, AND HYDROSTATIC TESTS.
- WAC 296-24-600 STANDPIPE AND HOSE SYSTEMS.
- WAC 296-24-60001 GENERAL REQUIREMENTS.
- WAC 296-24-60003 HOSE OUTLETS.
- WAC 296-24-60005 WATER SUPPLIES.
- WAC 296-24-60007 TESTS AND MAINTENANCE.
- WAC 296-24-60501 GENERAL REQUIREMENTS.
- WAC 296-24-60503 FIRE DEPARTMENT CONNECTIONS.
- WAC 296-24-60505 SPRINKLER ALARMS.
- WAC 296-24-60507 MAINTENANCE OF SPRINKLER SYSTEM.
- WAC 296-24-60509 SPRINKLER HEAD CLEARANCE.
- WAC 296-24-615 FIXED DRY CHEMICAL EXTINGUISHING SYSTEMS.
- WAC 296-24-61501 GENERAL REQUIREMENTS.
- WAC 296-24-61503 ALARMS AND INDICATORS.
- WAC 296-24-61505 INSPECTION AND MAINTENANCE.

WAC 296-24-620 CARBON DIOXIDE EXTINGUISHING SYSTEMS.

WAC 296-24-62001 GENERAL REQUIREMENTS.

WAC 296-24-62003 INSPECTION AND MAINTENANCE.

WAC 296-24-625 LOCAL FIRE ALARM SIGNALING SYSTEMS.

**WSR 87-24-052**

**NOTICE OF PUBLIC MEETINGS  
WHATCOM COMMUNITY COLLEGE**

[Memorandum—November 25, 1987]

The board of trustees of Whatcom Community College, District Number Twenty-One, will hold its regular meeting at the following time and place: December 8, 1987, Tuesday, 2:00 p.m., Board Room, Cordata Facility, 237 West Kellogg Road, Bellingham, WA 98226.

**WSR 87-24-053**

**EMERGENCY RULES  
DEPARTMENT OF WILDLIFE  
(Wildlife Commission)**

[Order 336—Filed November 30, 1987]

Be it resolved by the State Wildlife Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to regulation change for sport fishing on the Cedar and Sammamish River systems, and in Lakes Washington, Sammamish, and in Salmon Bay, WAC 232-28-61615.

We, the State Wildlife 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 wild steelhead run reaching the spawning grounds is projected to be less than the spawning escapement objectives. All further harvest must be limited to hatchery-origin steelhead.

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 November 24, 1987.

By Jack S. Wayland  
Director

NEW SECTION

*WAC 232-28-61615 REGULATION CHANGE FOR SPORT FISHING ON THE CEDAR AND SAMMAMISH RIVER SYSTEMS, AND IN LAKES WASHINGTON, SAMMAMISH, AND IN SALMON BAY. Notwithstanding the provisions of WAC 232-28-616 on the Cedar, and Sammamish River systems, and in Lakes Washington, Sammamish, and in Salmon Bay, only steelhead with missing adipose or ventral fins may be possessed. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin effective 12:01 a.m. December 1, 1987 to 11:59 p.m. January 31, 1988.*

**WSR 87-24-054**  
**EMERGENCY RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
 [Order 337—Filed November 30, 1987]

Be it resolved by the State Wildlife Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1987-88 Washington game fish regulations—Quillayute, Bogachiel, Calawah, Soleduck and Dickey rivers, WAC 232-28-61616.

We, the State Wildlife 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 Wildlife have not been able to reach agreement on a joint harvest management plan for the 1987-88 Quillayute River system 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 Wildlife 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 November 30, 1987.

By Jack S. Wayland  
 Director

NEW SECTION

*WAC 232-28-61616 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—QUILLAYUTE, BOGACHIEL, CALAWAH, SOLEDUCK AND DICKEY RIVERS. Notwithstanding the provisions of WAC 232-28-616, effective 12:01 a.m., December 1, 1987, all waters of the Quillayute System, including the Quillayute, Bogachiel, Calawah, Soleduck and Dickey rivers, are closed to the taking of steelhead by non-treaty sports anglers until further notice.*

**WSR 87-24-055**

**ADOPTED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Order R-282, Cause No. U-86-125—Filed November 30, 1987]

In the matter of adopting WAC 480-120-027 and 480-80-041 relating to price lists for telecommunications companies and amending WAC 480-80-050 relating to utility tariffs.

This action is taken pursuant to Notice No. WSR 87-05-013 filed with the code reviser on February 11, 1987. 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 87-05-013 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, April 22, 1987, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., 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 March 24, 1987. Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments orally at 9:00 a.m., Wednesday, April 22, 1987, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington.

At the foregoing meeting the commission considered the rule proposal. No written comments were received, and no oral comments presented.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-027 and 480-80-041 should be adopted, and WAC 480-80-050 should be

amended to read as set forth in Appendix A shown below and by this reference made a part hereof.

These sections are intended to provide for the filing of price lists for telecommunications companies classified as competitive, as well as services which the commission has classified as competitive, all as contemplated by RCW 80.36.320 and 80.36.330. As to telecommunications companies operating under tariff, it requires that detail of proposed tariff revisions be described in the filing company's letter of transmittal.

#### ORDER

WHEREFORE, IT IS ORDERED That WAC 480-120-027, 480-80-041 and 480-80-050 as set forth in Appendix A, be adopted as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed 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 30th day of November, 1987.

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

#### APPENDIX "A"

#### NEW SECTION

WAC 480-120-027 PRICE LISTS. (1) Pursuant to RCW 80.36.310 telecommunications services classified by the commission as competitive will be offered under price lists. All services of competitive telecommunications companies as classified by the commission under RCW 80.36.310 will be offered under price lists.

(2) All price lists filed with the commission must describe the service being offered and all prices, charges, terms, and conditions pertaining thereto. Each page of every price list shall contain, in general, the company name, the page number, and the effective date. All subsequent revisions of a price list shall bear consecutive revision numbers. Price lists must provide sufficient detail for customers and potential customers reasonably to determine what is being offered and what charges the customer incurs in obtaining the service.

#### NEW SECTION

WAC 480-80-041 TARIFF. Services which the commission has classified as competitive telecommunications services, including all services offered by companies which the commission has classified as competitive telecommunications companies, are exempted from the requirement to file tariffs. Price lists for services exempted from the requirement to file tariffs shall be filed in accordance with WAC 480-120-027. Price list changes must be provided in triplicate and be accompanied by a letter of transmittal describing the changes proposed.

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

WAC 480-80-050 COPIES OF TARIFF TO BE FILED. Three copies of each tariff shall be sent to the commission accompanied by a letter of transmittal. The letter of transmittal must describe any proposed changes to existing tariffs. One copy will then be returned to the utility by the commission, after processing, with the receipt date noted thereon.

#### WSR 87-24-056

#### ADOPTED RULES

#### UTILITIES AND TRANSPORTATION COMMISSION

[Order R-278, Cause No. U-87-1144-R—Filed November 30, 1987]

In the matter of amending WAC 480-120-031 relating to telecommunications companies.

This action is taken pursuant to Notice Nos. WSR 87-17-026, 87-20-057, 87-20-085 and 87-23-027 filed with the code reviser on August 13, 1987, October 2, 1987, October 7, 1987, and November 12, 1987, 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 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 87-23-027 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 25, 1987, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

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 4, 1987. 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 12, 1987, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington.

At the November 12, 1987, meeting the commission considered the rule change proposal. During the course of the rule-making proceeding written comments were received from Pacific Northwest Bell Telephone Company, United Telephone Company of the Northwest, Whidbey Telephone Company, General Telephone Company of the Northwest, and Pacific Telecom. Oral presentations were made by Ms. Pirkko Borland on behalf of Pacific Northwest Bell Telephone Company, Ms.

Penny White on behalf of General Telephone Company of the Northwest, Robert S. Snyder for Whidbey Telephone, and Mr. Leonard A. Girard for Pacific Telecom.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-031 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-120-031 as amended will adopt with certain exceptions the uniform system of accounts prescribed by the Federal Communications Commission for all Class A and B telecommunications companies.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-120-031 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 30th day of November, 1987.

Washington Utilities and Transportation Commission  
Sharon L. Nelson, Chairman  
Richard D. Casad, Commissioner  
A. J. Pardini, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-247, filed 6/27/86)

WAC 480-120-031 ACCOUNTING. (1) Except as provided in this rule, the Uniform System of Accounts (USOA) for Class A and Class B Telephone Companies published by the Federal Communications Commission (FCC) and designated as ((Volume VIII)) Part ((31)) 32, is hereby prescribed for ((use of)) book and recording purposes for telecommunications companies in the state of Washington.

(2) Telecommunications companies operating within this state shall be classed by revenue as follows:

Class	Annual Gross Operating Revenue
A	Equal to or Exceeding (((\$100,000)) \$25,000,000
B	(((\$100,000)) Less than \$25,000,000 or less

~~((Companies that desire more detailed accounting may adopt the accounts prescribed for a higher classification of telecommunications companies. PROVIDED; That the commission is notified promptly of such action. Such companies are required to comply with the more detailed reporting requirements contained in the rules respecting such higher classification.~~

~~Any provisions contained in the Uniform system of Accounts adopted in paragraph one above which is contrary to paragraph two and three above are hereby deleted.))~~

Upon notice to the commission in writing filed not later than December 15, 1987 all carriers must state their intention to implement the FCC Part 32 Uniform System of Accounts as either a Class A or Class B carrier, and seek Commission approval for such classification. After November 1, 1987, upon notice to the commission, and if authorized by the Commission, a company desiring more detailed accounting may adopt the accounts prescribed for a higher classification. Upon such notification, companies in the lower classification shall be required to comply with the more detailed accounting and reporting specified for the higher classification. Any election to the contrary notwithstanding, the Commission reserves the right to require any company to comply with the accounting requirements applicable to the higher classification.

(3) Jurisdictional differences. For Account 7910—Income Effect of Jurisdictional Ratemaking Differences—Net; Account 1500—Other Jurisdictional Assets—Net; Account 4370—Other Jurisdictional Liabilities and Deferred Credits—Net, and in a subaccount of Account 4550—Retained Earnings, the exchange telecommunications companies operating in this state shall keep subsidiary accounts and records reflecting in separate accounts, subaccounts, and subsidiary records, the Washington intrastate differences in amounts arising from the departure of this commission for booking and/or ratemaking purposes from FCC prescribed accounting. Separate subaccounts shall be kept for each difference. Examples include, but are not limited to, separate accounting for the booking of an Allowance for Funds Used During Construction (AFUDC) for Short-Term Construction Work in Progress (Account 2003, formerly subdivision (1) of Account 100.2); flow-through accounting of tax timing differences to the extent permitted by tax regulations (unless specific exceptions to the flow-through requirement have been granted or required by the Commission); elimination of excess profits for affiliated transactions; or such other company specific ratemaking or accounting treatment ordered by the commission in any case involving the rates of a specific company, or in other accounting directives issued by the commission.

(a) All local exchange telecommunications companies shall account as of January 1, 1988, for any embedded jurisdictional ratemaking differences by incorporating any previous jurisdictional differences side-records accounts, and any other accounting directives made by the commission, into the appropriate jurisdictional differences account.

(b) All companies shall expense currently any costs associated with the implementation of Part 32.

(c) During the period beginning January 1, 1988, and concluding December 31, 1988, each telecommunications company required to file monthly or quarterly reports shall file its periodic reports showing, at a minimum, total revenues, expenses, taxes, net operating income and rate base. To the extent possible, prior periods

should be restated for purposes of data continuity. After December 31, 1988 normal reporting requirements will resume.

(d) All companies shall keep subsidiary records as may be necessary to report readily the source of Washington intrastate local exchange network services revenues by residential and business class of service.

(e) All telecommunication companies subject to this rule shall keep subsidiary accounts in Account 5084—State Access Revenue, showing separately intrastate revenues from end users (subscriber line charges), special access revenues, and interLATA and intraLATA access revenues, which shall be identified as either traffic sensitive, non-traffic sensitive, independent company settlements, or other access revenues.

(f) Any company filing with the FCC reports in compliance with the requirements of Part 32, Paragraph 32.25 of Subpart B, Unusual Items and Contingent Liabilities, relating to extraordinary items, prior period adjustments, or contingent liabilities shall file a copy of such report concurrently with this commission.

(g) As to a leased asset which is or has been used in the provision of utility service, unless an alternate accounting treatment has been specifically approved by the Commission, any company which capitalizes leases in accordance with FASB-13 shall capitalize such leases at the lower of their original cost or the present value of the minimum lease payments. For purposes of this section "Original Cost" is defined as the net book value of the leased property to the lessor at the inception of the lease. If all efforts by a company to obtain original cost information fail, and the original cost can not be reasonably estimated, then the companies will file a request with the Commission seeking approval to record the asset at the lower of the fair market value of the asset or the present value of the minimum lease payments.

When the asset in question has never been used in the provision of utility service, any company which capitalizes leases in accordance with FASB-13 shall capitalize such leases at the lower of their fair market value or the present value of the minimum lease payments.

(h) Unless specific exceptions are granted, or required, all Companies shall keep records for ratemaking and/or booking purposes which flow-through tax benefits to the extent permitted by federal tax regulations. Any jurisdictional ratemaking differences, created by this rule, shall be reflected in accounts provided in Part 32 for jurisdictional differences, more specifically Accounts 1500, 4370, and 7910. See Sections 3(i) and 3(m) for further exceptions to this rule.

(i) As to compensated absences and sick pay, if payment of non-vesting accumulated sick pay benefits depends on the future illness of an employee, companies shall not accrue a liability for such an expense for purposes of portraying results of operations until such sick pay is actually paid. In addition, if a company accrues expenses for compensated absences before such expenses are actually deductible for federal income tax purposes, then an exception to the flow-through accounting requirement in Section 3(h) is required. In such a case, a normalized tax accounting treatment will be required.

(j) No depreciation expense will be allowed for rate-making purposes on amounts included in Account 2002—Property Held for Future Telecommunications Use. If a company records depreciation on amounts in this account, it shall record the jurisdictional difference in a separate subaccount of the designated jurisdictional differences accounts.

(k) Any property acquired from a non-affiliate shall be recorded at its net book value at the time of the transfer. If the company wishes to record the acquisition at its acquisition cost rather than its net book value, it shall first seek approval for such accounting, providing such detail as the commission may require. If there is a jurisdictional difference in recording the cost of an acquisition, any such difference shall be recorded in a separate subaccount of the designated jurisdictional differences accounts.

(l) Amounts booked to Account 2005—Telecommunications Plant Adjustment, shall be treated as non-operating investment, and shall not be included in any rate base account without the expressed permission of the Commission. Unless an alternate treatment has been authorized by the Commission, any amortization taken on amounts in Account 2005 will be treated as though charged to Account 7360—Other Non-operating Income, or other non-operating accounts as required.

(m) If a company is allowed to convert to a GAAP accounting treatment of an item, or allowed other accounting changes which call for the accrual of expenses before such expenses are deductible for federal income tax purposes, an exception to the flow-through accounting requirement in Section 3(h) is required. In such event, a normalized tax accounting treatment will be required.

(4) The annual report form ((FCC Form "M")) promulgated by the Federal Communications Commission ((FCC)) is hereby adopted for purposes of annually reporting to this commission by all telecommunications companies. Companies may also be required to include certain supplemental information in the annual report, such as the status of all jurisdictional differences accounts and subaccounts for the period. This supplemental information will be described in the mailing of the annual reports, or in other sections of this rule (see Section (7)).

((Any deviations from the Uniform System of Accounts and the annual report forms adopted and published by the FCC will only be accomplished after due notice and order by this commission.))

(5) The total company results of operations reported by each telecommunications company in its annual report shall agree with the results of operations shown on its books and records.

(6) All telecommunications companies having multi-state operations shall maintain records in such detail that the costs of property located and business done in this state in accordance with state geographic boundaries can be readily ascertained.

(7) All telecommunications companies having multi-state operations shall report to this commission at least once each year, as a supplement to its annual report, such allocations between states as are requested by the

commission from time to time for each utility. Any allocations required in developing results of operations for the state of Washington separately shall be accomplished on a basis acceptable to the commission. In these supplemental reports, adjustments will be made to incorporate Washington intrastate amounts in the jurisdictional differences accounts.

(8) The annual budget of expenditures form for budgetary reporting by all telecommunications companies having \$25,000 or more in annual revenue will be published by this commission in accordance with chapter 480-140 WAC. ~~((Any change to these forms will only be accomplished after due notice and order of this commission.))~~

(9) The requirements of this section shall not apply to telecommunications companies classified by the commission as competitive, and subject to WAC 480-120-033.

(10) There shall be no departure from the foregoing except as specifically authorized by the commission.

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

**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 87-24-057**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Filed December 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the generation and management of dangerous waste, amending chapter 173-303 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 5, 1988.

The authority under which these rules are proposed is chapter 70.105 RCW.

The specific statute these rules are intended to implement is chapter 70.105 RCW.

This notice is connected to and continues the matter in Notice Nos. WSR 87-18-062 and 87-20-072 filed with the code reviser's office on September 2, 1987, and October 6, 1987.

Dated: November 30, 1987  
By: Phillip C. Johnson  
Deputy Director, Programs

**WSR 87-24-058**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed December 1, 1987]

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 recovery from estates, adding new section WAC 388-81-047;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, in the Auditorium, Office Building 2, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 6, 1988.

The authority under which these rules are proposed is chapter 283, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
Administrative Services  
Department of Social and Health Services  
Mailstop OB 39  
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. The meeting site is in a location which is barrier free.

Dated: November 30, 1987  
By: Leslie F. James, Director  
Administrative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.  
Re: WAC 388-81-047.

Purpose: To implement chapter 283, Laws of 1987.

Reason: To recover some of the expenses of medical services received by recipients who were age 65 or older.  
Statutory Authority: RCW 74.08.090.

Summary: To the extent that the law allows, the department shall recover the cost of medical care provided to recipients age 65 or older. The recovery shall take place after the recipient's death.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Jim Sparks, Program Manager, Division of Medical Assistance, mailstop HB-41, phone 753-7316.

Rules are proposed by DSHS.

These rules are necessary as a result of a new state law.

No economic impact statement is required under the Regulatory Fairness Act.

**NEW SECTION**

WAC 388-81-047 RECOVERY FROM ESTATES. (1) The department shall recover the cost of medical care provided to a recipient, who was sixty-five years old or older, upon the recipient's death, except:

- (a) Where there is a surviving spouse; or
- (b) Where there is a surviving child who is:
  - (i) Under twenty-one years of age, or
  - (ii) Blind or disabled as defined in chapter 388-92 WAC; or
- (c) Where there are surviving children, other than defined in (b) of this subsection, recovery shall not include:
  - (i) The first fifty thousand dollars of the estate value at the time of death, and
  - (ii) Sixty-five percent of the remainder.
- (2) The department shall assert and enforce a claim against the estate of the deceased recipient for the debt in subsection (1) of this section, in accordance with chapter 11.40 RCW.
- (3) The department shall file a lien against any real property which was in the name of the recipient just prior to death.
  - (a) The lien shall be filed with the county auditor of the county in which the property is located, and
  - (b) The lien shall be deemed effective as of the date of the recipient's death, and
  - (c) Recovery shall be upon the next sale or transfer of the property.
- (4) If a surviving spouse or child, as defined in subsection (1)(b) of this section, is discovered or contacts the department prior to recovery, the department shall release the lien.
- (5) The term "child" shall include both natural and adopted children.
- (6) The value of the estate shall be the valuation listed in current property tax records.

**WSR 87-24-059  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 2562—Filed December 1, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Standards—Eligibility, amending chapter 388-29 WAC.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this rule amendment is necessary to comply with chapter 7, Laws of 1987 ex. sess., to increase grant payment standards by 2.0 percent for adult residential care clients.

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

This rule is promulgated pursuant to chapter 7, Laws of 1987 ex. sess., 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 November 24, 1987.

By Bill Griffith  
for Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2404, filed 8/1/86)

WAC 388-29-100 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The ~~((state-wide))~~ statewide monthly need standards for basic requirements ~~((are))~~ shall be:

(a) Household with shelter costs effective ~~((July 1, 1986))~~ December 1, 1987.

Households residing in a lower income housing project assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act shall be treated as renters if they make any utility payment in lieu of a rental payment.

Recipients in Household	Need Standard
1	\$ <del>((511))</del> 533
2	<del>((646))</del> 675
3	<del>((800))</del> 835
4	<del>((941))</del> 982
5	<del>((1,084))</del> 1,131
6	<del>((1,230))</del> 1,284
7	<del>((1,421))</del> 1,483
8	<del>((1,572))</del> 1,641
9	<del>((1,727))</del> 1,802
10 or more	<del>((1,876))</del> 1,958

(b) Household with supplied shelter effective ~~((September 1, 1986))~~ December 1, 1987.

The monthly standard for supplied shelter includes requirements for food, clothing, personal maintenance and necessary incidentals, household maintenance, and transportation.

Recipients in Household	Need Standard
1	\$ <del>((302))</del> 316
2	<del>((382))</del> 399
3	<del>((472))</del> 492
4	<del>((556))</del> 581
5	<del>((640))</del> 667
6	<del>((726))</del> 757
7	<del>((839))</del> 874
8	<del>((928))</del> 968
9	<del>((1,019))</del> 1,063
10 or more	<del>((1,107))</del> 1,155

(2) One hundred eighty-five percent of the state-wide monthly need standard for basic requirements is:

(a) Household with shelter costs effective ~~((July 1, 1986))~~ December 1, 1987.

Recipients in Household	185% of Need Standard
1	\$ <del>((946))</del> 988
2	<del>((1,196))</del> 1,250
3	<del>((1,480))</del> 1,546
4	<del>((1,741))</del> 1,818
5	<del>((2,006))</del> 2,094
6	<del>((2,276))</del> 2,377
7	<del>((2,629))</del> 2,745
8	<del>((2,909))</del> 3,037
9	<del>((3,195))</del> 3,335
10 or more	<del>((3,471))</del> 3,624



(b) Household with supplied shelter effective ~~((September 1, 1986))~~ December 1, 1987.

Recipients in Household	185% of Need Standard
1	\$ <del>((559))</del> 586
2	<del>((707))</del> 740
3	<del>((874))</del> 912
4	<del>((1,029))</del> 1,076
5	<del>((1,184))</del> 1,235
6	<del>((1,344))</del> 1,402
7	<del>((1,553))</del> 1,618
8	<del>((1,717))</del> 1,792
9	<del>((1,886))</del> 1,968
10 or more	<del>((2,048))</del> 2,138

(3) The state-wide monthly payment standard shall be:

(a) Effective ~~((July 1, 1986))~~ December 1, 1987, payment standards for households with shelter costs reflecting a ratable reduction of ~~((38.6))~~ 41.1 percent of need standards.

Households residing in a lower income housing project assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act shall be treated as renters if they make any utility payment in lieu of a rental payment.

Recipients in Household	Payment Standard
1	\$ 314
2	397
3	492
4	578
5	666
6	756
7	873
8	966
9	1,061
10 or more	1,153

(b) Effective ~~((September 1, 1986))~~ December 1, 1987, payment standards for households with supplied shelter reflecting a ratable reduction of ~~((38.6))~~ 41.1 percent of the need standard.

The monthly payment standard for supplied shelter ~~((includes))~~ shall include requirements for food, clothing, personal maintenance and necessary incidentals, transportation, and household maintenance.

Recipients in Household	Payment Standard
1	\$ 186
2	235
3	290
4	342
5	393
6	446
7	515
8	570
9	626
10 or more	680

AMENDATORY SECTION (Amending Order 2215, filed 3/13/85)

WAC 388-29-125 STANDARDS OF ASSISTANCE—PERSONS IN MEDICAL INSTITUTIONS. Effective ~~((July 1, 1984))~~ January 1, 1986, the monthly standard for clothing, personal maintenance, and necessary incidentals for an eligible person in a skilled nursing home, a public nursing home, a general or tuberculosis hospital, or an intermediate care facility shall be ~~((thirty-five))~~ thirty-six dollars and ~~((fifty-five))~~ sixty-two cents.

AMENDATORY SECTION (Amending Order 2309, filed 12/2/85)

WAC 388-29-130 STANDARDS OF ASSISTANCE—PERSONS IN CONGREGATE CARE FACILITIES. (1) The standard for congregate care shall be the rate established and published by the department for payment to specific congregate care facilities which contract with the department to provide a specific level of care.

(2) The monthly standard for clothing, personal maintenance, and necessary incidentals for a person in a congregate care facility shall be ~~((thirty-six))~~ thirty-seven dollars and ~~((sixty-two))~~ thirty-five cents effective ~~((January 1, 1986))~~ September 1, 1987.

AMENDATORY SECTION (Amending Order 2215, filed 3/13/85)

WAC 388-29-280 STANDARDS OF ASSISTANCE—ADULT FAMILY HOME CARE. (1) The basic monthly standard for adult family home care shall be three hundred ~~((fifty-four))~~ seventy-seven dollars and ~~((fifty-five))~~ eleven cents.

(2) The monthly standard for clothing and personal maintenance and necessary incidentals for a person in an adult family home shall be ~~((thirty-five))~~ thirty-seven dollars and ~~((fifty-five))~~ thirty-five cents.

(3) Activities of daily living add-ons

(a) 1-3 activities.....	\$ <del>((36.58))</del> 37.68
(b) 4-7 activities.....	\$ <del>((54.85))</del> 56.50
(c) 8-12 activities.....	\$ <del>((79.23))</del> 81.61

(4) Health-related services, maximum of nine.....each..... \$~~((24.38))~~ 25.11

(5) Respite care..... \$11.57.

~~((6)) These standards are effective July 1, 1984.)~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-29-146 STANDARDS OF ASSISTANCE—FOSTER CARE.

**WSR 87-24-060****ADOPTED RULES****DEPARTMENT OF LABOR AND INDUSTRIES**

[Order 87-26—Filed December 1, 1987—Eff. January 1, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to revisions to the accident fund and medical aid base rates for each risk classification and revisions to the experience-rating rules and parameters to reflect more current experience for workers' compensation insurance underwritten by the Department of Labor and Industries; revise reporting requirements for persons who have elected coverage; repeal of WAC 296-17-480 covering penalty assessments for failure to file quarterly reports and/or pay premiums; revision to the experience rating plan referencing construction classifications; and general house-keeping revisions to clarify the scope of certain classifications.

This action is taken pursuant to Notice No. WSR 87-20-084 filed with the code reviser on October 7, 1987. These rules shall take effect at a later date, such date being January 1, 1988.

This rule is promulgated pursuant to RCW 51.16.035 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 1, 1987.

By Joseph A. Dear  
Director

**AMENDATORY SECTION** (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-310 GENERAL RULES AND INSTRUCTIONS. This section constitutes general rules and instructions for chapter 296-17 WAC.

(1) Purposes. This chapter of the Washington Administrative Code, including classifications of risk, premium rates, the experience rating plan, and all other rules contained herein governing the use thereof, is herein referred to as the manual. This manual is promulgated by the department of labor and industries pursuant to RCW 51.16.035. This manual contains a formulation of the rules and regulations providing for basic classifications, rates of premium, method of premium calculation and collection, and a rating system, consistent with recognized principles of workers' compensation insurance. This manual governs the department's underwriting of workers' compensation insurance and assessment of other monetary obligations, under the industrial insurance law of the state of Washington, Title 51 RCW.

(2) Overview. Washington law (RCW 51.16.035) requires that the department of labor and industries classify all occupations or industries by degree of hazard. To accomplish this, the department has established approximately two hundred seventy basic classifications of risk embracing the various industries within the state (the

actual number may vary from year to year). These basic classifications are set forth in WAC 296-17-501 through 296-17-779. The general principles and objectives of the basic classification system are set forth in WAC 296-17-310.

The first step in determining the appropriate classification for an employer is to determine the nature of the employer's business being insured in this state. If the department determines that an employer's business consists of a single operation or a number of separate operations which normally prevail in that business then the single enterprise rule (WAC 296-17-380) is applicable. This rule provides that the department is to assign the single basic classification which most accurately describes the employer's entire enterprise. This process begins with the search for a basic classification which specifically describes the employer's business. If such a basic classification is found the process of assigning a basic classification is complete.

If the employers' business operation is not specifically described by any basic classification then the employer's business is to be classified as provided for in WAC 296-17-360 (assignment of classification by analogy). In classifying by analogy the department examines the process and hazard of the employer's business and compares it to that of other basic classifications with processes and hazards that are similar to those of the employer's business and assigns the most analogous classification on that basis.

In the event that a review of the employer's business operations indicates the possibility that the employer conducts more than one business within this state, a determination will be made as to whether any additional basic classifications should be assigned on the basis of the criteria set out in the multiple enterprise rule (WAC 296-17-390).

Once the employer's basic classification has been established, the department must determine whether additional classifications should be assigned to apply to specific employments within an employer's business such as the standard exception rule (WAC 296-17-440), the general exclusion rule (WAC 296-17-430), the special exception rule (WAC 296-17-441), or those indicated by the language of any applicable basic classifications that permit or require separate reporting of any operations within that business or industry or as otherwise provided by this chapter.

(3) Premium payments - quarterly reports. Each employer shall, upon such forms as prescribed by the department, prior to the last day of January, April, July and October of each year, pay to the department for the preceding calendar quarter, for the accident fund, and for the medical aid fund, a certain number of cents for each worker hour or fraction thereof worked by the worker in their employ except when the rules of this manual provide for a different method of premium computation. Provided, that in the event an employer has no employment subject to coverage under Title 51 RCW during a calendar quarter the employer shall submit to the department, according to the schedule described above, a quarterly report indicating "no payroll" or be subject to the penalties provided for in (~~WAC 296-17-~~

480)) RCW 51.48.030. The director may promulgate, change and revise such rates at such times as necessary, according to the condition of the accident and medical aid funds, and assign rates as appropriate to employers who voluntarily seek coverage under the elective adoption provisions of the law.

(4) Determining accident fund premium. The amounts to be paid into the accident fund shall be determined as follows: The department shall determine a manual premium rate for each classification which shall not be inadequate, excessive or unfairly discriminatory, taking into consideration past and prospective costs in each classification and the financial condition of the accident fund as a whole.

Every employer shall pay into the accident fund at the manual premium rate unless such employer meets the requirements for the experience rating plan provided elsewhere in this manual, in which event such employer's premium rate for the accident fund shall be paid according to their experience modification as determined under the experience rating plan.

(5) Basis for determining medical aid premium. The amounts to be paid into the medical aid fund shall be determined as follows: The department shall determine a basic medical aid rate for each classification which shall not be inadequate, excessive or unfairly discriminatory, taking into consideration past and prospective costs in each classification and the financial condition of the medical aid fund as a whole.

Every employer shall pay into the medical aid fund at the basic premium rate only, and the experience rating plan shall not apply to medical aid rates.

(6) All section captions or titles or catch lines used in this manual, chapter 296-17 WAC, do not constitute any part of these rules.

(7) Assignment of classifications. The classifications in this manual are all basic classifications other than the standard exception classifications which are defined in WAC 296-17-440. Basic classifications are used to implement the object of the classification system, which is to assign the one basic classification which best describes the business of the employer within this state. Each basic classification includes all the various types of labor found in a business unless it is specifically excluded by language contained within the classification or covered by a separate rule found elsewhere in this chapter, such as "standard exceptions" or "general exclusions." The classification procedure used within this state is intended to classify the business undertaking of the employer and not the separate employments, occupations, or operations of individuals within a business.

In the event an employer operates a secondary business within this state, multiple basic classifications can be assigned provided that the conditions set forth in WAC 296-17-390 "multiple enterprises" have been met. However, construction or erection operations are to be assigned classifications as provided in subsection (8) of this section.

(8) Construction or erection operations. Each distinct type of construction or erection operation at a job site or

location shall be assigned to the basic classification describing that operation provided separate payroll records are maintained for each operation.

In the event separate payroll records are not maintained the entire number of worker hours for such operations shall be assigned to the highest rated classification which applies to the job site or location where the operation is performed.

Separate construction or erection classifications shall not be assigned to any operation which is within the scope of another basic classification assigned to such a job site or location.

(9) Classification assignment of separate legal entities. Each separate legal entity shall be assigned to the basic classification or classifications which best describe its operations within the state using the classification procedures outlined in subsections (2), (7), and (8) of this section.

(10) All operations. Each basic classification in this manual, other than classifications 4806, 4904, 5206, 6301, 6302, 6303, 7101, or the temporary help classifications 7104 through 7109, include all the operations normally associated with the business undertaking without regard to the location(s) of such operation(s) unless an operation is specifically excluded from the manual language of the basic classification.

AMENDATORY SECTION (Amending Order 85-7, filed 2/28/85, effective 4/1/85)

WAC 296-17-350 MINIMUM PREMIUMS—ASSUMED WORKER HOURS. A minimum premium is the lowest amount of premium to be paid by an employer and is also the basis for determining premium computation for workers for whom an assumed number of worker hours must be, and hereby, is established:

(1) Minimum premium. Except as otherwise provided in this chapter, every employer shall be liable for a premium not less than ten dollars for any calendar quarter regardless of number of worker hours reported.

(2) ~~(Minimum premium for elective adoption. Any employer having in their employ any person exempt from mandatory coverage whose application for coverage under the elective adoption provisions of RCW 51.12-110 is accepted by the director, shall have a minimum premium rate for such employer's applicable class based upon not less than 40 worker hours for each month, until such time as elective adoption coverage is cancelled. PROVIDED, That the minimum premium rate as specified above shall not apply to sole proprietors, partnerships, or executive officers obtaining coverage subject to other provisions of this chapter.)~~ Excluded employments. Any employer having any person in their employ excluded from industrial insurance whose application for coverage under the elective adoption provisions of RCW 51.12.110 or authority of RCW 51.12.095 or 51.32.030 has been accepted by the director shall report and pay premium on the actual hours worked for each such person who is paid on an hourly, salaried-part time, percentage of profit or piece basis; or one hundred sixty hours per month for any such person paid on a salary basis employed full time. In the event records disclosing actual hours worked are not maintained by the employer

for any person paid on an hourly, salaried-part time, percentage of profits or piece basis the worker hours of such person shall be determined by dividing the gross wages of such person by the state minimum wage for the purpose of premium calculation. However, when applying the state minimum wage the maximum number of hours assessed for a month will be one hundred sixty.

(3) Resident managers, caretakers, or similar employments that are employed for irregular periods and whose compensation is for a stipulated sum in money or a substitute for money shall be reported for the purpose of premium calculation as provided in subsection (6) of this section.

(4) Commission personnel. Commission personnel are persons whose compensation is based upon a percentage of the amount charged for the commodity or service rendered. Commission personnel are to be reported for premium purposes at a minimum of assumed worker hours of not less than eight worker hours a day for part-time employment, or not less than 40 worker hours per week for full-time employment: PROVIDED, That the assumed eight worker hours daily for part-time employment will apply only if the employer's books and records are maintained so as to show separately such person's actual record of employment.

(5) Salaried personnel. Salaried personnel for the purposes of this chapter means persons whose compensation is not governed by the number of hours devoted to employment for their employer. Employers having salaried personnel in their employ shall for the purpose of premium calculation report assumed worker hours based upon one hundred sixty worker hours for each month in which the employee is on salary: PROVIDED, That if the employer maintains complete and accurate records, supported by original time cards or timebook entries, the employer may report and pay premium on the actual hours worked by salaried personnel(~~(--All salaried personnel must be reported in the same manner)~~): PROVIDED FURTHER, That the department may, at its discretion, authorize some other method in assuming workers hours for premium calculating purposes in the case of contract personnel employed by schools and/or school districts.

(6) Piece workers. Employees whose compensation is based upon the accomplishment of a number of individual tasks whether computed on the number of pounds, items, pieces, or otherwise, the employer shall for the purpose of premium calculation assume each two dollars of earnings of each employee as representing one worker hour: PROVIDED, That if the average rate of compensation for the applicable classification is at least \$3.00 but less than \$3.50 per worker hour the assumed amount shall be \$3.00 of earnings as representing one worker hour, and on a progressive basis, if the average compensation is at least \$3.50 but less than \$4.00 the assumed amount shall be \$3.50 of earnings as representing one worker hour, and so forth. The records of the department as compiled for the preceding fiscal year ending June 30, shall be the basis for determining the average rate of compensation for each classification: PROVIDED FURTHER, That if the employer maintains books and records to show separately the hours employed for

each worker in their employ engaged in piece work then such actual worker hours shall be reported for the purpose of premium calculation. Notwithstanding any other provisions of this section, workers employed in a work activity center pursuant to WAC 296-17-779 shall be reported on the basis of the piece worker rule.

(7) Noncontact sports teams. All employers having personnel in their employ as defined under WAC 296-17-745 shall for the purpose of premium calculations, report assumed worker hours based upon 40 worker hours for each week in which any duties are performed.

(8) All employers having personnel in their employ as defined under WAC 296-17-739 shall, for the purpose of premium calculations, report assumed worker hours based upon ten hours for each mount in each horse race; professional drivers shall report worker hours based upon ten hours for each heat or race of any racing event: PROVIDED, That any day such personnel do not ride or drive in a race, the premium calculation shall be made by assuming ten worker hours for any day in which duties are performed.

(9) Pilots and flight crew members having flight duties during a work shift including preflight time shall have premium calculated by utilizing daily readings logged per federal requirements of the aircraft tachometer time: PROVIDED, That if the total tachometer time for any day includes a fraction of an hour, the reportable time will be increased to the next full hour: PROVIDED FURTHER, That pilots and flight crew members who assume nonflying duties during a work shift will have premium calculated in accordance with the appropriate rules and classifications applicable to nonflight duties.

**AMENDATORY SECTION** (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-440 STANDARD EXCEPTIONS. The following employments referred to as standard exceptions are to be separately rated unless these employments are specifically included within the scope of a basic classification by use of words such as "including clerical office and outside sales." (Use of the words "clerical office" will also include draftsmen and use of the words "sales personnel" will also include collectors (~~and~~), messengers and corporate officers.) Provided that a division of a single employee's worker hours shall not be permitted between two standard exception classifications or between a standard exception classification and a basic business classification except as provided in the general exclusion rules of this manual.

The standard exceptions are defined below:

(1) Clerical office employees are defined as those employees whose duties are confined to keeping the books or records of the employer, or conducting correspondence or who are engaged wholly in office work where such books or records are kept or where such correspondence is conducted, having no other duty of any nature in or about the employer's premises. If any clerical office employee is exposed to any operative hazard of the business, their entire worker hours shall be assigned to the highest rated classification of work to which they are exposed. The clerical office classification shall be applied only to persons as herein described who are employed

exclusively in separate buildings or on separate floors of buildings or in departments on such floors which are physically separated from all other work areas of the employer by structural partitions and within which no work is performed other than clerical office duties as defined in this paragraph.

(2) Draftsmen will be considered to be clerical office employees when their duties are limited to office work only and who are engaged strictly as draftsmen in such a manner that they are not exposed to the operative hazard of the business. If any draftsman is exposed to any operative hazard of this business, their entire worker hours shall be assigned to the highest rated classification of work to which they are exposed.

(3) "Sales personnel - outside" are defined as those employees engaged in such duties away from the premises of the employer who sell or solicit new accounts or customers for the employer or who service existing accounts or customers for the employer. Provided that no employee shall be assigned to a sales classification code if their duties include delivery, even though they may also solicit or collect. Employees having delivery duties, even if they walk or use public transportation, shall be assigned to the governing classification of the employer.

(4) Messengers will be considered sales employees, provided the following conditions are met:

(a) The messenger is used solely by the employer in connection with the administration of the employer's business operation.

(b) The operation is not provided to the public as a general delivery service.

(c) The employer's basic classification does not include the standard exception classification designations.

If all the above conditions do not exist, any employee assigned such duties shall be assigned to the governing classification of the employer when multiple basic classifications are assigned or to the basic classification in the event an employer has only a single basic classification assigned.

(5) ~~((Executive officers as defined in WAC 296-17-330.))~~ Corporate officers are defined as those employees of a corporation elected and empowered in accordance with the articles of incorporation or bylaws as officers of the corporation who are also shareholders and serve on the board of directors of the corporation and whose duties are limited to administrative, clerical office and outside sales activities for the corporations. Any corporate officer who performs any duty that relates directly to the operational activities of the business shall be assigned to the basic classification(s) of the employer applicable to the work being performed. In no event however will a corporate officer be assigned the clerical office classification 4904.

With the exceptions of occupations falling within any classification that specifically includes clerical office, inside draftsmen or sales personnel, the following designated occupational classifications shall apply.

Classification 4904 clerical office employees including inside draftsmen.

Classification 6303 sales personnel, outside or away from the employers premises including collectors and messengers.

Classification 6301 automobile, truck, camper, trailer, mobile home, motorcycle and pleasure craft sales personnel.

Classification 6302 all door to door sales personnel.

Classification 7101 (~~(executive))~~ corporate officers.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-505 CLASSIFICATION 0105.

Fence erection or repair—all types, N.O.C.

Parking meter installation—report parking meter mechanism service or repair separately in risk classification 0606 (WAC 296-17-526), "vending or coin-operated machine service."

Placement of wire mesh on slopes for slope protection.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-517 CLASSIFICATION 0502.

Rug, linoleum, tile and other types of floor or drainboard covering installation excluding hardwood floor installation rated under risk classification (~~(0505-(WAC 296-17-520))~~) 0513.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-520 CLASSIFICATION 0505.

Construction, alteration, or repair of buildings, N.O.C.:

Concrete, iron, or steel

Gutters: Installation, service or repair - on structures

Wallboard installation

Plastering, stuccoing, and lathing, N.O.C.

Door, door frame, sash, overhead door, siding installation, framing and carpentry, N.O.C.

Elevator door bucks - installation

Mobile home set up including installation of skirting and awnings by contractor. Excludes mobile home set up by mobile home dealers reported under risk classification 3401

Fire escapes and awnings: Installation, alteration, repair, or removal - building exteriors

Decorative metal shutters: Installation, repair or removal - no buntings

Scaffolds, hod hoists, concrete and cement distributing towers, sidewalk bridges and construction elevators - installation or removal

Debris cleaning and removal.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-52701 CLASSIFICATION 0608.

Business machine (~~(systems including))~~ and, computer mini and mainframe systems, report the installation of personal desk top computer systems separately in risk classification 4107

Electrical alarm systems including smoke alarms

Intercom or audio call box

Telecommunication and PBX or similar equipment

Telephone service prewire by contractor

This classification includes installation, service or repair of the above types of equipment and includes all shop or yard operations.

**AMENDATORY SECTION** (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-567 CLASSIFICATION 2401.

Paper or pulp manufacturing, wood fibre manufacturing  
Corrugated and fibre board container manufacturing, including corrugating and laminating of paper  
Paper coating, corrugating, laminating or oiling  
Paper goods, N.O.C., manufacturing  
Building and roofing paper or felt preparation, ((no manufacturing)) including felt manufacturing.

**AMENDATORY SECTION** (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-582 CLASSIFICATION 3404.

Aluminum ware manufacturing – from sheet aluminum  
Auto or truck parts manufacturing or assembly N.O.C. – miscellaneous stamped parts  
Awning manufacturing or assembly – metal  
Brass or copper goods manufacturing  
Cans manufacturing – aluminum or galvanized  
Coffin-casket manufacturing or assembly, other than wood  
Electric or gas lighting fixtures, lampshades or lantern manufacturing or assembly – metal  
Furniture, bedstead, shower-door, showcases – not wood – manufacturing or assembly  
Galvanized iron works, manufacturing – not structural  
Hardware manufacturing, N.O.C.  
Metal goods manufacturing, N.O.C., from material lighter than 9 gauge  
Metal stamping, including plating and polishing  
Sign manufacturing – metal  
Ski manufacturing and toboggan manufacturing other than wood  
Stove manufacturing, excluding wood stove manufacturing and other stoves made from material 9 gauge or heavier rated under risk classification 5209 (WAC 296-17-67602)  
Water heater manufacturing or assembly  
Window, sash or door manufacturing or assembly – aluminum  
Physically separate upholstery departments of firms engaged in furniture, coffin or casket manufacturing, assembly, or finishing may be separately rated under risk classification 3808 (WAC 296-17-612), and in accordance with WAC 296-17-410  
This is a shop or plant only classification but does contemplate work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Unless outside activities are specifically provided for they are to be separately rated  
This classification includes the repair of items being manufactured or assembled when done by employees

of an employer having operations rated in this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation.

**AMENDATORY SECTION** (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-604 CLASSIFICATION 3708.

Linoleum, oil cloth or imitation leather manufacturing  
Broom and brush manufacturing, or assembly  
Cordage, rope or twine manufacturing  
Match manufacturing  
Cotton cord or cotton twine manufacturing  
Textile manufacturing, N.O.C.  
Taxidermists and hide pelting  
Parachutes, suspenders, fur goods and bandages manufacturing  
Nylon or synthetic goods manufacturing, N.O.C.  
Life preservers and canvas goods manufacturing, N.O.C.  
Braid, net, plush and velvet, thread, webbing and yarn manufacturing  
Spinning or weaving – natural or synthetic fibres, N.O.C.  
Pillow, quilt or cushion manufacturing including stuffed animal or doll manufacturing  
Mattress or box springs manufacturing – no manufacturing wire springs or excelsior  
Abrasive cloth preparation  
Bag or sack manufacturing or renovating – cotton, bur-lap, gunny, nylon, or textile  
Carpet or rug manufacturing  
Fire hose manufacturing from linen thread  
Cotton batting, wadding or waste manufacturing ((Felting manufacturing, shoddy manufacturing))  
Wool combing or scouring  
Fishing rod wrappings, manufacturing  
Awning, tent, sail, flags, wind socks or sleeping bag manufacturing.

**AMENDATORY SECTION** (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-644 CLASSIFICATION 4803.

Farms, N.O.C.  
Orchards – applies to all tree crops, deciduous and fruits, nuts, and shall include all acreage devoted to the raising of such crops  
This classification includes operations incidental to the enterprises described above including harvesting of all crops. ((Provided that)) However; ground hand picking of prunes and nuts will be separately rated under risk classification 4806 (WAC 296-17-647) if the conditions stipulated in that risk classification are met  
This classification excludes fresh fruit packing operations rated under risk classification 2104 (WAC 296-17-564); and fruit cannery or freezer operations or nut processing rated under risk classification 3902 (WAC 296-17-615).

AMENDATORY SECTION (Amending Order 86-18, filed 5/30/86, effective 7/1/86)

WAC 296-17-64902 CLASSIFICATION 4810.

Farms - vegetables, N.O.C. including truck gardening for fresh market. This classification includes all ground preparation, growing husbandry and hand harvesting with the aid of a hand held cutting device such as a paring or cutting knife used in the harvest of broccoli or cauliflower and by hand alone as in the case of cucumbers.

Separately ((rate)) report ground preparation, growing and harvesting of vegetable crops such as bush beans, peas, sweet corn, potatoes and field carrots which are mechanically harvested in risk classification 4802 (WAC 296-17-643) (~~"Field crops, N.O.C."~~); "farms; vegetables - mechanically harvested"; fresh vegetable packing operations ((rated)) reported separately under risk classification 2104 (WAC 296-17-564); and vegetable cannery or freezer operations ((rated)) reported separately under risk classification 3902 (WAC 296-17-615).

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-686 CLASSIFICATION 6109.

((~~Child preparatory~~)) Childbirth classes

Chiropractors, N.O.C.

Dental clinics, N.O.C.

Dentists, N.O.C.

Medical clinics, N.O.C.

Naturopaths, N.O.C.

Optometrists, N.O.C.

Physical therapists, N.O.C.

Physicians and surgeons, N.O.C.

Psychologists and psychiatrists, N.O.C.

This classification includes clerical office and sales personnel.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-736 CLASSIFICATION 6705.

Athletic officials for amateur sports, N.O.C., such as umpires, and referees

Excursions - outdoor recreational N.O.C., includes river rides, pack trains, hiking and mountaineering, and including camping operations incidental thereto

Ski ((~~tows, ski patrols and ski instructors~~)) facilities - includes all operations incidental to the operation of the skiing facility such as ski tows parking lots but excludes food service operations, hotel or motel operations, ski rental or ski sales shops

Ski instructors and ski patrolsWind sail board instructors.AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-739 CLASSIFICATION 6708.

Jockeys(~~(, racing)~~)

Professional racing drivers.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-741 CLASSIFICATION 6801.

Airlines, scheduled

All members of the flying crew.AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-743 CLASSIFICATION 6803.

Aircraft operations, N.O.C. - all members of the flying crew

Flight instruction

Private aircraft - transportation of personnel in ((~~conduct of~~)) connection with the employer's business. The rule governing standard exceptions does not apply here

Nonscheduled airlines - flight crew members.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-754 CLASSIFICATION 7101.

((~~Executive~~)) Corporate officers, N.O.C.AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-755 CLASSIFICATION 7102.

Football teams

This classification applies to football teams which are participants in the National Football League and includes ((~~umpires~~)) players, referees, coaches, and managers.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-850 EXPERIENCE RATING PLAN—ELIGIBILITY AND EXPERIENCE PERIOD. (1) Eligibility. Each employer who has reported experience during more than one fiscal year of the "experience period" shall have his base rates multiplied by an "experience modification" calculated in accordance with the rules of this manual. The development of the "experience modification" as set forth in WAC 296-17-855 shall include losses and exposure reported in all risk classes(~~(- PROVIDED, That the "experience modification" determined in accordance with WAC 296-17-855 shall not apply to industrial insurance rates in the following classes: 0505, 0506, 0507, 0510, 0511, 0512, and 0513. Employer premiums in the foregoing classes shall be computed at base industrial insurance rates as set forth in WAC 296-17-895))~~).

(2) Experience period. The "experience period" shall be the oldest three of the four fiscal years preceding the effective date of premium rates as set forth in WAC 296-17-895.

**AMENDATORY SECTION** (Amending Order 86-41, filed 11/26/86)

WAC 296-17-855 EXPERIENCE MODIFICATION. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{A_p + W A_e + (1-W) E_e + B}{E + B}$$

The components  $A_p$ ,  $W A_e$ , and  $(1-W) E_e$  are values which shall be charged against an employer's experience record. The component,  $E$ , shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

" $A_p$ " signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of  $\$((5,404))$  4,416 the primary actual loss shall be determined from the formula:

$$\text{Primary loss} = \frac{((+3,510)) \frac{11,040}{6,624} \times \text{total loss}}{\text{Total loss} + ((8,106)) \frac{6,624}{6,624}}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than  $\$((5,404))$  4,416 the full value of the claim shall be considered a primary loss.

" $A_e$ " signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

" $W$ " signifies "W value." For each employer, the  $W$  value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol " $W A_e$ " in the experience modification formula.  $W$  values are set forth in Table II.

" $E$ " signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

" $E_e$ " signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses."

Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by " $(1-W) E_e$ " in the experience modification formula. D-Ratios are set forth in Table III.

" $B$ " signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

**AMENDATORY SECTION** (Amending Order 86-41, filed 11/26/86)

WAC 296-17-875 TABLE I.

Primary Losses for Selected Claim Values

CLAIM VALUE	PRIMARY LOSS
<del>((5,404</del>	5,404
<del>6,476</del>	6,000
<del>8,716</del>	7,000
<del>11,769</del>	8,000
<del>16,176</del>	9,000
<del>23,094</del>	10,000
<del>35,524</del>	11,000
<del>64,419</del>	12,000
<del>91,509*</del>	12,411
<del>135,100**</del>	12,745))
<u>4,416</u>	<u>4,416</u>
<u>4,558</u>	<u>4,500</u>
<u>5,483</u>	<u>5,000</u>
<u>7,886</u>	<u>6,000</u>
<u>11,477</u>	<u>7,000</u>
<u>17,432</u>	<u>8,000</u>
<u>22,167</u>	<u>8,500</u>
<u>29,224</u>	<u>9,000</u>
<u>97,959*</u>	<u>10,341</u>
<u>110,400**</u>	<u>10,415</u>

\* Average death value  
 \*\* Maximum claim value

**AMENDATORY SECTION** (Amending Order 86-41, filed 11/26/86)

WAC 296-17-880 TABLE II.

"B" and "W" Values

$$\text{Maximum Claim Value} = \$ ((+35,100)) \frac{110,400}{97,959}$$

$$\text{Average Death Value} = \$ ((91,509)) \frac{97,959}{97,959}$$

Expected Losses	B	W
<del>((2,926 &amp; Under</del>	<del>25,490</del>	<del>.00</del>
<del>2,927 = 5,897</del>	<del>25,235</del>	<del>.01</del>
<del>5,898 = 8,912</del>	<del>24,980</del>	<del>.02</del>
<del>8,913 = 11,973</del>	<del>24,725</del>	<del>.03</del>
<del>11,974 = 15,081</del>	<del>24,470</del>	<del>.04</del>
<del>15,082 = 18,237</del>	<del>24,215</del>	<del>.05</del>



Expected Losses	B	W	Expected Losses	B	W
18,238 - 21,441	23,961	.06	387,517 - 399,875	8,667	.66
21,442 - 24,696	23,706	.07	399,876 - 412,660	8,412	.67
24,697 - 28,003	23,451	.08	412,661 - 425,892	8,157	.68
28,004 - 31,363	23,196	.09	425,893 - 439,595	7,902	.69
31,364 - 34,778	22,941	.10	439,596 - 453,797	7,647	.70
34,779 - 38,248	22,686	.11	453,798 - 468,525	7,392	.71
38,249 - 41,776	22,431	.12	468,526 - 483,810	7,137	.72
41,777 - 45,363	22,176	.13	483,811 - 499,684	6,882	.73
45,364 - 49,010	21,921	.14	499,685 - 516,183	6,627	.74
49,011 - 52,720	21,666	.15	516,184 - 533,345	6,372	.75
52,721 - 56,494	21,412	.16	533,346 - 551,211	6,118	.76
56,495 - 60,333	21,157	.17	551,212 - 569,827	5,863	.77
60,334 - 64,240	20,902	.18	569,828 - 589,241	5,608	.78
64,241 - 68,217	20,647	.19	589,242 - 609,507	5,353	.79
68,218 - 72,265	20,392	.20	609,508 - 630,682	5,098	.80
72,266 - 76,386	20,137	.21	630,683 - 652,830	4,843	.81
76,387 - 80,584	19,882	.22	652,831 - 676,021	4,588	.82
80,585 - 84,860	19,627	.23	676,022 - 700,330	4,333	.83
84,861 - 89,216	19,372	.24	700,331 - 725,843	4,078	.84
89,217 - 93,655	19,117	.25	725,844 - 752,650	3,823	.85
93,656 - 98,179	18,863	.26	752,651 - 780,855	3,569	.86
98,180 - 102,792	18,608	.27	780,856 - 810,571	3,314	.87
102,793 - 107,495	18,353	.28	810,572 - 841,924	3,059	.88
107,496 - 112,292	18,098	.29	841,925 - 875,054	2,804	.89
112,293 - 117,185	17,843	.30	875,055 - 910,117	2,549	.90
117,186 - 122,178	17,588	.31	910,118 - 947,290	2,294	.91
122,179 - 127,274	17,333	.32	947,291 - 986,771	2,039	.92
127,275 - 132,477	17,078	.33	986,772 - 1,028,782	1,784	.93
132,478 - 137,790	16,823	.34	1,028,783 - 1,073,577	1,529	.94
137,791 - 143,216	16,568	.35	1,073,578 - 1,121,443	1,274	.95
143,217 - 148,759	16,314	.36	1,121,444 - 1,172,711	1,020	.96
148,760 - 154,425	16,059	.37	1,172,712 - 1,227,757	765	.97
154,426 - 160,216	15,804	.38	1,227,758 - 1,287,018	510	.98
160,217 - 166,137	15,549	.39	1,287,019 - 1,350,999	255	.99
166,138 - 172,194	15,294	.40	1,351,000 & over	0	1.00))
172,195 - 178,390	15,039	.41	2,391 & Under	20,830	0.00
178,391 - 184,731	14,784	.42	2,392 - 4,819	20,622	0.01
184,732 - 191,222	14,529	.43	4,820 - 7,283	20,413	0.02
191,223 - 197,869	14,274	.44	7,284 - 9,784	20,205	0.03
197,870 - 204,678	14,019	.45	9,785 - 12,324	19,997	0.04
204,679 - 211,655	13,765	.46	12,325 - 14,902	19,789	0.05
211,656 - 218,807	13,510	.47	14,903 - 17,521	19,580	0.06
218,808 - 226,140	13,255	.48	17,522 - 20,181	19,372	0.07
226,141 - 233,662	13,000	.49	20,182 - 22,883	19,164	0.08
233,663 - 241,381	12,745	.50	22,884 - 25,629	18,955	0.09
241,382 - 249,304	12,490	.51	25,630 - 28,419	18,747	0.10
249,305 - 257,439	12,235	.52	28,420 - 31,255	18,539	0.11
257,440 - 265,797	11,980	.53	31,256 - 34,138	18,330	0.12
265,798 - 274,387	11,725	.54	34,139 - 37,069	18,122	0.13
274,388 - 283,217	11,470	.55	37,070 - 40,050	17,914	0.14
283,218 - 292,301	11,216	.56	40,051 - 43,081	17,706	0.15
292,302 - 301,647	10,961	.57	43,082 - 46,165	17,497	0.16
301,648 - 311,270	10,706	.58	46,166 - 49,302	17,289	0.17
311,271 - 321,180	10,451	.59	49,303 - 52,495	17,081	0.18
321,181 - 331,392	10,196	.60	52,496 - 55,745	16,872	0.19
331,393 - 341,920	9,941	.61	55,746 - 59,053	16,664	0.20
341,921 - 352,780	9,686	.62	59,054 - 62,421	16,456	0.21
352,781 - 363,987	9,431	.63	62,422 - 65,851	16,247	0.22
363,988 - 375,560	9,176	.64	65,852 - 69,345	16,039	0.23
375,561 - 387,516	8,921	.65			

Expected Losses	B	W
69,346 - 72,905	15,831	0.24
72,906 - 76,532	15,623	0.25
76,533 - 80,229	15,414	0.26
80,230 - 83,998	15,206	0.27
83,999 - 87,842	14,998	0.28
87,843 - 91,761	14,789	0.29
91,762 - 95,760	14,581	0.30
95,761 - 99,841	14,373	0.31
99,842 - 104,005	14,164	0.32
104,006 - 108,256	13,956	0.33
108,257 - 112,598	13,748	0.34
112,599 - 117,032	13,540	0.35
117,033 - 121,562	13,331	0.36
121,563 - 126,192	13,123	0.37
126,193 - 130,924	12,915	0.38
130,925 - 135,763	12,706	0.39
135,764 - 140,712	12,498	0.40
140,713 - 145,775	12,290	0.41
145,776 - 150,957	12,081	0.42
150,958 - 156,261	11,873	0.43
156,262 - 161,693	11,665	0.44
161,694 - 167,257	11,457	0.45
167,258 - 172,959	11,248	0.46
172,960 - 178,803	11,040	0.47
178,804 - 184,796	10,832	0.48
184,797 - 190,942	10,623	0.49
190,943 - 197,250	10,415	0.50
197,251 - 203,724	10,207	0.51
203,725 - 210,372	9,998	0.52
210,373 - 217,202	9,790	0.53
217,203 - 224,221	9,582	0.54
224,222 - 231,437	9,374	0.55
231,438 - 238,860	9,165	0.56
238,861 - 246,498	8,957	0.57
246,499 - 254,361	8,749	0.58
254,362 - 362,459	8,540	0.59
262,460 - 270,804	8,332	0.60
270,805 - 279,408	8,124	0.61
279,409 - 288,282	7,915	0.62
288,283 - 297,440	7,707	0.63
297,441 - 306,897	7,499	0.64
306,898 - 316,667	7,291	0.65
316,668 - 326,767	7,082	0.66
326,768 - 337,214	6,874	0.67
337,215 - 348,027	6,666	0.68
348,028 - 359,225	6,457	0.69
359,226 - 370,830	6,249	0.70
370,831 - 382,866	6,041	0.71
382,867 - 395,356	5,832	0.72
395,357 - 408,328	5,624	0.73
408,329 - 421,810	5,416	0.74
421,811 - 435,834	5,208	0.75
435,835 - 450,434	4,999	0.76
450,435 - 465,647	4,791	0.77
465,648 - 481,511	4,583	0.78
481,512 - 498,072	4,374	0.79
498,073 - 515,376	4,166	0.80
515,377 - 533,475	3,958	0.81
533,476 - 552,425	3,749	0.82
552,426 - 572,291	3,541	0.83

Expected Losses	B	W
572,292 - 593,139	3,333	0.84
593,140 - 615,045	3,125	0.85
615,046 - 638,093	2,916	0.86
638,094 - 662,376	2,708	0.87
662,377 - 687,997	2,500	0.88
687,998 - 715,070	2,291	0.89
715,071 - 743,722	2,083	0.90
743,723 - 774,099	1,875	0.91
774,100 - 806,362	1,666	0.92
806,363 - 840,692	1,458	0.93
840,693 - 877,297	1,250	0.94
877,298 - 916,412	1,042	0.95
916,413 - 958,307	833	0.96
958,308 - 1,003,289	625	0.97
1,003,290 - 1,051,715	417	0.98
1,051,716 - 1,103,999	208	0.99
1,104,000 OR MORE	0	1.00

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-885 TABLE III.

Expected Loss Rates and D-Ratios  
 Expected Loss Rates in Dollars Per Worker Hour  
 for Indicated Fiscal Year

(CLASS	1983	1984	1985	D-RATIO
0101	.7477	.7535	.6398	.343
0102	.6448	.6492	.5476	.366
0103	.7181	.7235	.6139	.346
0104	.4994	.5032	.4270	.344
0105	.6159	.6194	.5196	.386
0106	.9314	.9375	.7906	.368
0107	.5419	.5447	.4550	.401
0108	.7113	.7160	.6042	.365
0109	1.0573	1.0648	.9010	.355
0201	1.2210	1.2293	1.0387	.360
0202	1.4967	1.5097	1.2901	.320
0206	.7702	.7780	.6703	.290
0301	.3122	.3131	.2590	.438
0302	.9582	.9641	.8106	.378
0306	.4118	.4142	.3475	.386
0307	.3177	.3193	.2664	.407
0401	1.4880	1.4980	1.2644	.364
0402	.7676	.7723	.6494	.378
0403	.8007	.8061	.6805	.363
0502	.6451	.6486	.5436	.390
0503	.4525	.4552	.3828	.378
0504	.6822	.6865	.5781	.373
0505	.9247	.9308	.7855	.365
0506	1.1367	1.1418	.9503	.414
0507	1.2758	1.2844	1.0841	.364
0508	.9122	.9174	.7693	.387
0509	1.0086	1.0156	.8588	.358
0510	.6958	.6996	.5855	.395
0511	.5273	.5299	.4423	.404
0512	.8055	.8081	.6675	.441
0513	.6958	.6996	.5855	.395
0601	.2479	.2490	.2073	.413
0602	.2484	.2500	.2098	.383

((CLASS	1983	1984	1985	D-RATIO	((CLASS	1983	1984	1985	D-RATIO
0603	.3289	.3310	.2794	.365	3104	.2775	.2791	.2339	.390
0604	.7605	.7662	.6495	.349	3105	.3795	.3800	.3106	.478
0606	.1274	.1280	.1067	.410	3301	.4694	.4707	.3880	.449
0607	.1424	.1432	.1197	.395	3302	.3530	.3539	.2918	.448
0608	.1825	.1833	.1526	.412	3303	.1552	.1559	.1295	.421
0701	.8112	.8176	.6954	.337	3309	.2153	.2163	.1800	.415
0803	.1877	.1886	.1577	.398	3401	.2034	.2046	.1715	.389
0804	.2940	.2956	.2475	.393	3402	.1787	.1794	.1488	.426
0901	1.1999	1.2074	1.0164	.374	3403	.0714	.0717	.0598	.408
0902	.2919	.2997	.2783	.355	3404	.1855	.1860	.1531	.453
1002	.5886	.5917	.4943	.401	3405	.1307	.1312	.1089	.423
1003	.3488	.3502	.2906	.425	3406	.0974	.0976	.0803	.456
1004	.3488	.3502	.2906	.425	3407	.1855	.1866	.1564	.389
1005	1.8810	1.8910	1.5824	.395	3408	.0621	.0625	.0525	.377
1007	.0626	.0626	.0509	.502	3409	.0942	.0944	.0777	.454
1101	.2412	.2423	.2013	.419	3501	.3342	.3357	.2797	.412
1102	.7172	.7216	.6065	.379	3503	.1790	.1792	.1460	.490
1103	.2088	.2096	.1737	.430	3505	.2321	.2385	.2204	.399
1104	.2746	.2755	.2276	.440	3506	.3713	.3739	.3157	.362
1106	.0647	.0647	.0526	.497	3508	.2262	.2268	.1870	.447
1108	.2291	.2299	.1901	.438	3601	.0418	.0429	.0395	.439
1109	.5553	.5590	.4720	.363	3602	.0476	.0478	.0390	.484
1301	.1663	.1667	.1374	.450	3603	.3214	.3221	.2645	.461
1303	.1004	.1008	.0837	.422	3604	.5123	.5150	.4311	.394
1304	.0074	.0075	.0062	.443	3605	.1828	.1835	.1528	.413
1305	.1602	.1609	.1333	.429	3606	.3598	.3607	.2963	.459
1401	.5063	.5088	.4250	.402	3701	.1318	.1324	.1106	.401
1404	.2845	.2857	.2374	.420	3702	.2617	.2633	.2215	.376
1405	.2845	.2857	.2374	.420	3706	.0932	.0958	.0886	.388
1501	.1710	.1719	.1438	.397	3707	.2254	.2259	.1850	.472
1507	.1452	.1460	.1216	.410	3708	.1155	.1157	.0949	.466
1701	1.1044	1.1149	.9568	.304	3801	.1357	.1364	.1143	.392
1702	1.1044	1.1149	.9568	.304	3802	.0768	.0770	.0627	.488
1703	.3092	.3110	.2611	.383	3803	.0767	.0789	.0726	.450
1704	.3981	.3998	.3317	.425	3805	.0767	.0789	.0726	.450
1801	.4477	.4503	.3776	.387	3806	.0767	.0789	.0726	.450
2002	.3194	.3207	.2662	.423	3808	.1220	.1223	.1005	.458
2003	.2622	.2632	.2186	.423	3809	.0966	.0993	.0915	.441
2004	.4320	.4349	.3675	.360	3901	.1168	.1172	.0974	.424
2005	.1821	.1828	.1509	.443	3902	.3203	.3221	.2706	.381
2007	.2039	.2052	.1725	.381	3903	.5073	.5096	.4245	.411
2008	.1540	.1548	.1293	.402	3904	.2895	.2974	.2750	.403
2101	.2550	.2558	.2115	.436	3905	.0690	.0690	.0561	.499
2102	.2622	.2632	.2186	.423	3906	.2443	.2453	.2036	.424
2104	.1363	.1364	.1110	.494	3909	.1080	.1080	.0870	.527
2105	.2932	.2947	.2462	.401	4002	.3353	.3375	.2843	.371
2201	.1286	.1289	.1060	.457	4101	.0759	.0761	.0625	.459
2202	.1917	.1925	.1602	.415	4103	.1663	.1668	.1380	.436
2203	.1286	.1289	.1060	.457	4104	.0603	.0620	.0571	.439
2401	.2856	.2869	.2391	.410	4107	.0392	.0393	.0322	.462
2903	.3183	.3190	.2618	.464	4108	.0759	.0761	.0625	.459
2904	.4001	.4016	.3329	.429	4109	.0759	.0761	.0625	.459
2905	.3183	.3190	.2618	.464	4201	.2603	.2617	.2190	.394
2906	.2847	.2854	.2344	.460	4301	.4103	.4106	.3341	.494
2907	.3183	.3190	.2618	.464	4302	.3990	.4001	.3291	.455
2908	.5265	.5288	.4400	.415	4303	.4761	.4777	.3950	.438
2909	.3183	.3190	.2618	.464	4304	.3338	.3350	.2771	.434
3101	.3307	.3330	.2812	.362	4305	.6185	.6211	.5158	.422
3102	.2714	.2729	.2284	.394	4401	.2215	.2223	.1840	.435
3103	.2714	.2729	.2284	.394	4402	.3201	.3221	.2712	.373

((CLASS	1983	1984	1985	D-RATIO	((CLASS	1983	1984	1985	D-RATIO
4404	.2622	.2632	.2186	.423	6205	.0723	.0724	.0590	.485
4501	.0762	.0767	.0651	.343	6206	.0723	.0724	.0590	.485
4502	.0221	.0224	.0187	.388	6207	.4338	.4350	.3581	.453
4503	.0288	.0295	.0272	.426	6208	.1382	.1389	.1166	.387
4504	.0326	.0327	.0269	.443	6209	.1107	.1111	.0919	.437
4601	.2706	.2729	.2329	.325	6301	.0536	.0539	.0454	.382
4802	.1637	.1642	.1359	.434	6302	.0920	.0925	.0772	.406
4803	.2038	.2045	.1687	.446	6303	.0256	.0258	.0218	.361
4804	.2892	.2897	.2376	.467	6304	.0647	.0651	.0547	.377
4805	.1946	.1950	.1599	.468	6305	.0284	.0285	.0237	.428
4806	.0404	.0405	.0330	.478	6306	.1215	.1219	.1005	.445
4807	.8699	.8752	.7358	.378	6307	.0353	.0361	.0334	.455
4808	.2415	.2430	.2046	.374	6308	.0225	.0226	.0190	.372
4809	.1084	.1086	.0890	.470	6309	.0504	.0505	.0410	.496
4810	.0645	.0647	.0533	.452	6401	.0353	.0361	.0334	.455
4811	.1651	.1657	.1372	.433	6402	.1070	.1072	.0880	.465
4812	.1637	.1642	.1359	.434	6403	.0753	.0754	.0614	.488
4901	.0315	.0317	.0265	.400	6404	.0351	.0352	.0293	.417
4902	.0538	.0542	.0453	.402	6405	.2610	.2619	.2166	.436
4903	.0315	.0317	.0265	.400	6406	.0335	.0335	.0274	.485
4904	.0074	.0075	.0062	.443	6407	.0783	.0784	.0636	.499
4905	.1453	.1457	.1194	.469	6408	.1545	.1552	.1294	.408
4906	.0233	.0233	.0192	.457	6409	.2619	.2636	.2222	.369
4907	.0533	.0535	.0446	.414	6501	.0252	.0252	.0205	.484
4908	.0533	.0535	.0446	.414	6502	.0093	.0093	.0077	.430
4909	.0533	.0535	.0446	.414	6503	.0649	.0656	.0567	.284
5001	2.0234	2.0382	1.7268	.351	6504	.1054	.1055	.0857	.499
5002	.2399	.2405	.1978	.456	6505	.0940	.0942	.0775	.459
5003	.8351	.8422	.7183	.327	6506	.0260	.0262	.0219	.395
5004	.5643	.5659	.4662	.451	6507	.1391	.1431	.1319	.429
5101	.4145	.4166	.3475	.406	6508	.2009	.2015	.1656	.457
5102	.7635	.7668	.6383	.414	6509	.1017	.1018	.0827	.499
5103	.5722	.5754	.4817	.393	6601	.1121	.1126	.0932	.432
5104	.2659	.2732	.2529	.388	6602	.2400	.2405	.1978	.457
5106	.3446	.3464	.2893	.402	6603	.1263	.1266	.1039	.464
5107	.1850	.1899	.1756	.405	6604	.0396	.0397	.0331	.417
5108	.4028	.4046	.3369	.412	6605	.1032	.1035	.0855	.440
5109	.2986	.3000	.2501	.408	6607	.0682	.0684	.0563	.453
5201	.1881	.1889	.1565	.428	6608	.1612	.1619	.1349	.410
5204	.8834	.8854	.7262	.465	6609	1.0877	1.0878	.8806	.511
5205	.3443	.3536	.3279	.368	6704	.0917	.0922	.0767	.410
5206	.2462	.2479	.2095	.359	6705	.2898	.2903	.2377	.472
5207	.0682	.0684	.0563	.453	6706	.1523	.1529	.1273	.416
5208	.5304	.5337	.4490	.376	6707	4.9000*	4.8900*	3.9300*	.540
5209	.3789	.3805	.3162	.420	6708	1.1255	1.1303	.9397	.418
5301	.0109	.0109	.0091	.404	6709	.0634	.0635	.0519	.478
5305	.0142	.0143	.0118	.436	6801	.3990	.4004	.3316	.432
5306	.0162	.0162	.0136	.405	6802	.2143	.2150	.1785	.424
5307	.1531	.1539	.1285	.403	6803	1.7418	1.7632	1.5389	.243
6103	.0201	.0202	.0167	.433	6804	.1221	.1229	.1035	.370
6104	.1384	.1390	.1161	.404	6809	.9439	.9440	.7642	.511
6105	.1195	.1199	.0988	.450	6902	.4937	.4978	.4240	.332
6106	.0987	.1014	.0936	.416	6903	2.4583	2.4794	2.1162	.324
6107	.0739	.0743	.0625	.383	6904	.1262	.1269	.1064	.390
6108	.2597	.2595	.2087	.533	6905	.1664	.1676	.1415	.361
6109	.0177	.0177	.0145	.459	6907	.7129	.7158	.5943	.423
6201	.0821	.0824	.0685	.419	6908	.1737	.1745	.1452	.415
6202	.3415	.3433	.2872	.396	6909	.0338	.0339	.0282	.414
6203	.0618	.0621	.0517	.417	7101	.0204	.0205	.0170	.415
6204	.0723	.0724	.0590	.485	7102	7.2600*	7.2700*	5.9500*	.473

<del>CLASS</del>	<del>1983</del>	<del>1984</del>	<del>1985</del>	<del>D-RATIO</del>
<del>7103</del>	<del>.1134</del>	<del>.1136</del>	<del>.0935</del>	<del>.457</del>
<del>7104</del>	<del>.0267</del>	<del>.0268</del>	<del>.0224</del>	<del>.409</del>
<del>7105</del>	<del>.1895</del>	<del>.1899</del>	<del>.1554</del>	<del>.474</del>
<del>7106</del>	<del>.3549</del>	<del>.3556</del>	<del>.2914</del>	<del>.469</del>
<del>7107</del>	<del>.4402</del>	<del>.4419</del>	<del>.3659</del>	<del>.433</del>
<del>7108</del>	<del>1.1867</del>	<del>1.1907</del>	<del>.9848</del>	<del>.437</del>
<del>7109</del>	<del>3.0232</del>	<del>3.0365</del>	<del>2.5265</del>	<del>.415</del>
<del>7201</del>	<del>.1492</del>	<del>.1494</del>	<del>.1216</del>	<del>.492</del>
<del>7202</del>	<del>.0255</del>	<del>.0256</del>	<del>.0216</del>	<del>.382</del>
<del>7203</del>	<del>.0548</del>	<del>.0550</del>	<del>.0458</del>	<del>.413</del>
<del>7301</del>	<del>.2944</del>	<del>.2952</del>	<del>.2437</del>	<del>.443</del>
<del>7302</del>	<del>.2589</del>	<del>.2593</del>	<del>.2121</del>	<del>.475</del>
<del>7307</del>	<del>.2581</del>	<del>.2583</del>	<del>.2100</del>	<del>.497</del>
<del>7308</del>	<del>.1083</del>	<del>.1090</del>	<del>.0913</del>	<del>.391</del>
<del>7309</del>	<del>.0634</del>	<del>.0635</del>	<del>.0519</del>	<del>.478))</del>

CLASS	1984	1985	1986	D-RATIO
0101	.5803	.4838	.5320	.390
0102	.4740	.3952	.4399	.432
0103	.6007	.5008	.5518	.397
0104	.5279	.4398	.4713	.302
0105	.5420	.4517	.4963	.387
0106	.8235	.6863	.7496	.367
0107	.4513	.3763	.4173	.419
0108	.5497	.4582	.5027	.383
0109	1.0331	.8607	.9325	.339
0201	.9062	.7551	.8217	.354
0202	1.1731	.9772	1.0523	.318
0206	.6926	.5770	.6237	.331
0301	.2715	.2265	.2564	.490
0302	.8296	.6915	.7604	.390
0306	.3974	.3314	.3660	.405
0307	.2914	.2429	.2674	.394
0401	1.5975	1.3318	1.4687	.400
0402	.6692	.5578	.6132	.389
0403	.6839	.5698	.6164	.334
0502	.5524	.4604	.5044	.378
0503	.4900	.4083	.4489	.389
0504	.5610	.4678	.5211	.434
0505	.7702	.6420	.7070	.395
0506	1.1163	.9308	1.0372	.435
0507	1.2804	1.0674	1.1771	.400
0508	.9951	.8293	.9048	.363
0509	.9853	.8208	.8836	.317
0510	.5965	.4974	.5509	.415
0511	.4964	.4138	.4538	.380
0512	.6435	.5366	.5977	.434
0513	.4576	.3815	.4197	.392
0601	.1919	.1600	.1780	.430
0602	.2119	.1766	.1946	.394
0603	.3072	.2560	.2802	.374
0604	.6993	.5828	.6376	.372
0606	.1089	.0908	.1010	.427
0607	.1194	.0997	.1103	.417
0608	.1417	.1181	.1314	.428
0701	.7020	.5850	.6356	.349
0803	.1724	.1437	.1575	.380
0804	.2614	.2179	.2397	.391
0901	1.0690	.8909	.9711	.360

CLASS	1984	1985	1986	D-RATIO
0902	.3152	.3236	.3005	.355
1002	.4847	.4041	.4502	.435
1003	.2714	.2263	.2507	.415
1004	.2714	.2263	.2507	.415
1005	2.0768	1.7317	1.9259	.429
1007	.0681	.0568	.0642	.483
1101	.2084	.1737	.1934	.432
1102	.6498	.5415	.5921	.370
1103	.1722	.1436	.1608	.452
1104	.2363	.1972	.2209	.454
1106	.0620	.0517	.0588	.510
1108	.2002	.1669	.1861	.438
1109	.4480	.3735	.4118	.400
1301	.1139	.0950	.1055	.424
1303	.0855	.0713	.0796	.441
1304	.0063	.0053	.0059	.486
1305	.1360	.1135	.1269	.449
1401	.4934	.4114	.4551	.410
1404	.2649	.2208	.2437	.403
1405	.2496	.2082	.2318	.435
1501	.1648	.1374	.1516	.402
1507	.1151	.0959	.1059	.406
1701	.8909	.7422	.8026	.333
1702	.8909	.7422	.8026	.333
1703	.2483	.2070	.2292	.413
1704	.3623	.3021	.3314	.382
1801	.3972	.3311	.3662	.410
2002	.2977	.2482	.2772	.443
2003	.2184	.1823	.2040	.451
2004	.3612	.3011	.3342	.421
2005	.1404	.1171	.1313	.458
2007	.1541	.1284	.1413	.393
2008	.1276	.1064	.1176	.409
2101	.2453	.2046	.2288	.448
2102	.2184	.1823	.2040	.451
2104	.1237	.1032	.1166	.481
2105	.2500	.2084	.2297	.398
2201	.1122	.0936	.1049	.460
2202	.1913	.1596	.1777	.435
2203	.1166	.0972	.1094	.468
2401	.2386	.1989	.2218	.437
2903	.2705	.2257	.2544	.477
2904	.3397	.2832	.3162	.443
2905	.2705	.2257	.2544	.477
2906	.2492	.2078	.2333	.460
2907	.2783	.2320	.2585	.435
2908	.4495	.3749	.4164	.425
2909	.2748	.2292	.2580	.472
3101	.2966	.2473	.2718	.388
3102	.2096	.1747	.1935	.414
3103	.2096	.1747	.1935	.414
3104	.2149	.1791	.1972	.392
3105	.3122	.2605	.2951	.493
3301	.3784	.3157	.3563	.480
3302	.3017	.2516	.2787	.415
3303	.1178	.0981	.1086	.412
3309	.1831	.1527	.1685	.405
3401	.1710	.1425	.1576	.409
3402	.1441	.1203	.1342	.442
3403	.0604	.0503	.0560	.429

CLASS	1984	1985	1986	D-RATIO	CLASS	1984	1985	1986	D-RATIO
3404	.1851	.1544	.1725	.446	4805	.1670	.1393	.1567	.467
3405	.0965	.0805	.0896	.430	4806	.0370	.0309	.0349	.476
3406	.0844	.0704	.0785	.437	4807	.7395	.6164	.6775	.389
3407	.1438	.1200	.1318	.390	4808	.1743	.1453	.1627	.452
3408	.0504	.0421	.0463	.397	4809	.0921	.0769	.0863	.463
3409	.0718	.0599	.0667	.431	4810	.0610	.0509	.0569	.448
3501	.3035	.2531	.2816	.431	4811	.1431	.1193	.1319	.410
3503	.1428	.1192	.1351	.493	4812	.1420	.1184	.1324	.447
3505	.2506	.2575	.2380	.399	4901	.0241	.0201	.0221	.401
3506	.3118	.2600	.2859	.391	4902	.0241	.0201	.0225	.455
3508	.2131	.1777	.1984	.442	4903	.0241	.0201	.0221	.401
3601	.0451	.0463	.0426	.439	4904	.0063	.0053	.0059	.486
3602	.0337	.0281	.0317	.483	4905	.1182	.0987	.1114	.483
3603	.2915	.2431	.2729	.461	4906	.0212	.0176	.0197	.438
3604	.4778	.3982	.4370	.383	4907	.0429	.0357	.0397	.425
3605	.1690	.1409	.1570	.435	4908	.0442	.0368	.0409	.429
3606	.2975	.2481	.2788	.464	4909	.0442	.0368	.0409	.429
3701	.1274	.1062	.1167	.389	5001	1.7685	1.4740	1.6135	.374
3702	.2026	.1689	.1859	.395	5002	.2176	.1815	.2046	.475
3706	.1006	.1034	.0957	.388	5003	.7879	.6565	.7122	.344
3707	.1827	.1525	.1719	.477	5004	.6529	.5447	.6174	.495
3708	.1142	.0952	.1060	.433	5101	.3329	.2775	.3075	.416
3801	.1056	.0881	.0974	.411	5102	.6769	.5641	.6182	.378
3802	.0624	.0520	.0592	.503	5103	.4539	.3783	.4161	.390
3803	.0828	.0852	.0784	.450	5104	.2871	.2950	.2731	.388
3805	.0828	.0852	.0784	.450	5106	.3007	.2507	.2767	.403
3806	.0828	.0852	.0784	.450	5107	.1997	.2050	.1896	.405
3808	.1043	.0870	.0981	.479	5108	.3199	.2668	.2962	.423
3809	.1043	.1072	.0988	.441	5109	.2578	.2150	.2361	.387
3901	.0804	.0672	.0747	.433	5201	.1379	.1150	.1275	.419
3902	.2239	.1868	.2087	.445	5204	.7658	.6389	.7194	.472
3903	.4345	.3622	.4019	.420	5205	.3717	.3818	.3540	.368
3904	.3126	.3211	.2969	.403	5206	.1653	.1378	.1503	.363
3905	.0539	.0449	.0507	.479	5207	.0586	.0489	.0554	.487
3906	.2154	.1796	.2001	.434	5208	.4858	.4050	.4492	.419
3909	.0981	.0819	.0932	.507	5209	.2895	.2414	.2710	.461
4002	.2659	.2218	.2473	.437	5301	.0085	.0071	.0079	.388
4101	.0629	.0525	.0590	.462	5305	.0118	.0098	.0109	.420
4103	.1427	.1191	.1337	.461	5306	.0130	.0108	.0120	.428
4104	.0651	.0669	.0617	.439	5307	.1428	.1191	.1322	.420
4107	.0348	.0289	.0324	.450	6103	.0138	.0116	.0130	.455
4108	.0629	.0525	.0590	.462	6104	.1262	.1052	.1174	.438
4109	.0629	.0525	.0590	.462	6105	.1006	.0839	.0945	.469
4201	.1955	.1630	.1801	.406	6106	.1066	.1095	.1011	.416
4301	.3830	.3195	.3616	.490	6107	.0537	.0448	.0492	.388
4302	.3259	.2718	.3038	.448	6108	.2139	.1785	.2024	.497
4303	.4078	.3401	.3799	.445	6109	.0150	.0125	.0139	.454
4304	.2550	.2127	.2377	.446	6201	.0647	.0539	.0599	.427
4305	.5704	.4755	.5242	.398	6202	.2763	.2303	.2558	.423
4401	.1801	.1502	.1682	.453	6203	.0471	.0393	.0435	.418
4402	.2801	.2335	.2582	.408	6204	.0633	.0528	.0594	.466
4404	.2184	.1823	.2040	.451	6205	.0633	.0528	.0594	.466
4501	.0658	.0548	.0597	.357	6206	.0633	.0528	.0594	.466
4502	.0154	.0128	.0141	.395	6207	.3875	.3232	.3641	.473
4503	.0311	.0319	.0294	.426	6208	.1078	.0898	.0994	.411
4504	.0268	.0223	.0249	.455	6209	.0983	.0819	.0918	.456
4601	.2208	.1840	.1991	.335	6301	.0451	.0376	.0417	.413
4802	.1507	.1257	.1405	.447	6302	.0727	.0606	.0672	.417
4803	.1659	.1384	.1548	.448	6303	.0208	.0174	.0190	.374
4804	.2488	.2075	.2338	.473	6304	.0556	.0463	.0511	.400

CLASS	1984	1985	1986	D-RATIO
6305	.0220	.0184	.0204	.434
6306	.1049	.0875	.0968	.412
6307	.0381	.0390	.0361	.455
6308	.0185	.0153	.0168	.372
6309	.0383	.0320	.0361	.477
6401	.0381	.0390	.0361	.455
6402	.0963	.0803	.0899	.454
6403	.0525	.0437	.0496	.494
6404	.0363	.0303	.0340	.466
6405	.2267	.1889	.2087	.405
6406	.0282	.0235	.0265	.467
6407	.0573	.0478	.0540	.475
6408	.1369	.1141	.1252	.383
6409	.2140	.1784	.1950	.369
6501	.0199	.0165	.0188	.487
6502	.0078	.0065	.0072	.437
6503	.0531	.0443	.0471	.280
6504	.1006	.0840	.0959	.521
6505	.0744	.0620	.0697	.466
6506	.0232	.0193	.0215	.416
6507	.1502	.1545	.1424	.429
6508	.1608	.1341	.1509	.469
6509	.0822	.0686	.0774	.479
6601	.0845	.0705	.0788	.445
6602	.1856	.1548	.1743	.469
6603	.1072	.0894	.1004	.463
6604	.0326	.0272	.0303	.434
6605	.0878	.0732	.0823	.463
6607	.0586	.0489	.0554	.487
6608	.1287	.1073	.1191	.419
6609	1.1543	.9630	1.0884	.485
6704	.0750	.0625	.0695	.425
6705	.2719	.2267	.2569	.493
6706	.1300	.1084	.1206	.429
6707	4.4696*	3.7304*	4.2872*	.542
6708	1.0774	.8986	1.0082	.459
6709	.0527	.0439	.0497	.485
6801	.2842	.2370	.2636	.429
6802	.1696	.1414	.1573	.430
6803	1.3181	1.0974	1.1547	.241
6804	.1083	.0903	.0984	.361
6809	.8277	.6906	.7855	.507
6902	.3661	.3051	.3306	.339
6903	2.1082	1.7562	1.8900	.316
6904	.0849	.0707	.0781	.400
6905	.1266	.1056	.1159	.385
6907	.6353	.5297	.5878	.421
6908	.1327	.1107	.1225	.416
6909	.0270	.0226	.0252	.444
7101	.0152	.0126	.0140	.411
7102	6.3040*	5.2584*	5.9344*	.479
7103	.0877	.0731	.0809	.413
7104	.0228	.0190	.0211	.418
7105	.1496	.1248	.1399	.458
7106	.3030	.2526	.2820	.441
7107	.4663	.3889	.4333	.435
7108	1.1194	.9336	1.0455	.453
7109	2.7203	2.2683	2.5221	.428
7201	.1601	.1337	.1512	.489
7202	.0197	.0164	.0179	.369

CLASS	1984	1985	1986	D-RATIO
7203	.0462	.0385	.0428	.421
7301	.2783	.2321	.2595	.446
7302	.2286	.1907	.2146	.471
7307	.2822	.2355	.2692	.524
7308	.1038	.0865	.0962	.429
7309	.0527	.0439	.0497	.485

\*Daily expected loss rate

**AMENDATORY SECTION** (Amending Order 86-41, filed 11/26/86)

WAC 296-17-890 TABLE IV.

Maximum experience modifications for firms with no compensable accidents:

Expected Loss Range	Maximum Experience Modification
(1-1,279	.90
1,280-1,368	.89
1,369-1,465	.88
1,466-1,569	.87
1,570-1,683	.86
1,684-1,806	.85
1,807-1,940	.84
1,941-2,086	.83
2,087-2,245	.82
2,246-2,418	.81
2,419-2,606	.80
2,607-2,812	.79
2,813-3,037	.78
3,038-3,284	.77
3,285-3,554	.76
3,555-3,851	.75
3,852-4,177	.74
4,178-4,535	.73
4,536-4,930	.72
4,931-5,365	.71
5,366-5,846	.70
5,847-6,378	.69
6,379-6,968	.68
6,969-7,622	.67
7,623-8,348	.66
8,349 and over	.65))
1-1,045	.90
1,046-1,118	.89
1,119-1,197	.88
1,198-1,283	.87
1,284-1,375	.86
1,376-1,476	.85
1,477-1,586	.84
1,587-1,705	.83
1,706-1,834	.82
1,835-1,976	.81
1,977-2,130	.80
2,131-2,298	.79
2,299-2,482	.78
2,483-2,684	.77

Expected Loss Range	Maximum Experience Modification	Rates Effective January 1, ((1987)) 1988	
		Accident Fund Base Rate	Medical Aid Fund Rate
2,685-2,904	.76	Class	
2,905-3,147	.75	0511	.6323
3,148-3,413	.74	0512	.9813
3,414-3,706	.73	0513	.8314
3,707-4,029	.72	0601	.3312
4,030-4,384	.71	0602	.3277
4,385-4,777	.70	0603	.4304
4,778-5,212	.69	0604	.9882
5,213-5,694	.68	0606	.1700
5,695-6,228	.67	0607	.1888
6,229-6,822	.66	0608	.2437
6,823 and over	.65	0701	1.0487
		0803	.2491
		0804	.3895
		0901	1.5764
		1002	.7824
		1003	.4685
		1004	.4685
		1005	2.4828
		1007	.0864
		1101	.3231
		1102	.9441
		1103	.2810
		1104	.3710
		1106	.0895
		1108	.3093
		1109	.7260
		1301	.2257
		1303	.1346
		1304	.0100
		1305	.2155
		1401	.6712
		1404	.3811
		1405	.3811
		1501	.2268
		1507	.1938
		1701	1.4069
		1702	1.4069
		1703	.4078
		1704	.5347
		1801	.5916
		2002	.4285
		2003	.3518
		2004	.5640
		2005	.2464
		2007	.2688
		2008	.2048
		2101	.3439
		2102	.3518
		2104	.1877
		2105	.3895
		2201	.1750
		2202	.2563
		2203	.1750
		2401	.3811

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund base rates and medical aid rates by class of industry shall be as set forth below.

Class	Rates Effective January 1, ((1987)) 1988	
	Accident Fund Base Rate	Medical Aid Fund Rate
((0101	.9691	.4979
0102	.8407	.5011
0103	.9319	.7273
0104	.6476	.3741
0105	.8134	.9066
0106	1.2202	.8414
0107	.7202	.3936
0108	.9264	.5175
0109	1.3777	1.0044
0201	1.5945	.9469
0202	1.9198	1.4064
0206	.9745	.5973
0301	.4214	.3991
0302	1.2611	.6093
0306	.5415	.3811
0307	.4234	.4081
0401	1.9385	1.3450
0402	1.0102	1.0797
0403	1.0471	.7061
0502	.8535	.5109
0503	.5934	.6343
0504	.8957	.6092
0505	1.0905	.7581
0506	1.3696	1.1250
0507	1.5043	1.1570
0508	1.2053	1.0785
0509	1.3157	.7600
0510	.8314	.6067



Rates Effective  
January 1, ((1987)) 1988Rates Effective  
January 1, ((1987)) 1988

Class	Accident Fund Base Rate	Medical Aid Fund Rate
2903	.4345	.4141
2904	.5381	.3976
2905	.4345	.4141
2906	.3879	.3112
2907	.4345	.4141
2908	.7041	.4806
2909	.4345	.4141
3101	.4321	.2890
3102	.3597	.2167
3103	.3597	.2167
3104	.3671	.3771
3105	.5208	.4449
3301	.6366	.4327
3302	.4786	.3668
3303	.2081	.2391
3309	.2880	.3596
3401	.2691	.2435
3402	.2400	.2757
3403	.0952	.0673
3404	.2520	.3049
3405	.1753	.1711
3406	.1324	.1646
3407	.2452	.1997
3408	.0818	.0772
3409	.1281	.1956
3501	.4463	.4294
3503	.2467	.2149
3506	.4853	.3334
3508	.3066	.2832
3602	.0656	.0679
3603	.4381	.4570
3604	.6789	.4972
3605	.2442	.2327
3606	.4900	.4004
3701	.1751	.1873
3702	.3441	.2123
3707	.3087	.2437
3708	.1577	.1598
3801	.1797	.1642
3802	.1059	.0994
3808	.1661	.1369
3901	.1566	.1302
3902	.4220	.3130
3903	.6772	.7086
3905	.0955	.1271
3906	.3279	.2556
3909	.1513	.1497
4002	.4399	.2942
4101	.1033	.1169
4103	.2243	.2379
4107	.0535	.0659
4108	.1033	.1169
4109	.1033	.1169
4201	.3449	.2297

Class	Accident Fund Base Rate	Medical Aid Fund Rate
4301	.5668	.6301
4302	.5425	.4816
4304	.4500	.3832
4305	.8293	.5437
4401	.2987	.2476
4402	.4205	.3115
4404	.3518	.2715
4501	.0988	.0828
4502	.0293	.0253
4504	.0440	.0601
4601	.3479	.4818
4802	.2205	.1518
4803	.2762	.2317
4804	.3951	.3269
4805	.2661	.2496
4806	.0555	.0490
4808	.3175	.3032
4809	.1482	.1552
4810	.0876	.0703
4811	.2225	.1867
4812	.2205	.1516
4901	.0419	.0321
4902	.0715	.0627
4903	.0419	.0321
4904	.0100	.0120
4905	.1988	.2141
4906	.0317	.0334
4907	.0712	.0609
4908	.0712	.1451
4909	.0712	.1451
5001	2.6317	1.6217
5002	.3263	.2985
5003	1.0697	.6447
5004	.7630	.6331
5101	.5521	.3684
5102	1.0204	.7242
5103	.7581	.5666
5106	.4581	.4653
5108	.5380	.5304
5109	.3982	.3199
5201	.2531	.1930
5204	1.2064	.5010
5206	.3213	.2009
5207	.0927	.1009
5208	.6973	.5208
5209	.5076	.3558
5301	.0144	.0152
5305	.0192	.0197
5306	.0216	.0174
5307	.2029	.1477
6103	.0271	.0362
6104	.1841	.2110
6105	.1623	.1291
6107	.0976	.1032

Rates Effective January 1, ((+1987)) 1988			Rates Effective January 1, ((+1987)) 1988		
Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
6108	.3645	.2903	6901	—	.0653
6109	.0240	.0204	6902	.6368	.4317
6201	.1100	.1062	6903	3.1596	3.4578
6202	.4530	.3420	6904	.1670	.1222
6203	.0827	.0700	6905	.2175	.1705
6204	.0996	.1247	6906	—	.1705
6205	.0996	.1247	6907	.9566	.7020
6206	.0996	.1247	6908	.2322	.1756
6207	.5893	.7970	6909	.0450	.0475
6208	.1826	.1819	7101	.0273	.0219
6209	.1494	.2005	7102	9.94*	24.63*
6301	.0708	.0580	7103	.1544	.1104
6302	.1226	.0935	7104	.0356	.0253
6303	.0334	.0338	7105	.2598	.1653
6304	.0851	.0742	7106	.4854	.3410
6305	.0382	.0379	7107	.5911	.6145
6306	.1646	.1814	7108	1.6014	.9580
6308	.0295	.0210	7109	4.0427	2.6406
6309	.0697	.0778	7201	.2053	.1683
6402	.1461	.1398	7202	.0337	.0301
6403	.1038	.1109	7203	.0732	.0643
6404	.0468	.0527	7204	—	—
6405	.3522	.3232	7301	.3983	.3552
6406	.0462	.0628	7302	.3539	.4291
6407	.1084	.1301	7307	.3558	.4272
6408	.2060	.2273	7308	.1434	.1337
6409	.3434	.2543	7309	.0870	.1294))
6501	.0345	.0326	0101	0.9093	0.4644
6502	.0126	.0161	0102	0.7490	0.5074
6503	.0820	.0443	0103	0.9427	0.6846
6504	.1455	.2311	0104	0.8123	0.3839
6505	.1280	.1310	0105	0.8486	0.8076
6506	.0345	.0345	0106	1.2841	0.8792
6508	.2734	.2092	0107	0.7114	0.3929
6509	.1408	.1658	0108	0.8600	0.5013
6601	.1510	.1207	0109	1.6017	0.9324
6602	.3266	.2501	0201	1.4093	0.8793
6603	.1725	.1583	0202	1.8110	1.5587
6604	.0530	.0424	0206	1.0721	0.6733
6605	.1395	.1160	0301	0.4342	0.3572
6607	.0927	.1009	0302	1.2999	0.6161
6608	.2151	.1409	0306	0.6247	0.4400
6609	1.5083	1.6682	0307	0.4569	0.4495
6704	.1223	.1311	0401	2.5082	1.4778
6705	.3970	.5934	0402	1.0483	0.9827
6706	.2037	.2208	0403	1.0592	0.7230
6707	6.89*	10.21*	0502	0.8633	0.5312
6708	1.5068	1.7447	0503	0.7675	0.7671
6709	.0870	.1294	0504	0.8870	0.6192
6801	.5374	.2724	0505	1.2079	0.7058
6802	.2875	.2758	0506	1.7654	1.3529
6803	2.1570	.7558	0507	2.0103	1.3163
6804	.1601	.1476	0508	1.5505	1.3043
6809	1.3131	2.4261			

Rates Effective  
January 1, ((1987)) 1988

Rates Effective  
January 1, ((1987)) 1988

Class	Accident Fund Base Rate	Medical Aid Fund Rate
0509	1.5209	0.8162
0510	0.9395	0.6494
0511	0.7764	0.4345
0512	1.0175	0.6587
0513	0.7172	0.4190
0601	0.3032	0.2940
0602	0.3324	0.2134
0603	0.4796	0.3725
0604	1.0917	0.8333
0606	0.1720	0.1876
0607	0.1882	0.1689
0608	0.2237	0.2465
0701	1.0907	0.5786
0803	0.2696	0.2100
0804	0.4096	0.2921
0901	1.6647	0.6481
1002	0.7664	0.6163
1003	0.4275	0.2857
1004	0.4275	0.2857
1005	3.2801	1.6494
1007	0.1088	0.1180
1101	0.3293	0.3204
1102	1.0140	0.5206
1103	0.2733	0.2864
1104	0.3753	0.3178
1106	0.0995	0.1326
1108	0.3168	0.3430
1109	0.7033	0.5388
1301	0.1798	0.1549
1303	0.1354	0.1153
1304	0.0101	0.0128
1305	0.2157	0.2320
1401	0.7764	0.9738
1404	0.4160	0.2512
1405	0.3947	0.2382
1501	0.2589	0.1825
1507	0.1809	0.1746
1701	1.3795	0.5348
1702	1.3795	0.5348
1703	0.3909	0.2264
1704	0.5669	0.3559
1801	0.6248	0.5719
2002	0.4715	0.3381
2003	0.3466	0.2702
2004	0.5695	0.4361
2005	0.2231	0.2250
2007	0.2415	0.2310
2008	0.2007	0.1545
2101	0.3889	0.4256
2102	0.3466	0.2702
2104	0.1976	0.1930
2105	0.3923	0.2455
2201	0.1783	0.1435
2202	0.3025	0.2907

Class	Accident Fund Base Rate	Medical Aid Fund Rate
2203	0.1856	0.1782
2401	0.3774	0.3303
2903	0.4314	0.4122
2904	0.5379	0.4367
2905	0.4314	0.4122
2906	0.3962	0.3008
2907	0.4401	0.4205
2908	0.7094	0.4791
2909	0.4378	0.4183
3101	0.4645	0.2845
3102	0.3300	0.2285
3103	0.3300	0.2285
3104	0.3369	0.3727
3105	0.4996	0.4441
3301	0.6040	0.4112
3302	0.4752	0.3445
3303	0.1853	0.2097
3309	0.2878	0.3378
3401	0.2690	0.2367
3402	0.2283	0.2720
3403	0.0954	0.0875
3404	0.2934	0.3018
3405	0.1526	0.1498
3406	0.1336	0.1620
3407	0.2254	0.1803
3408	0.0792	0.0740
3409	0.1135	0.1938
3501	0.4795	0.4461
3503	0.2287	0.1924
3506	0.4887	0.3374
3508	0.3376	0.3028
3602	0.0537	0.0658
3603	0.4635	0.4092
3604	0.7475	0.5585
3605	0.2673	0.2392
3606	0.4732	0.4000
3701	0.1996	0.1877
3702	0.3177	0.2172
3707	0.2914	0.2234
3708	0.1805	0.1733
3801	0.1662	0.1518
3802	0.1000	0.0949
3808	0.1664	0.1419
3901	0.1272	0.1146
3902	0.3549	0.3015
3903	0.6850	0.7125
3905	0.0860	0.1281
3906	0.3405	0.2243
3909	0.1575	0.1585
4002	0.4207	0.3189
4101	0.1000	0.1122
4103	0.2269	0.2329
4107	0.0551	0.0614
4108	0.1000	0.1122

Rates Effective January 1, ((1987)) 1988			Rates Effective January 1, ((1987)) 1988		
Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
4109	0.1000	0.1122	6105	0.1602	0.1293
4201	0.3074	0.2155	6107	0.0841	0.0885
4301	0.6125	0.5421	6108	0.3426	0.3091
4302	0.5166	0.4488	6109	0.0238	0.0213
4304	0.4043	0.4078	6201	0.1021	0.1095
4305	0.8952	0.5884	6202	0.4358	0.3376
4401	0.2858	0.2607	6203	0.0742	0.0660
4402	0.4405	0.3243	6204	0.1007	0.1183
4404	0.3466	0.2702	6205	0.1007	0.1183
4501	0.1023	0.0777	6206	0.1007	0.1183
4502	0.0242	0.0227	6207	0.6175	0.7049
4504	0.0425	0.0628	6208	0.1696	0.1762
4601	0.3420	0.4517	6209	0.1560	0.1850
4802	0.2389	0.1661	6301	0.0710	0.0576
4803	0.2631	0.2007	6302	0.1145	0.0935
4804	0.3964	0.3012	6303	0.0326	0.0362
4805	0.2659	0.2263	6304	0.0872	0.0742
4806	0.0591	0.0519	6305	0.0348	0.0362
4808	0.2766	0.2719	6306	0.1652	0.1871
4809	0.1466	0.1650	6308	0.0288	0.0198
4810	0.0967	0.0795	6309	0.0612	0.0809
4811	0.2251	0.1886	6402	0.1529	0.1300
4812	0.2252	0.1559	6403	0.0840	0.1159
4901	0.0378	0.0334	6404	0.0578	0.0663
4902	0.0382	0.0355	6405	0.3563	0.3317
4903	0.0378	0.0334	6406	0.0449	0.0602
4904	0.0101	0.0128	6407	0.0915	0.1307
4905	0.1888	0.2007	6408	0.2142	0.2320
4906	0.0335	0.0359	6409	0.3339	0.2572
4907	0.0677	0.0584	6501	0.0317	0.0345
4908	0.0697	0.1381	6502	0.0123	0.0150
4909	0.0697	0.1381	6503	0.0814	0.0463
5001	2.7621	1.6466	6504	0.1620	0.2603
5002	0.3469	0.2895	6505	0.1183	0.1349
5003	1.2227	0.6197	6506	0.0365	0.0407
5004	1.0452	0.8116	6508	0.2561	0.2283
5101	0.5243	0.3380	6509	0.1312	0.1504
5102	1.0580	0.6467	6601	0.1340	0.1179
5103	0.7112	0.5788	6602	0.2956	0.2536
5106	0.4724	0.4337	6603	0.1705	0.1682
5108	0.5048	0.4819	6604	0.0516	0.0388
5109	0.4038	0.3466	6605	0.1397	0.1154
5201	0.2174	0.1977	6607	0.0938	0.1036
5204	1.2204	0.5559	6608	0.2029	0.1324
5206	0.2575	0.1824	6609	1.8442	1.8325
5207	0.0938	0.1036	6704	0.1184	0.1334
5208	0.7656	0.5861	6705	0.4350	0.5699
5209	0.4602	0.3797	6706	0.2053	0.2378
5301	0.0134	0.0159	6707	7.23*	10.45*
5305	0.0186	0.0186	6708	1.7123	2.3520
5306	0.0204	0.0180	6709	0.0841	0.1401
5307	0.2252	0.1791	6801	0.4489	0.2700
6103	0.0220	0.0349	6802	0.2679	0.2947
6104	0.1996	0.2080	6803	2.0026	0.6312

Rates Effective  
January 1, ((+1987)) 1988

Class	Accident Fund Base Rate	Medical Aid Fund Rate
6804	0.1686	0.1532
6809	1.3283	2.5744
6901	—	0.0661
6902	0.5677	0.2322
6903	3.2535	3.0083
6904	0.1333	0.1094
6905	0.1982	0.1650
6906	—	0.1650
6907	1.0018	0.6342
6908	0.2090	0.1762
6909	0.0428	0.0458
7101	0.0239	0.0184
7102	10.06*	24.77*
7103	0.1380	0.1110
7104	0.0358	0.0255
7105	0.2377	0.1778
7106	0.4797	0.3201
7107	0.7376	0.7610
7108	1.7767	1.1313
7109	4.2958	3.3871
7201	0.2561	0.2077
7202	0.0307	0.0286
7203	0.0729	0.0674
7204	—	—
7301	0.4411	0.3408
7302	0.3642	0.4448
7307	0.4545	0.5242
7308	0.1638	0.1453
7309	0.0841	0.1401

\*Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 296-17-330 OFFICERS OR MEMBERS OF A CORPORATE EMPLOYER.

WAC 296-17-340 SOLE PROPRIETORS AND PARTNERS.

WAC 296-17-480 PENALTY ASSESSMENT FOR FAILURE TO KEEP RECORDS, OR FILE QUARTERLY REPORTS AND PAY PREMIUMS UNDER TITLE 51 RCW.

WSR 87-24-061  
PROPOSED RULES  
DEPARTMENT OF LICENSING  
[Filed December 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning landscape architect fees, amending WAC 308-13-150;

that the agency will at 10:00 a.m., Wednesday, January 13, 1988, in the Exam Center, First Floor, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 43.24.086.

The specific statute these rules are intended to implement is RCW 43.24.086.

Dated: November 24, 1987

By: Robert Van Schoorl  
Assistant Director

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: To establish a new section to the examination and the amount of fee associated with the examination administered by the Department of Licensing.

Statutory Authority: RCW 43.24.086.

Summary of Rules: Amending WAC 308-13-150, Landscape architect fees.

Reason Proposed: To set the fee for the licensing program at a sufficient level to defray the costs of administering the program.

Responsible Departmental Personnel: In addition to the Department of Licensing, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing the rules: Robert Van Schoorl, Assistant Director, 1300 Quince S.E., Olympia, WA 98504, 234-2241 scan, 753-2241 comm.

Proponents: Director of the Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since this rule does not impact small businesses as the term is defined by RCW 43.31.920.

**AMENDATORY SECTION** (Amending Order PL 442, filed 8/10/83)

WAC 308-13-150 **LANDSCAPE ARCHITECT FEES**. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Examination application (nonrefundable))	\$ 25.00
Full exam or retake	125.00
Retake—Part A only	25.00
Part B only	25.00
Part C only	30.00
Part D only	30.00

<u>Title of Fee</u>	<u>Fee</u>
Part E only	30.00
Initial license	75.00
Renewal	75.00
Late renewal penalty	75.00
Duplicate license	5.00
Reciprocity fee	150.00
Certification	15.00
Replacement certificate	20.00
<b>Application fee:</b>	
Nonrefundable examination or reexamination (entire) fee	290.00
Refundable fee for issuance of certificate	100.00
Total application fee	390.00
<b>Reexamination:</b>	
Section 1 only	17.00
Section 2 only	23.00
Section 3 only	84.00
Section 4 only	78.00
Section 5 only	53.00
Section 6 only	35.00
Renewal (3 years)	180.00
Late renewal penalty	60.00
Duplicate license	15.00
Reciprocity fee (filing and investigation fee)	150.00
Certification	25.00
Replacement certificate	20.00

**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 87-24-062**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed December 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning:

- New WAC 308-185-010 Radiological technician fees.
- New WAC 308-195-010 Respiratory care practitioner fees;

that the agency will at 10:00 a.m., Wednesday, January 13, 1988, in the Exam Center, First Floor, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 43.24.086.

The specific statute these rules are intended to implement is RCW 43.24.086.

Dated: November 24, 1987  
 By: Robert Van Schoor  
 Assistant Director

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: To establish the amount of fees associated with the certification and regulation of professions administered by the Department of Licensing.

Statutory Authority: RCW 43.24.086.  
 Summary of Rules: WAC 308-185-010 Radiological technician fees; and 308-195-010 Respiratory care practitioners.

Reason Proposed: To set the fees for each licensing program at a sufficient level to defray the costs of administering the program.

Responsible Departmental Personnel: In addition to the Department of Licensing, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing the rules: Robert Van Schoor, Assistant Director, 1300 Quince S.E., Olympia, WA 98504, 234-2241 scan, 753-2241 comm.

Proponents: Director of the Department of Licensing.  
 Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as the term is defined by RCW 43.31.920.

**NEW SECTION**

WAC 308-185-010 RADIOLIGICAL TECHNICIAN FEES. The following fees shall be charged by the division of professional licensing of the department of licensing:

<u>TITLE</u>	<u>FEE</u>
Application	\$100.00
Renewal (2 years)	60.00
Duplicate license	15.00
Certification	25.00

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**NEW SECTION**

WAC 308-195-010 RESPIRATORY CARE PRACTITIONERS - FEES. The following fees shall be charged by the division of professional licensing of the department of licensing:

<u>TITLE</u>	<u>FEE</u>
Application	\$75.00
Examination or reexamination	85.00
Renewal (2 years)	50.00
Duplicate license	15.00
Certification	25.00

**WSR 87-24-063**  
**ADOPTED RULES**  
**BOARD OF CHIROPRACTIC EXAMINERS**  
 [Order PM 692—Filed December 1, 1987]

Be it resolved by the Chiropractic Examining Board, acting at Tukwila, Washington, that it does adopt the annexed rules relating to the amending of WAC 114-12-041 and 114-12-125; adopting WAC 114-12-132 concerning chiropractic examination scores; and repealing WAC 114-12-131.

This action is taken pursuant to Notice No. WSR 87-19-132 filed with the code reviser on September 22, 1987. 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 18.25.017 which directs that the Chiropractic Examining Board has authority to implement the provisions of chapter 18-25 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 5, 1987.

By Dennis D. Byam, D.C.  
Chairman

### NEW SECTION

WAC 114-12-132 CHIROPRACTIC EXAMINATION SCORES. (1) Applicants who pass at least three of the following examination sections may carry their scores in those sections forward only to the next examination administered by the board. The sections are:

- (a) Written technique;
- (b) Written x-ray;
- (c) Principles and practice;
- (d) Practical x-ray;
- (e) Practical technique.

(2) Applicants who fail one or two sections and who do not take the next examination offered by the board may not carry any scores forward and must retake the entire examination.

(3) Applicants who do not pass the entire examination in two consecutive sittings must retake the entire examination.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 114-12-131 CHIROPRACTIC EXAMINATION—LIMITATION.

AMENDATORY SECTION (Amending Order PL 414, filed 12/8/82)

WAC 114-12-041 COLLEGES—EDUCATIONAL STANDARDS REQUIRED FOR ACCREDITATION. (1) Objectives – the college shall:

((~~(a)~~)) Have clearly defined objectives.

(2) Administration and organization – the college shall:

- (a) Be incorporated as a nonprofit institution and recognized as such by its state of domicile.
- (b) Have full-time administrator.
- (c) Have either a president or a dean of education with a doctor of chiropractic degree.
- (d) Adopt policy of nondiscrimination as to national origin, race, religion, or sex.

(3) Educational offerings – the college shall:

(a) Provide educational offerings which prepare the student for successfully completing licensing examination and engaging in practice.

(b) Offer an educational program with a minimum of 4,000 in-class hours provided over a four year academic term.

(c) Have available syllabi for all courses.

(d) Offer chiropractic curriculum as follows: Principles of chiropractic – 200 in-class hours; adjustive technique – 400 in-class hours; spinal roentgenology – 175 in-class hours; symptomatology and diagnosis – 425 in-class hours; clinic – 625 in-class hours.

(e) Offer at least 120 of the hours required for the study of "principles of chiropractic" (~~((hours))~~) hours as the study of chiropractic philosophy, which shall be defined as the commonly held tenets which provide the basis for chiropractic as a separate and distinct form of practice.

The required 120 hours of philosophy instruction shall be clearly identified in the application and subsequent college catalogue as philosophy of chiropractic by course title and description. The remaining 80 required hours may include history of chiropractic, ethics, interprofessional relationships and other subjects specifically relating to the principles and practice of chiropractic.

(f) Not include mechanotherapy, physiotherapy, acupuncture, acupressure, or dietary therapy or any other therapy in computation of the qualifying 4,000 classroom hours.

(g) Maintain a clinical program sufficient to fulfill the objectives of the college.

(4) Faculty – the college shall:

((~~(a)~~)) Provide sufficient faculty to support the educational program of the college.

(5) Students – the college shall:

(a) Select students on a nondiscriminatory basis.

(b) Require that students maintain a 2.00 grade average and have no chiropractic subject grade less than 2.0.

(c) Require the student to complete a four-year academic program which meets all requirements of statute and rule for licensing to practice chiropractic in Washington state.

(6) Physical facilities and equipment – the college shall:

(a) Maintain a library of size and quality sufficient to serve the educational program.

(b) Maintain a basic plant that facilitates the educational program.

(c) Maintain clinic facilities that are of sufficient size and equipped appropriately to serve the student.

(7) Financial – the college shall:

(a) Have adequate present and anticipated income to sustain a sound educational program.

(b) Have well formulated plans for financing existing and projected education programs.

(c) Have an annual audit of financial records by a CPA.

(d) Make records available for review by the board upon request.

(8) Self-evaluation – the college shall:

((~~(a)~~)) Have a program of continuing self-evaluation and such evaluation must be made available upon request by the board.

**AMENDATORY SECTION** (Amending Order PL 572, filed 12/13/85)

WAC 114-12-125 EXAMINATIONS—NATIONAL BOARD PARTIAL WAIVER. (1) An applicant who has passed the following subjects on their most recently taken National Board of (~~{Chiropractors}~~ {Chiropractic}) Chiropractic Examiners examination will be considered to have satisfied the statutory requirement for examination in the equivalent subjects:

<u>Washington Examination Subject</u>	<u>National Board Equivalent</u>
Anatomy	Anatomy
Physiology	Physiology
Hygiene	Microbiology—Public Health
Neurology	Spinal Anatomy
Symptomatology	General Diagnosis
Spinal Pathology	Neuromuscular Skeletal Diagnosis

(2) In addition to any subjects waived, all applicants will be required to pass an examination by the Washington state board of chiropractic examiners in the subjects of principles of chiropractic, x-ray and adjustive technique. Each applicant must correctly answer seventy-five percent of all questions asked and seventy percent of the questions on any branch of examination given by the Washington state board in order to be eligible for licensure.

**WSR 87-24-064**  
**ADOPTED RULES**  
**CHIROPRACTIC DISCIPLINARY BOARD**  
[Order PM 693—Filed December 1, 1987]

Be it resolved by the Chiropractic Disciplinary Board, acting at Seattle, Washington 98188, that it does adopt the annexed rules relating to the amending of WAC 113-12-150, 113-12-195 and 113-12-200; and adopting WAC 113-12-300, 113-12-310, 113-12-320, 113-12-330, 113-12-340 and 113-12-350 relating to mandatory reporting.

This action is taken pursuant to Notice No. WSR 87-19-131 filed with the code reviser on September 22, 1987. 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 18.130.070 for WAC 113-12-350 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 18.26.110 which directs that the Chiropractic Disciplinary Board has authority to implement the provisions of chapter 18.26 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 October 29, 1987.  
By Leslie B. White, D.C.  
Chairman

**AMENDATORY SECTION** (Amending Order PL 453, filed 12/16/83)

WAC 113-12-150 ETHICAL STANDARDS—PROHIBITED PUBLICITY AND ADVERTISING.

(1) A chiropractor shall not, on behalf of himself, his partner, associate or any other chiropractor affiliated with his office or clinic, use or allow to be used (~~{}~~), any form of public communications or advertising which is false, fraudulent, deceptive or misleading, including, but not limited to, such advertising which takes any of the following forms which are prohibited:

- (a) Advertising which guarantees any result or cure;
- (b) Advertising which makes claims of professional superiority;
- (c) Advertising which fails to differentiate chiropractic care from all other methods of healing;
- (d) Advertising for a service outside the practice of chiropractic as permitted in Washington.

(2) A chiropractor shall, upon request made by the board, provide the board with substantiation of the truth and accuracy of any and all claims made in his or her advertisements.

(3) Advertising is prohibited which offers gratuitous goods or services or discounts in connection with chiropractic services, unless the chiropractor provides a disclosure statement to be signed by the patient which explains:

- (i) When there will be a charge for goods and services;
- (ii) When the free services have been completed and that any additional services the patient requests are subject to charge; or
- (iii) When the discount has been exhausted and any additional services will be subject to full charge: PROVIDED, That this subsection shall not be construed to relate to the negotiation of fee between chiropractors and patients or to prohibit the rendering of chiropractic services for which no fee is charged.

**NEW SECTION**

WAC 113-12-300 MANDATORY REPORTING DEFINITIONS. (1) "Unprofessional conduct" as used in these regulations shall mean the conduct described in RCW 18.130.180 and 18.26.030.

(2) "Board" means the chiropractic disciplinary board, whose address is:

Department of Licensing  
Professional Programs  
Management Division  
P. O. Box 9012  
Olympia, WA 98504-8001



(3) "Chiropractor" means a person licensed pursuant to chapter 18.25 RCW.

(4) "Mentally or physically disabled chiropractor" means a chiropractor who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice chiropractic with reasonable skill and safety to patients by reason of any mental or physical condition.

#### NEW SECTION

##### WAC 113-12-310 MANDATORY REPORTING.

(1) All reports required by these regulations shall be submitted to the board as soon as possible, but no later than sixty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name, address, and telephone numbers of the chiropractor being reported.

(c) The name of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid the evaluation of the report.

#### NEW SECTION

WAC 113-12-320 CHIROPRACTIC ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any chiropractic association or society within this state shall report to the board when an association or society determines that a chiropractor has committed unprofessional conduct or that a chiropractor may not be able to practice chiropractic with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the license holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included.

#### NEW SECTION

WAC 113-12-330 INSURANCE CARRIERS. The executive officer of every insurer, licensed under Title 48 RCW operating in the state of Washington, shall report to the board any evidence that a chiropractor has charged fees for chiropractic services not actually provided, or has otherwise committed unprofessional conduct.

#### NEW SECTION

WAC 113-12-340 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to

chiropractors shall send a complete report of any malpractice settlement, award or payment over thirty thousand dollars as a result of a claim or action for damages alleged to have been caused by an insured chiropractor's incompetency or negligence in the practice of chiropractic. Such institution or organization shall also report the payment of three or more claims during a year as the result of alleged incompetency or negligence in the practice of chiropractic regardless of the dollar amount of the payment.

#### NEW SECTION

WAC 113-12-350 COURTS. The board requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all criminal convictions of licensed chiropractors, other than for minor traffic violations.

#### AMENDATORY SECTION (Amending Order PL 497, filed 11/15/84)

WAC 113-12-200 SCOPE OF PRACTICE—REVOCAATION OR SUSPENSION OF LICENSE AUTHORIZED FOR PRACTICE OUTSIDE SCOPE. (1) The chiropractic disciplinary board finds that over the past few years there has been an increasing number of persons licensed as chiropractors who have been practicing other healing arts while holding themselves out to the public as chiropractors to the detriment of the public health and welfare of the state of Washington and contrary to the legislative directive contained in RCW 18.26.010(5). The board further finds and deems it necessary to carry out the provisions of chapter 18.26 RCW that this rule be adopted to give guidance to members of the profession, and the public, in interpreting for purposes of application by the disciplinary board of RCW 18.26.030, the scope of health care which comes within the definition of chiropractic in RCW 18.25.005 and which is authorized under a license to practice chiropractic in the state of Washington.

(2) RCW 18.25.005 defines the term "chiropractic" for purposes of chapters 18.25 and 18.26 RCW, as that practice of health care which deals with the detection of subluxations, which shall be defined as any alteration of the biomechanical and physiological dynamics of contiguous spinal structures which can cause neuronal disturbances, the chiropractic procedure preparatory to, and complementary to the correction thereof, by adjustment or manipulation of the articulations of the vertebral column and its immediate articulations for the restoration and maintenance of health; it includes the normal regimen and rehabilitation of the patient, physical examination to determine the necessity for chiropractic care, the use of x-ray and other analytical instruments generally used in the practice of chiropractic: PROVIDED, That no chiropractor shall prescribe or dispense any medicine or drug nor practice obstetrics or surgery nor use x-rays for therapeutic purposes: PROVIDED, HOWEVER, That the term "chiropractic" as defined in this act shall not prohibit a practitioner licensed under chapter 18.71 RCW from performing accepted medical procedures, except such procedures shall not include the adjustment

by hand of any articulation of the spine: AND PROVIDED FURTHER, That nothing herein shall be construed to prohibit the rendering of dietary advice.

(3) The board finds that the following diagnostic techniques and procedures, by whatever name known, are not within the definition of "chiropractic" as specified in subsection (2) ((above)) of this section and in RCW 18.25.005, and, consequently, a license to practice chiropractic does not authorize their use:

(a) The use of x-rays or other forms of radiation for any other reason than to x-ray the human skeleton.

(b) The use of any form of electrocardiogram.

(c) The testing and reduction to mathematical formulae of sputum and/or urine (commonly known as "Reams" testing).

(d) Hair analysis.

(e) The use of a vasculizer or plethysonograph (commonly known as plethysmography) except for research purposes.

(f) The use of iridology.

(g) The taking of blood samples.

The above list is not to be considered exhaustive or to limit the board in any way from finding under the statutory definition in RCW 18.25.005 that any other diagnostic technique or procedure is outside the scope of chiropractic practice.

(4) The board finds that the following treatment modalities, by whatever name known, are not within the definition of "chiropractic" as specified in subsection (2) ((above)) of this section and in RCW 18.25.005 and, consequently, a license to practice chiropractic does not authorize their use:

(a) Ultrasound, diathermy, high voltage galvanic therapy and x-rays or other radiation.

(b) Colonic irrigation.

(c) Extremity adjusting, unless complementary to and/or preparatory to a spinal adjustment and not solely as a treatment of a specific extremity condition.

(d) Electrotherapy.

(e) The use of a transcutaneous electrical nerve stimulator (TENS).

(f) The use of the endonasal technique.

(g) The use of any type of casting other than light body casting.

(h) The use of meridian therapy, ((f))whether known as "acupressure," ((~~"trigger point therapy"~~)) or the same type of therapy under any other name((~~t~~))s.

(i) The use of hypnosis for any other than relaxation purposes.

(j) The use of clinical herbology.

(k) Adjustment of the temporomandibular joint unless used preparatory to or complimentary to the correction of a spinal subluxation and not as the sole treatment of a dysfunction in the temporomandibular joint.

(l) Furnishing foot orthotics unless provided complementary to and/or preparatory to a spinal adjustment and not solely as a treatment of a specific foot condition.

The above list is not to be considered exhaustive or to limit the board in any way from finding under the statutory definition in RCW 18.25.005 that any other treatment modalities are outside the scope of chiropractic practice.

(5) ~~((In accord with the legislative directive of RCW 18.26.010(5),))~~ The use by a chiropractor of diagnostic techniques or procedures or treatment modalities which are outside the definition of chiropractic in RCW 18.25.005, whether or not listed in this rule, or the use by a chiropractor of any of the diagnostic techniques and procedures listed in subsection (3) ((above)) of this section or the use by a chiropractor of any of the treatment modalities listed in subsection (4) ((above)) of this section shall constitute unprofessional conduct under RCW ~~((18.26.030 (10) and (11)))~~ 18.130.180(12) which shall be good and sufficient cause for revocation or suspension of that chiropractor's license to practice chiropractic in Washington.

#### AMENDATORY SECTION (Amending Order PM 640, filed 2/18/87)

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 unless full disclosure is made.

(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.

#### WSR 87-24-065 PROPOSED RULES DEPARTMENT OF ECOLOGY [Filed December 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Mason County, amending WAC 173-19-310.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 1, 1988.

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

This notice is connected to and continues the matter in Notice No. WSR 87-19-157 filed with the code reviser's office on September 23, 1987.

Dated: December 1, 1987  
By: Phillip C. Johnson  
Deputy Director, Programs

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

WAC 173-19-2507 DES MOINES, CITY OF. City of Des Moines master program approved April 3, 1974. Revision approved February 2, 1988.

**WSR 87-24-066**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Filed December 1, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Des Moines, city of, amending WAC 173-19-2507;

that the agency will at 7:30 p.m., Wednesday, January 6, 1988, in the Des Moines City Council Chambers, 21630 11th Avenue South, Des Moines, WA, 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, 1988.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 13, 1988.

Dated: November 17, 1987  
By: Phillip C. Johnson  
Deputy Director, Programs

**STATEMENT OF PURPOSE**

Title: Amending WAC 173-19-2507, Des Moines, city of.

Description of Purpose: Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: Adopts revisions to the shoreline master program for city of Des Moines.

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

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Thomas Mark, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6787.

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

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

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Not applicable.

Small Business Economic Impact Statement: Not applicable.

**WSR 87-24-067**  
**ADOPTED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Order DE 87-24—Filed December 1, 1987]

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 Seattle, city of, amending WAC 173-19-2521.

This action is taken pursuant to Notice No. WSR 87-19-083 filed with the code reviser on September 16, 1987. 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 November 10, 1987.

By Phillip C. Johnson  
Deputy Director, Programs

AMENDATORY SECTION (Amending Order DE 86-41, filed 2/11/87)

WAC 173-19-2521 SEATTLE, CITY OF. City of Seattle master program approved June 30, 1976. Revision approved March 11, 1977. Revision approved September 10, 1980. Revision approved February 24, 1981. Revision approved May 14, 1981. Revision approved October 1, 1981. Revision approved January 5, 1982. Revision approved February 24, 1983. Revision approved June 7, 1983. Revision approved July 12, 1983. Revision approved October 13, 1983. Revision approved October 1, 1985. Revision approved October 20, 1986. Revision approved February 11, 1987. Revision approved November 10, 1987.

**WSR 87-24-068**  
**ADOPTED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Order DE 87-43—Filed December 1, 1987]

I, Phillip C. Johnson, deputy director of programs, do promulgate and adopt at Lacey, Washington, the annexed rules relating to North Bend, city of, amending WAC 173-19-2517.

This action is taken pursuant to Notice No. WSR 87-20-087 filed with the code reviser on October 7, 1987. 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 1, 1987.

By Phillip C. Johnson  
Deputy Director of Programs

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

WAC 173-19-2517 NORTH BEND, CITY OF. City of North Bend master program approved September 18, 1974. Revision approved December 1, 1987.

**WSR 87-24-069**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules relating to the noxious weeds grant program, chapter 16-752 WAC;

that the agency will at 10:00 a.m., Wednesday, January 13, 1988, in the Cattlemen's Association Meeting Room, 1720 Canyon Road, Ellensburg, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 29, 1988.

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 13, 1988.

Dated: December 2, 1987

By: Art G. Losey  
Assistant Director

**STATEMENT OF PURPOSE**

Chapter 16-752 WAC, WAC 16-752-001, 16-752-115 through 16-752-170, and 16-752-200 through 16-752-204.

Description of Purpose: To provide state funds for noxious weed control to local noxious weed control agencies.

Statutory Authority: Chapter 17.10 RCW.

Summary of Rules: Set standards for the noxious weed control grant program and utilization of state funds.

Reasons for Supporting Proposed Action: These rules are necessary in order to provide assistance to local weed control agencies.

Agency Personnel Responsible for Drafting, Implementing and Enforcing These Rules: Art G. Losey, Assistant Director, Chemical and Plant Division, 406 General Administration Building, AX-41, Olympia, WA 98504, phone (206) 753-5062.

Persons Proposing Rules: Washington State Department of Agriculture and the Washington State Noxious Weed Control Board.

Agency Comments: None.

Rules Necessary to Comply with Federal Law: No.

Small Business Economic Impact Statement: None.

AMENDATORY SECTION (Amending Order 1907, filed 9/16/86)

WAC 16-752-001 DEFINITIONS. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(1) "Director" means the director of agriculture of this state, or a duly authorized representative.

(2) "Department" means the Washington state department of agriculture.

(3) "Person" means any individual, partnership, corporation, association, agency, ((firm;)) or ((any other entity)) organized group of persons whether or not incorporated.

((3)) (4) "Hay" means the harvested herbage of forage plants, including but not limited to grasses, legumes, sedges and rushes.

(5) "State board" means the Washington state noxious weed control board.

(6) "Abstract" means a concise summary of the main parts of a noxious weed control project.

(7) "Applicant" means a project sponsor.

(8) "BARS" means the budgeting, accounting and reporting system of municipal fiscal management.

(9) "Environmental checklist" means the form in WAC 197-11-960.

(10) "Executive secretary" means the state noxious weed control board executive secretary.

(11) "Intangible benefits" means those benefits lacking physical form including but not limited to goodwill, increased public awareness, and aesthetic improvements.

(12) "Intangible costs" means those costs lacking physical form including but not limited to illwill, decreased public enjoyment, reduced aesthetics.

(13) "Integrated pest management" means a decision making process which combines all feasible control techniques into a program for managing targeted noxious weeds including but not limited to prevention, monitoring, consideration of alternative methods, and evaluation.

(14) "Local noxious weed control agency" means any activated county or regional noxious weed control board created under chapter 17.10 RCW, any weed district created under chapter 17.04 RCW, or any intercounty weed district created under chapter 17.06 RCW.

(15) "Monitoring" means inspecting to gather and record site specific information on which decisions about treatment choices are to be based.

(16) "Objectives" mean statements of precise outcomes which can be measured to determine actual accomplishments.

(17) "Principle investigator" means the person under whose direction the noxious weed control project will be carried out such as the county weed control supervisor or county weed control board chairperson.

(18) "Project sponsor" means the county legislative authority of a county with an activated noxious weed control board, a local weed control agency, or a combination of two or more agencies acting through a lead agency, responsible for implementing an approved project.

(19) "Public benefits" means those services, goods, or other benefits, whether tangible or intangible, which accrue to persons other than those on whose property weed control measures pursuant to this chapter are undertaken.

(20) "Public costs" means those costs, whether tangible or intangible, which accrue to persons other than those on whose property weed control measures pursuant to this chapter are undertaken.

(21) "Significant environmental harm" means a reasonable likelihood of more than a moderate adverse impact on environmental quality as set forth in the state environmental policy act rule, WAC 197-11-794.

(22) "Tangible benefits" means those benefits possessing physical form, whether monetary or nonmonetary, including but not limited to public health and safety enhancement, environmental enhancement, and cost savings on consumer goods.

(23) "Tangible costs" means those costs possessing physical form, whether monetary or nonmonetary, including but not limited to public health and safety degradation, environmental degradation cost increases on consumer goods.

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

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 16-752-115 NOXIOUS WEEDS GRANT PROGRAM—PURPOSE. The purpose of the noxious weeds grant program is to control and prevent noxious weed infestations that pose a potential economic or environmental threat to the state by funding projects with comprehensive control strategies that are well planned, documented, and specific to targeted weed species.

#### NEW SECTION

WAC 16-752-120 NOXIOUS WEEDS GRANT PROGRAM—FORMS. The director with advice from the state board may prescribe forms for grant applications, project reports, financial reports, contracts or any other activity conducted pursuant to this rule, and may require additional information or documentation as needed.

#### NEW SECTION

WAC 16-752-125 NOXIOUS WEEDS GRANT PROGRAM—WHO MAY APPLY. The legislative authority of any county with an activated county noxious weed control board, or the board of any local weed control agency may apply for noxious weed control grant program funds if such applicant employs adequate administrative personnel to supervise the proposed project for the duration of such project.

#### NEW SECTION

WAC 16-752-130 NOXIOUS WEEDS GRANT PROGRAM—APPLICATION PROCEDURE. (1) The department shall specify funding cycles, and application and reporting deadlines as necessary, and shall give reasonable notice in writing and shall send by regular mail to the legislative authority of each county with an activated county noxious weed control board and each local weed control agency notice of such cycles and deadlines.

(2) The applicant may request assistance from the state board executive secretary or from the department in completing the application. The state board executive secretary and the department may provide such assistance subject to the availability of staff and funds for this purpose.

(3) The state board may reject or refer back to the applicant those applications which it finds are:

- (a) Insufficiently documented; or
- (b) Incomplete; or
- (c) Inadequate; or
- (d) Postmarked after the deadline.

#### NEW SECTION

WAC 16-752-135 NOXIOUS WEEDS GRANT PROGRAM—CONTENT OF GRANT APPLICATION. Applications for grants shall include, but not be limited to, the following information:

- (1) The legal name and address of the organization to whom the award should be made;
- (2) The scientific name of targeted noxious weed species;
- (3) The weed classification status;
- (4) The project title and status (new or renewal);
- (5) The amount of money being requested from the state;

(6) The estimated length of the project and the starting and ending dates;

(7) The name, business address, and telephone number of the principle investigators;

(8) The type of performing organization;

(9) The signature of the principle investigator;

(10) The abstract, not to exceed one page, which summarizes the main parts of the project;

(11) Background information which demonstrates the applicant's familiarity with similar projects;

(12) The objectives of the project;

(13) The statement of the approach and procedures to be used to accomplish objectives. This section of the proposal shall describe how the applicant plans to approach the problem and indicate the method the applicant will employ to accomplish the objective.

(14) A description of actual project activity, utilization of personnel, and compilation of data including the following:

(a) The precise location of the area affected by the project;

(b) The known distribution of the weed species outside the project area;

(c) The number of acres encompassed by project area;

(d) The number of acres infested by the targeted noxious weed species;

(e) The type of land affected in the project area including but not limited to cropland, rangeland, pasture, urban/industrial, transportation rights-of-way, or forest;

(f) A designation of the land within the project areas expressed as percent including but not limited to public land, federal land, tribal land, state land, or private land;

(g) A description of the agricultural and non-agricultural uses of the project area.

(15) A projected breakdown of the work to be accomplished on a monthly basis during the funding period;

(16) A budget consistent with the BARS format which indicates revenues and expenditures by source;

(17) A quarterly expenditure plan;

(18) A list of any in-kind contributions committed to the proposed project;

(19) If the project is sponsored by several agencies, a draft copy of the interlocal cooperation agreement, memorandum of understanding, or other contract showing the relationship and responsibilities of the agencies;

(20) A statement that the project sponsor will enter into a contract with the department for utilization of grant program funds upon approval of the application.

#### NEW SECTION

WAC 16-752-140 NOXIOUS WEEDS GRANT PROGRAM—APPLICATION EVALUATION—RANKING AND NOTICE OF ACCEPTANCE OR REJECTION OF APPLICATION. (1) The state board shall review, evaluate, assign points to, and rank each application according to the criteria contained in WAC 16-752-145: PROVIDED, That board members who are also officials of the project sponsor shall not be eligible to rank that project sponsor's application.

(2) First priority in funding will be given to class "A" and class "B" noxious weed species: PROVIDED, That the minimal acceptable standards set forth in WAC 16-752-145(2) are met.

(3) Each state board member shall independently evaluate and score each application according to WAC 16-752-145(3), after which the state board shall discuss the applications and review the scores. During such discussions, any state board member may change her or his scores. Following the review, the sum of the individual state weed board member scores for each application shall be determined and divided by the number of members scoring the application. This product shall constitute the board's score for the application. The applications thus scored shall be ranked from highest to lowest score.

(4) The results of the state board's scores and ranking shall be submitted to the director for final scoring, ranking and acceptance or rejection of the application: PROVIDED, That in scoring applications, the director shall use the same criteria as that used by the state board and shall consult with the state board prior to any change in an applicant's rank.

(5) The department shall give notice to each applicant in writing and send by regular mail notice of the action taken on their application. Such notice shall include the applicant's final score and ranking among the applications considered during that cycle.

NEW SECTION

WAC 16-752-145 NOXIOUS WEEDS GRANT PROGRAM—EVALUATION CRITERIA. (1) The state board shall evaluate each application to determine if it meets all the minimal acceptable standards set forth in subsection (2) of this section. Any application which does not meet these standards shall be rejected and no further consideration shall be given to the application.

(2) The minimal acceptable standards are as follows:

- (a) The proposed method of control is technically feasible;
- (b) The project provides public benefits in excess of public costs;
- (c) The project will not cause significant environmental harm;

(3) Any application which meets all of the minimal acceptable standards shall be assigned points by the state board for each of several specific scientific, technical, economic and environmental measures established by the state board.

NEW SECTION

WAC 16-752-150 NOXIOUS WEEDS GRANT PROGRAM—LEGAL REQUIREMENTS. (1) Noxious weed control projects carried out pursuant to this chapter shall be subject to all applicable laws and rules including but not limited to the provisions of the state environmental policy act, chapter 43.21C RCW, the water pollution control act, chapter 90.48 RCW, the Washington pesticide control act, chapter 15.58 RCW, the Washington pesticide application act, chapter 17.21 RCW.

(2) Decisions by the department to reject noxious weed control grant requests shall be subject to an informal appeals process set forth as follows:

(a) The applicant has ten days from the date a notice of rejection is received from the department to file a request for an informal hearing;

(b) The requests for a hearing shall be in writing and shall be sent by certified mail to the state board executive secretary.

(c) Upon receipt of the request for a hearing, the state board executive secretary shall immediately notify the state board chairperson of the request;

(d) The state board chairperson shall then appoint a four-person appeal committee which shall consist of one state board member representing the agricultural community, one state board member representing the scientific community, one state board member representing the public interest, and a representative of the department;

(e) On the advice of the state board chairperson, the state board executive secretary shall schedule a hearing which shall be held the evening before the regularly scheduled state board meeting;

(f) The state board executive secretary shall notify the applicant and the administrative hearing committee of the hearing date, place and time of said hearing;

(g) Based on the evidence presented by the applicant, the appeal committee shall make a recommendation to the state weed board at the regular meeting to either uphold the department's original decision or request that the state weed board make a recommendation that the grant application in question be approved for funding by the department;

(h) The state board shall vote to either accept or reject the hearing committee recommendation;

(i) The director shall have five working days from receiving a recommendation from the state board to make a final decision;

(j) The department shall notify the state weed board and the applicant of the final decision in writing within five working days.

NEW SECTION

WAC 16-752-155 NOXIOUS WEEDS GRANT PROGRAM—PROJECT MONITORING, EVALUATION AND REPORTING. (1) The principle investigator shall monitor the progress of the project; evaluate the effects of the project; account for all project funds and expenditures; and submit a annual report of its findings to the department and state board.

(2) The department shall conduct financial, compliance or performance audits as necessary to review project accounting, ensure program compliance, and determine project efficiency and effectiveness.

(3) If the department determines that the project's progress effectiveness or fiscal management is deficient, the department may take one or more of the following actions:

(a) Advise the project sponsor in writing of the deficiency and direct the necessary corrective action;

(b) Suspend the project for a period of not more than sixty days during which time the department shall evaluate the project and determine what, if any, corrective action shall be taken to correct the deficiency; PROVIDED, That the department shall notify the project sponsor by certified mail of such suspension and shall forward a copy of such notice to the state board;

(c) Terminate the project; PROVIDED, That the department shall consult with the state weed board before termination of a project.

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

NEW SECTION

WAC 16-752-160 NOXIOUS WEEDS GRANT PROGRAM—BILLING OF EXPENSES. Billable project expenses shall be submitted to the department each quarter accompanied by a completed financial report. All payments shall be contingent on funds appropriated by the legislature and made available for this purpose.

NEW SECTION

WAC 16-752-165 NOXIOUS WEEDS GRANT PROGRAM—RECORDS RETENTION, FINAL REPORT, UNUSED ALLOCATED MONIES. (1) Grant program records shall be retained by the project sponsor and a copy forwarded to the department and the executive secretary upon project completion or termination.

(2) The project sponsor shall submit a financial statement within thirty days and a final report within one hundred and eighty days of the completion or termination of a project to the department and the executive secretary which shall include:

(a) A brief listing of the primary objectives of the project;

(b) The results of the project summarized according to project objectives;

(c) A summary of the public benefits accrued to the state as a result of the project;

(d) An itemized accounting of all grant monies spent consistent with the BARS format.

(3) Unused allocated grant monies shall be returned to the state grant fund within thirty days of the termination of a project; PROVIDED, That unused allocated monies shall be returned no later than thirty days before the end of the biennium.

NEW SECTION

WAC 16-752-170 NOXIOUS WEEDS GRANT PROGRAM—EMERGENCIES. Nothing in this chapter shall prevent the use of available noxious weed grant funds when it is determined by the director with advice of the state board that a noxious weed emergency exists.

NEW SECTION

WAC 16-752-200 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—PURPOSE. (1) The purpose of the following rules are to provide emergency assistance to local noxious weed control agencies who received state noxious weed control grant funds between July 1, 1986 and June 30, 1987, and whose noxious weed control program would be seriously impaired without such funds.

(2) Definition. "Local agency" means any activated county noxious weed control board, weed district or intercounty weed district.

NEW SECTION

WAC 16-752-201 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—ALLOTMENT. One hundred thousand dollars or so much thereof as may be necessary shall be distributed as provided in this chapter.

NEW SECTION

WAC 16-752-202 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—APPLICATION. (1) The legislative authority of any county with an activated county noxious weed control board, or board of any weed district which received and utilized state grant funds between July 1, 1986 and June 30, 1987 may apply to the director for grant funds pursuant to this chapter.

(2) Each applicant shall employ adequate administrative personnel to supervise an effective weed control program.

(3) No requests shall exceed the total amount of state noxious weed control grant funds requested and utilized by the applicant local agency between July 1, 1986 and June 30, 1987.

(4) Funds allocated under this chapter and not expended by June 30, 1987 shall revert to the department.

#### NEW SECTION

**WAC 16-752-203 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—REQUIREMENTS.** (1) Monies from the emergency noxious weeds grant fund shall be used solely for the purchase of materials and/or biological control agents by one of the following methods:

(a) Direct purchase by a local agency for application by the agency or for distribution to landowners;

(b) Reimbursement to local agencies of local monies paid to landowners following the landowner's purchase or application of materials or biological control agents: **PROVIDED**, That no local agency shall be reimbursed for any weed control activities performed prior to December 15, 1987.

(2) Monies from the emergency noxious weeds grant fund shall not be used for the application costs of materials or biological control agents whether applied by the local agency, landowner or commercial applicator.

(3) All activities carried out under the emergency noxious weeds grant program shall comply with Washington pesticide application act, chapter 17.21 RCW, Washington pesticide control act, chapter 15.58 RCW, any any rules promulgated under these chapters. For those local agencies which choose to purchase materials directly for distribution to landowners this shall include but not be limited to the local agency obtaining a pesticide dealer license and the supervisor or other representative of the local agency obtaining a pesticide dealer manager license.

(4) Monies from the emergency noxious weeds grant fund shall be used only on those weeds which are on the noxious weed list, WAC 16-750-010.

(5) All recipients shall employ approved crop/pasture/range management and weed control practices on those lands for which assistance is received.

(6) Each landowner participating in the program shall complete an application and crop/pasture/range management agreement prior to receiving state assistance to control noxious weeds. Upon completion of treatment, each landowner participating in the program shall file a certification of completion of treatment with the local agency. These records shall be maintained by the local agency as part of its permanent state noxious weed control grant program record. Individual local agencies shall be responsible for developing forms to meet this requirement and such forms shall contain substantially the same information as that contained in the department form, "application for assistance to control noxious weeds". A sample of each form used by a local agency in conjunction with this program shall be submitted to the department prior to any payment by the department.

(7) Records.

(a) Those local agencies which purchase materials or biological control agents directly for distribution to landowners shall maintain records on the quantity and value of materials and agents distributed to each landowner.

(b) Those local agencies which reimburse landowners following the landowner's purchase of materials or biological control agents shall retain a copy of the invoice showing the landowner's name, the date of purchase, the material and agents purchased, and the quantity and value of that purchase.

(c) The records specified in subsection (7)(a) and (b) of this section shall be maintained by the local agency as part of its permanent state noxious weed control grant program record.

(8) Each local agency shall develop an inspection plan to ensure landowner compliance with the provisions of this chapter. Such inspection plan shall include inspecting not less than twenty percent of the treated properties in any one year. If after inspection, any landowner shall be found not in compliance with the provisions of this program, the local agency shall immediately notify the department and shall withhold any outstanding payment to this landowner until such payment is approved by the department.

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

#### NEW SECTION

**WAC 16-752-204 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—PAYMENT.** (1) One signed original copy of the memorandum of understanding between the local agency and the department shall be submitted to the department on or before June 27, 1988 and prior to payment by the department. A second signed original copy shall be maintained as a part of the local agency's permanent noxious weed control grant program record.

(2) Requirements for payment by the department are as follows:

(a) Those local agencies that purchase materials or biological control agents directly shall be required to submit to the department a bill of sale showing the name and address of the vendor, the name of the material, the amount purchased and the cost along with a completed state invoice, form A-19, prior to payment by the department. Additionally, on or before July 7, 1988, a noxious weed control program report summarizing all program control activities conducted during the term of the agreement shall be completed and submitted to the department.

(b) Those local agencies that reimburse landowners following the purchase or application of materials or biological control agents shall be required to complete a noxious weed control program report summarizing the control activities conducted to date along with each completed state invoice, form A-19, prior to payment by the department. Additionally, on or before July 7, 1988, a noxious weed control program report summarizing all program control activities conducted during the term of the agreement shall be completed and submitted to the department.

(3) State invoices, form A-19, submitted for payment shall be received by the department no later than July 7, 1988.

(4) Failure to submit the required forms within the times specified may delay or eliminate payment.

#### **WSR 87-24-070**

#### **NOTICE OF PUBLIC MEETINGS INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

[Memorandum—November 30, 1987]

At its November 5-6, 1987, meeting in Richland, the Interagency Committee for Outdoor Recreation adopted the following meeting schedule for 1988:

March 24-25, 1988	Regular meeting - Olympia
July 14-15, 1988	Place to be determined - regular meeting
November 3-4, 1988	Place to be determined - regular meeting and local - state agencies, and nonhighway off-road vehicle activities projects funding session

#### **WSR 87-24-071**

#### **PROPOSED RULES DEPARTMENT OF ECOLOGY**

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the amending of chapter 173-160 WAC, minimum standards for construction and maintenance of water wells; chapter 173-162 WAC, rules and regulations covering the regulation and licensing of water well contractors and operators; and repealing parts of chapters 173-160 and 173-162 WAC.

The amendments to chapter 173-160 WAC clarify the definition of a well, update well construction methods, add a prior construction notification, refine well

abandonment methods and add a new section for constructing wells other than water supply wells.

The amendments to chapter 173-162 WAC are established to implement changes to chapter 18.104 RCW relating to licensing requirements for well drillers;

that the agency will at 2:00 p.m., Thursday, January 14, 1988, in the Lacey City Hall Auditorium, 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, 1988.

The authority under which these rules are proposed is RCW 43.21A.080, 43.27A.090(11) and chapter 18.104 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1988.

This notice is connected to and continues the matter in Notice Nos. WSR 87-20-063 and 87-21-039 filed with the code reviser's office on October 5, 1987, and October 14, 1987.

Dated: November 30, 1987

By: Phil Johnson  
Deputy Director

**WSR 87-24-072**

**PROPOSED RULES**

**DEPARTMENT OF LABOR AND INDUSTRIES**

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning rules applicable to the administration of retrospective rating plans and group insurance plans (chapter 296-17 WAC) for workers' compensation insurance underwritten by the Department of Labor and Industries and offered to employers on an optional basis. The proposed rules eliminate requirement that no group with less than one hundred participating members will be formed unless the aggregate premium of those members is expected to exceed \$150,000 during the coverage period; amends retrospective premium adjustments to 3 mandatory annual adjustments with an optional fourth and fifth; amends retrospective premium adjustments to that of less than five dollars will be disregarded and not considered due or payable;

that the agency will at 1:00, Thursday, February 18, 1988, 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 May 15, 1988.

The authority under which these rules are proposed is RCW 51.04.020(1) and 51.16.035.

The specific statute these rules are intended to implement is RCW 51.16.035.

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:

Kathy Lanzo  
Group Insurance  
Building 3, Plum Street  
Mailstop HC-212  
Olympia, Washington 98504  
(206) 753-7014

Dated: December 2, 1987

By: Joseph A. Dear  
Director

**STATEMENT OF PURPOSE**

Title and Number of Rule(s) or Chapter: The proposals for rule changes which follow amend chapter 296-17 WAC which is the administrative code comprising the "manual of rules, classifications, rates, and rating system for Washington state workers' compensation insurance." The proposed rules govern the retrospective rating plans and group insurance plans underwritten by the department, offered to Washington employers on an optional basis.

Statutory Authority: RCW 51.04.020(1) and 51.16.035.

Implementation of Specific Statute: RCW 51.16.035.

Description of the Proposed Rule(s): Eliminates requirement that no groups with less than one hundred participating members will be formed unless the aggregate premium of those members is expected to exceed \$150,000 during the coverage period. Amends retrospective premium adjustments following the close of the coverage period. The number of adjustments will be a mandatory three annual retrospective premium adjustments on the coverage period with an optional fourth and fifth. Retrospective premium adjustments of less than five dollars will be disregarded and not considered due or payable.

Implementation of the proposed rule changes is necessary to enhance the controlled growth and development of the retrospective rating program. Amending present rules will allow smaller groups of employers into the program and offer less time to be locked in.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s): Robert Lewis, Assistant Director for Industrial Insurance, 753-5173; Al Spadoni, Assistant Director for Employer Services, 753-5371; and Kathy Lanzo, Acting Group Insurance Manager, 586-3726, General Administration Building, Olympia, Washington 98504.

Name of Person or Organization Whether Private, Public or Governmental, that is Proposing the Rule(s): Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule(s): The proposed rule changes will enhance the controlled



growth and development of the retrospective rating program. Smaller groups will be allowed to participate in the program. The number of years required for annual adjustments will be reduced thereby making the program more desirable.

These rules are not proposed to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Effect of Proposed Revisions: (RCW 19.85.030) Proposed changes will not have an impact on 20% of all industries or 10% of one industry.

AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-910 QUALIFICATIONS FOR EMPLOYER GROUPS FOR WORKERS' COMPENSATION INSURANCE. The department may insure the workers' compensation obligations of employers as a group, provided the following conditions are met:

- (1) All the employers in the group are members of an organization that has been in existence for at least two years.
- (2) The organization was formed for a purpose other than that of obtaining workers' compensation coverage.
- (3) The business of the employers in the organization is substantially similar, taking into consideration the nature of the work being performed by workers of such employers such that the group comprises substantially homogeneous risks.
- (4) The employers in the group constitute at least fifty percent of the total eligible employers in such organization. ~~((No groups with less than one hundred participating members will be formed unless the aggregate premium of those members is expected to exceed \$150,000 during the coverage period:))~~

(5) The formation and operation of the group program in the organization will substantially improve accident prevention and claims handling for the employers in the group.

Each employer seeking to enroll in a group for workers' compensation insurance must have an industrial insurance account in good standing with the department such that at the time the agreement is processed no outstanding premiums, penalties or assessments are due and quarterly reporting of payroll has been made in accordance with WAC 296-17-310.

The above conditions do not pertain to groupings or combination of persons or risks by way of common ownership or common use and control for experience rating purposes. Combinations for experience rating are governed by WAC 296-17-873.

Final determination of group eligibility under this section rests with the department subject to review under chapter 51.52 RCW.

In providing employer group plans under this rule, the department may consider an employer group as a single employing entity for purposes of dividends or retrospective rating. No employer will be a member of more than one group for the purposes of insuring their workers' compensation obligations.

AMENDATORY SECTION (Amending Order 86-18, filed 2/25/86)

WAC 296-17-916 RETROSPECTIVE PREMIUM ADJUSTMENTS—DUE AND PAYABLE. The initial retrospective premium adjustment will be calculated approximately twelve months from the close of the coverage period and annually thereafter for a period of ~~((four))~~ two years. Provided a request is made within ninety days following promulgation of the ~~((fifth))~~ third and final required retrospective premium adjustment by either the employer or department up to two subsequent annual retrospective premium adjustments on the coverage period will be made. The additional adjustments will be identified as the ~~((sixth))~~ fourth and ~~((seventh))~~ fifth adjustments and must be requested and made in succession.

Retrospective premium adjustments become due or payable within sixty days of notification of amount. Reevaluation of incurred losses or premium audits will not delay retrospective premium adjustment payments. For employers participating on an individual retrospective rating plan, no retrospective premium adjustment refund check will be written for less than ten dollars. In lieu of refund checks, retrospective premium adjustments of less than ten dollars will be credited to the

employer's industrial insurance account. Retrospective premium adjustments of less than five dollars will be disregarded and not considered due or payable.

The department may withhold any member's pro rata share from the group's retrospective premium adjustment refund and credit the employer's industrial insurance account when premiums, penalties, or assessments are owing the department. For employers participating in an individual retrospective rating plan, retrospective premium adjustment refunds may be credited to the employer's industrial insurance account when premiums, penalties, or assessments are owing the department.

**WSR 87-24-073**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2563—Filed December 2, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to maximum cost standards, amending WAC 388-42-150.

This action is taken pursuant to Notice No. WSR 87-21-051 filed with the code reviser on October 15, 1987. 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 7, Laws of 1987, 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 November 30, 1987.

By Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2310, filed 12/2/85)

WAC 388-42-150 MAXIMUM COST STANDARDS.

- (1) Mortuary services—Actual costs, but not to exceed:
    - (a) Essential services only . . . . . \$ ~~((258))~~ 263
    - (b) Essential services plus funeral/memorial service . . . . \$ ~~((590))~~ 602
  - (2) Burial services—Actual costs, but not to exceed:
    - (a) Burial only, no plot included . . . . . \$ ~~((323))~~ 329
    - (b) Burial with plot included, single or multiple interment . \$ ~~((373))~~ 380
  - (3) Cremation services—Actual costs, but not to exceed:
    - (a) Cremation only . . . . . \$ ~~((153))~~ 164
    - (b) Cremation and disposition . . . . . \$ ~~((229))~~ 234
- (4) These standards include all applicable taxes.  
(5) These standards shall be effective ~~((January 1, 1986))~~ September 1, 1987.

**WSR 87-24-074**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(General Provisions)**

[Order 2564—Filed December 2, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to labor camp health and sanitation permit and survey fees, amending WAC 440-44-100.

This action is taken pursuant to Notice No. WSR 87-20-081 filed with the code reviser on October 7, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.20A-.055 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 November 30, 1987.

By Leslie F. James, Director  
 Administrative Services

AMENDATORY SECTION (Amending Order 2342, filed 2/19/86)

~~WAC 440-44-100 LABOR CAMP ((CERTIFICATE OF OCCUPANCY)) HEALTH AND SANITATION PERMIT AND SURVEY FEES. ((A labor camp regulated by the department pursuant to chapter 248-63 WAC shall be assessed a fee on an annual basis. Upon payment of said fee, an annual labor camp certificate of occupancy shall be issued by the department provided all other requirements of chapter 248-63 WAC are met. The annual fee is due with application for initial certification or renewal. The annual fee for a certificate of occupancy for a labor camp shall be a flat fee of fifty-five dollars plus two dollars per each dwelling unit of six through one hundred units and one dollar per each dwelling unit in excess of one hundred units, provided that for fee purposes only, a space provided exclusively to accommodate a temporary worker supplied shelter shall not be considered a dwelling unit. A building or a part of a building intended for occupancy by one family or one tenant shall constitute a separate dwelling unit. Each seventy square feet of gross floor space in a dormitory shall constitute one dwelling unit. A labor camp with dwelling units or clusters of units at separate locations, each location having its own support facilities, shall be assessed a fee of fifty-five dollars per location plus two dollars per dwelling unit in excess of a cumulative total of five units when any two locations are located greater than five miles apart. A labor camp having less than five dwelling units at each and every location, regardless of the distance between the locations, shall be~~

~~subject to only the flat fee of fifty-five dollars plus two dollars per dwelling unit in excess of five. This section does not apply to)) Starting December 1, 1987, owners or operators of labor camps, as defined in chapter 248-63 WAC, shall pay fees to the department as follows:~~

~~(1) A state health and sanitation permit of fifty dollars plus one dollar and fifty cents for each dwelling unit intended for occupancy by temporary workers.~~

~~(2) A labor camp survey charge of:~~

~~(a) Five dollars per dwelling unit up to and including twenty-nine units intended for occupancy by temporary workers, or~~

~~(b) One hundred fifty dollars for each camp with thirty or more dwelling units intended for occupancy by temporary workers.~~

~~(3) Owners or operators of labor camps shall submit the health and sanitation fee with initial application for permit or upon receipt of a renewal notice.~~

~~(4) Owners or operators of labor camps shall submit the labor camp survey fee:~~

~~(a) With initial application for new labor camps, or~~

~~(b) Within thirty days after the department completes each survey for existing labor camps.~~

~~(5) The department shall:~~

~~(a) Issue the health and sanitation permit for two calendar years, and~~

~~(b) Collect no more than one survey fee from each labor camp annually.~~

~~(6) Labor camps regulated by local health officers in accordance with WAC 248-63-020 are excluded from the requirements in this section.~~

**WSR 87-24-075**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed December 2, 1987]

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 use of income and income potentials, amending WAC 388-28-480, 388-28-482 and 388-28-483; and effective date of change of eligibility, amending WAC 388-33-135;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, 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 January 6, 1988.

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

The specific statute these rules are intended to implement is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
Administrative Services  
Department of Social and Health Services  
Mailstop OB 39  
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. The meeting site is in a location which is barrier free.

Dated: December 1, 1987

By: Leslie F. James, Director  
Administrative Services

### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: WAC 388-28-480, 388-28-482, 388-28-483 and 388-33-135.

Purpose of the Rule or Rule Change: To show a compensatory (wind fall) award is considered income, not a resource. Clarifications are added regarding retrospective and prospective budgeting.

Reason(s) These Rules are Necessary: To comply with the Code of Federal Regulations and United States Supreme Court decision.

Summary of the Rule or Rule Change: Compensatory awards are considered as income as are other "wind fall" payments.

Person Responsible for Drafting, Implementation and Enforcement of the Rule or Rule Change: Mac Trepanier, Program Manager, Office of Assistance Programs/Division of Income Assistance, mailstop OB-31J, phone 753-3177, scan 234-3177.

These rules are necessary as a result of federal law and federal court decision.

### AMENDATORY SECTION (Amending Order 2442, filed 11/10/86)

WAC 388-28-480 USE OF INCOME AND INCOME POTENTIALS—TYPES OF INCOME—EFFECT ON NEED. (1) ~~((An applicant or recipient whose nonexempt net monthly income exceeds the monthly payment level plus authorized additional requirements is not eligible to receive assistance. Ineligibility exists whether the income is received weekly, biweekly, or monthly, except as specified in WAC 388-24-250 through 388-24-265.~~

~~((2))~~) Treatment of income.

(a) The department shall determine the grant amount for the month ~~((the))~~ of application ~~((is approved))~~ by subtracting all net income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The department shall prorate the remainder ~~((shall be prorated))~~ for the number of days after grant authorization. This prorated figure is the grant amount for the first month of eligibility.

(b) The department shall determine the grant amount for the month following the month of initial eligibility by subtracting all net income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The remainder is the grant amount for the second month of eligibility.

(c) The department shall base the grant amount for the third month of assistance and subsequent months upon income received in the budget and/or report month. WAC 388-28-483(3) is an exception to this rule.

(d) An applicant or recipient whose nonexempt net monthly income exceeds the monthly payment level plus authorized additional requirements is not eligible to receive assistance. Ineligibility exists whether

the income is received weekly, biweekly, or monthly, except as specified in WAC 388-24-250 through 388-24-265.

~~((3))~~) (2) Irregular or nonrecurring income.

(a) The department shall disregard irregular income up to five dollars per month received by a general assistance applicant or recipient ~~((shall be disregarded toward meeting need if the probability exists that such future income will not be appreciable)).~~

(b) The department shall disregard nonrecurring cash gifts received by an AFDC or RA applicant or recipient ~~((shall be disregarded))~~ when such gifts do not exceed thirty dollars per individual for any three-month period.

~~((4))~~) (c) The department shall consider an earned income credit (EIC) (payments shall be considered) to be earned income during the month received.

~~((5))~~) (3) Loans.

(a) The department shall not consider as income any contractually agreed loan acquired by an applicant or recipient committing all funds for a specific purpose other than current maintenance, and so expended ~~((shall not be taken into account as income)).~~

(i) The department shall not include the property used as collateral for the loan ~~((shall not be included))~~ in determining property reserves.

(ii) The department shall consider toward the resource ceiling the equity accumulated in the specified property ~~((shall be considered toward the resource ceiling)).~~

(b) The department shall not consider as income any other loan, regardless of the loan's ability to meet current needs ~~((shall not be taken into account as income when it is verified the following conditions are met))~~ when the department verifies:

(i) The terms of the loan are stated in a written agreement between the lender and the borrower; and

(ii) The agreement clearly specifies the obligation of the borrower to repay the loan ~~((;))~~; and

(iii) The agreement ~~((must include))~~ includes a repayment plan providing for installments of specified amounts to begin within ninety days of the receipt of the loan and continue thereafter on a regular basis until the loan is fully repaid ~~((;))~~; and

~~((c))~~ As part of the verification process, the recipient is required to submit loan contract papers or a written agreement setting ~~((iv))~~ The agreement sets forth the terms of the loan regarding the loan's amount; and ~~((the repayment plan:))~~

(v) The agreement ~~((must be))~~ is signed by the lender and the ~~((recipient as parties to the agreement))~~ borrower.

~~((6))~~) (c) The department shall not consider as income repayments to a recipient of money previously loaned by the recipient to another party ~~((shall not be taken into account as income;))~~ since the loan represents income or resources already considered in computing need.

(i) The department shall verify the facts of the loan ~~((must be verified)).~~

(ii) The department shall consider any interest paid on the loan ~~((as))~~ to be newly acquired income.

~~((7))~~ A gift in-kind, named as follows, supplied on condition the gift in-kind be used only in a manner or for a purpose specified in writing by the donor shall not be considered as a resource or as income available to meet need:)

(a) Gift in-kind.

(a) The department considers the following items to be gifts-in-kind:

~~((a))~~) (i) Real or personal property, excluding cash and marketable securities, exempted for an applicant and within the ceiling values ~~((Example:))~~; e.g., A home or a new furnace.

~~((b))~~) (ii) Any item in the department's standards for additional requirements which is not a requirement for the recipient of such a gift ~~((Example:))~~; e.g., Telephone service.

(b) The department shall not consider a gift in-kind as income or resource if the donor specified in writing the intended use or purpose of the gift.

(c) Needed goods or services not currently included as additional requirements in the department's standards ~~((Example:))~~; e.g., Repair of house or of household equipment.

~~((8))~~) (5) Lump sums.

(a) The department shall consider lump sum payments as income in the month received;

(b) The department defines a lump sum payment as nonrecurring earned or unearned income. Lump sums may include:

(i) Lottery winnings,

(ii) An inheritance,

(iii) Personal injury award,

(iv) Workers compensation awards, or

(v) Social security back payments.

(6) WAC 388-28-482 and 388-28-484 cover newly acquired income received by a recipient.

**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 2352, filed 3/21/86)

WAC 388-28-482 EFFECT OF NEWLY ACQUIRED INCOME AND PROPERTY ON CONTINUING NEED. "Newly acquired income" means any previously unreported or undiscovered income which has come into the possession or control, in whole or in part, of a recipient of public assistance, or of a recipient in suspended grant status.

(1) Whenever a recipient shall come into the possession or control of any income, except as modified in subsections (3), (4), and (5) of this section, such income shall be deducted from the payment level plus authorized additional requirements to determine grant amount beginning with the effective date specified in WAC 388-28-483. The amount deducted shall equal the following:

(a) The net amount of the income if in cash or its equivalent~~(-)~~, and

(b) At least his or her equity in the quick sale value of property other than cash.

(2) When the property is only potentially available for use in meeting the recipient's requirements, WAC 388-28-400(7) applies.

(3) Exceptions. A recipient who comes into the possession and control of property listed ~~(in this subsection)~~ below may retain such property without having the fact of possession or its sale value affect his or her eligibility or need~~(-)~~:

(a) A home used as a residence - see WAC 388-28-420~~(-)~~;

(b) Useful and needed clothing, household equipment, food, fuel, and other items included in the requirement standards~~(-)~~;

(c) An automobile within the ceiling values in WAC 388-28-430~~(-)~~; and

(d) An income tax refund within the resource ceiling values in WAC 388-28-430. That portion of the refund which is an earned income tax credit shall be considered newly~~(=)~~ acquired income.

~~((e) A compensatory award within the ceiling values in WAC 388-28-435. Compensatory award is defined in WAC 388-28-435.))~~

(4) Recipient with income. The rule in subsection (1) of this section is modified for a recipient of AFDC or continuing general assistance with income as follows:

(a) Earned income retained by a child according to WAC 388-28-535(3) shall be considered as the personal property of the family and shall be subject to the ceilings in WAC 388-28-430~~(-)~~;

(b) Income from the Economic Opportunity Act, Title I of the Elementary and Secondary Education Act, and from WIN and JTPA is treated according to WAC 388-28-515 and 388-28-570 through 388-28-578~~(-)~~;

(c) The possession of any amount of funds from sources listed in subsection (4)(a) and (b) of this section in a cash reserve or savings account does not affect the eligibility of a general assistance recipient. However, if such exempted income is converted into other types of property, WAC 388-28-410 through 388-28-455 apply~~(-)~~;

(d) Income from interest on exempt savings, dividends from exempt stocks, increase in life insurance cash surrender value, livestock births, etc., affect eligibility only to the extent ~~((that))~~ the amount causes the total value of the resource possessed to exceed the ceiling values of the resource. The excess is considered available~~(-)~~;

(e) Payment for funeral expenses for recipient. When a public assistance recipient dies, his or her surviving spouse or children or parent of a minor child receiving public assistance may use any of their exempt or nonexempt resources or income, except the home property, to add to available funeral and burial resources in order to pay for the funeral expenses of the deceased person without affecting their eligibility for public assistance: PROVIDED HOWEVER, That if the total funeral expenses for the deceased recipient exceeds the department's maximum cost or the amount provided by the recipient toward the total cost of the funeral expense, whichever is the lesser, shall be considered available to meet the public assistance need of the surviving recipient in accordance with this section~~(-)~~; and

(f) Funds received by an applicant or recipient representing another person's or family's share of household costs are exempt as income provided ~~((that))~~:

(i) Such payments do not represent legally obligated child support except as provided in WAC 388-28-484 (7)(b), and

(ii) The provisions of subsection (5) of this section are met.

(5) Use of grant and cash reserve in relation to income.

(a) No question about eligibility is raised if public assistance grants and other income considered in computing financial need are used to add to the cash reserve up to the legal personal property limitations - see WAC 388-28-430. The cash reserve may exceed the maximum only to the extent these unexpended moneys are on hand within thirty days after their receipt, and by exempted amounts as specified in this section.

(b) A recipient always has the right to make a current expenditure out of a cash reserve and replace it from a succeeding grant, just as he or she might place his or her whole grant in a bank account, along with his or her cash reserve, at the beginning of the month and then spend out of the account during the month.

AMENDATORY SECTION (Amending Order 2442, filed 11/10/86)

WAC 388-28-483 RETROSPECTIVE BUDGETING, PROSPECTIVE BUDGETING, AND PROSPECTIVE ELIGIBILITY.

(1) Definitions.

(a) The calendar month for which payment is made shall be called the payment month.

(b) The second calendar month preceding the payment month shall be called the budget and/or report month.

(c) The calendar month between the budget and/or report month and the payment month shall be called the process month.

(2) The department shall determine eligibility based on the best estimate of income and circumstances which will exist in the month ~~((for which))~~ the assistance payment is made.

~~((2))~~ (3) Except as specified in subsection (6), the department shall budget all income prospectively for the first two months of initial eligibility, ~~((all income shall be budgeted prospectively;))~~ including income of an individual ~~((who is))~~ added to an existing assistance unit. ~~((See subsection (3) of this section for exceptions.))~~

(4) The department shall compute the amount of the assistance payment based on the expected income and circumstances which will exist in the month ~~((for which))~~ the assistance payment is made.

(5) The department shall:

(a) ~~((The department shall))~~ Establish an overpayment if the income is underestimated~~(-)~~, and

(b) ~~((The department shall))~~ Issue a corrective payment if the income is overestimated.

~~((3))~~ (6) The department shall ~~((use retrospective budgeting))~~ retrospectively budget all income for the first two months of initial eligibility ~~((when))~~ if:

(a) ~~((There has been less than one month's break in assistance (i.e., the applicant received assistance in the preceding month, or would have received assistance except for the prohibition on payments less than ten dollars):~~

~~((b))~~ Assistance had been suspended ~~((due to an extra paycheck for the month prior to the month of application, assistance had been terminated at the end of))~~ as specified in subsection (7), and

(i) The initial month follows the month of suspension, and  
(ii) The ~~((applicant's))~~ family's circumstances for the initial authorization month have not changed significantly from those ~~((prior to termination))~~ reported in the budget and/or report month.

~~((c))~~ (b) A case is reopened as terminated in error~~(-)~~, or  
~~((d))~~ (c) An individual having had income deemed to an assistance unit is added to that assistance unit.

~~((e) Assistance had been suspended for the payment month due to ineligibility in the budget month.))~~ (7) The department shall suspend rather than terminate if:

(a) The department has knowledge of or reason to believe ineligibility would be only for one payment month, and

(b) Ineligibility for that one payment month was caused by income or other circumstances in the corresponding budget and/or report month.

~~((4))~~ (8) After the first two months of initial eligibility, the department shall budget all income retrospectively.

(a) The department shall compute the amount of assistance based on the income which existed in the second month preceding the month ~~((for which))~~ the payment is made.

(b) The department shall consider all income received during the calendar month of application approval ~~((shall be considered))~~ for retrospective budgeting purposes.

(c) Noncontinuous income budgeted prospectively during the first two months of eligibility shall not be budgeted for the first and second payment month for which retrospective budgeting is used.

~~((d)) Definitions:~~

~~(i) The calendar month for which payment is made shall be called the payment month.~~

~~(ii) The second calendar month preceding the payment month shall be called the budget/report month.~~

~~(iii) The calendar month between the budget/report month and the payment month shall be called the process month.~~

~~(5) See WAC 388-33-140 for effective date of increase or decrease of the grant.~~

**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 2258, filed 7/17/85)

WAC 388-33-135 EFFECTIVE DATE OF CHANGE IN ELIGIBILITY. (1) A change in circumstances is any change affecting eligibility and/or continued payment of the grant previously authorized.

(2) When a change in income including the receipt of a lump-sum payment causes ineligibility, the recipient is ineligible effective the first of the month of receipt. All assistance received shall be an overpayment and subject to recovery as in chapter 388-44 WAC. If the overpayment is for one month only, refer to WAC 388-33-355.

(3) When a change of circumstances other than increased income renders the assistance unit or any member of the assistance unit ineligible, the effective date of ineligibility is the first of the month following the month in which the change occurred. For ineligibility of strikers, see WAC 388-24-042.

**WSR 87-24-076**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

Amd WAC 388-82-010 Persons eligible for medical assistance.  
Amd WAC 388-82-115 Categorically needy.  
Amd WAC 388-99-010 Medically needy assistance;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, 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 January 6, 1988.

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

The specific statute these rules are intended to implement is chapter 74.09 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
Administrative Services  
Department of Social and Health Services  
Mailstop OB 39  
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. The meeting site is in a location which is barrier free.

Dated: December 1, 1987

By: Leslie F. James, Director  
Administrative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-82-010, 388-82-115 and 388-99-010.

Purpose: To implement the medical assistance portion of the family independence program (FIP). To correct problems relating to individuals eligible for the medically needy program.

Reason: The department plans to implement the family independence program on March 1, 1988.

Statutory Authority: RCW 74.08.090.

Summary: Family units eligible to receive FIP are eligible for medical assistance as categorically needy. Family units that are terminated from FIP because of increased income or increased support payments shall continue to be eligible for medical assistance as categorically needy for twelve months. Individuals listed in WAC 388-82-010, including family units eligible for FIP, are potentially eligible as medically needy. In determining eligibility as medically needy for the ineligible spouse of an SSI beneficiary the total income of the SSI beneficiary shall be disregarded.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Jim Sparks, Program Manager, Division of Medical Assistance, mailstop HB-41, phone 753-7316.

**AMENDATORY SECTION** (Amending Order 2378, filed 5/14/86)

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

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

(a) Aid to families with dependent children (AFDC);

(b) Supplemental Security Income (SSI);

(c) State supplemental payment. The ineligible spouse of an SSI beneficiary receiving a state supplement payment for the ineligible spouse is not eligible for medicaid; and

(d) Individuals under age twenty-one whose income is less than the one person AFDC standard and who are in:

(i) Foster care; or

(ii) Subsidized adoption; or

(iii) Skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or

(iv) Approved inpatient psychiatric facilities.

(e) A pregnant woman who would be eligible for AFDC if her child were born and living with her. In determining income eligibility for medicaid, the department shall increase the number in the household ((is increased)) by one before ((being compared)) comparing the pregnant woman's income to the AFDC payment standard.

(f) Family independence program.

(2) Individuals in medical facilities:

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

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

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

AMENDATORY SECTION (Amending Order 2453, filed 12/22/86)

WAC 388-82-115 THE DEPARTMENT SHALL CLASSIFY AS ELIGIBLE FOR CATEGORICALLY NEEDED MEDICAL ASSISTANCE. (1) Persons who, in August 1972, received OAA, AB, AFDC, or APTD, and also received RSDI benefits, and who are ineligible for OAA, AB, AFDC or APTD solely because of the twenty percent increase in Social Security benefits under Public Law 92-336.

(2) Persons who were entitled to RSDI benefits in August 1972, and are ineligible for AFDC or SSI solely because of the twenty percent increase in Social Security benefits under Public Law 92-336.

(3) Family units (~~which 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) ~~The department shall consider 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) Are ineligible for SSI benefits and/or state supplementary payments; and

(c) Would be eligible for SSI benefits 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, 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 or FIP cash assistance solely because they have not reached the sixth month of pregnancy.

(7) Persons who are denied AFDC or FIP cash payments solely by reason of recovery of an overpayment.

(8) Children under five years of age, who are born after September 30, 1983, and who meet the income and resource requirements of AFDC financial assistance.

(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.

(10) Children born to a woman eligible for and receiving medical assistance on the date of the child's birth, from the date of birth for a period of one year if:

(a) The child remains a member of the mother's 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 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) Pregnant women who do not meet the deprivation requirements of AFDC or FIP financial assistance if:

(a) They would meet the AFDC or FIP financial assistance income requirements if the number in the household is increased by one before being compared to the payment standard; and

(b) They meet the AFDC or FIP financial assistance resource requirements.

(13) Persons who are denied AFDC, FIP 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))~~ the disabled person:

(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.

(15) Family units suspended from FIP financial assistance because of increased earned income. This period of eligibility shall not exceed twelve months as determined by WAC 388-77-735.

AMENDATORY SECTION (Amending Order 2378, filed 5/14/86)

WAC 388-99-010 PERSONS ELIGIBLE FOR MEDICALLY NEEDED ASSISTANCE. The department shall determine as medically needy ((refers to)) a resident of the state of Washington ((whose income and/or resources are above the limits prescribed for the categorically needy and)) who meets the income and resource limits ((of the SSI program)) in WAC 388-99-020 and 388-99-035 and is:

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

(2) Related to Supplemental Security Income (SSI). See chapter 388-92 WAC.

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

(4) Under age twenty-one and in:

(a) Foster care; or

(b) Subsidized adoption; or

(c) Skilled nursing facility, intermediate care facility, intermediate care facility/mentally retarded;

(d) An approved inpatient psychiatric facility.

(5) Aged, blind, or disabled and residing in a medical facility with income above the three hundred percent of the SSI [federal] benefit [cap] amount payable under section 1611 (b)(1) of the Social Security Act to an individual in his/her own home who has no income or resources (SSI cap);

(6)) An individual who, but for income and/or resources, would be categorically needy under WAC 388-82-010, or

(2) The ineligible spouse of an SSI beneficiary receiving a state supplement payment for the ineligible spouse if:

(a) The ineligible spouse is related to the SSI program due to being aged, blind, or disabled; and

(b) The ((ineligible spouse is not receiving an SSI payment in his/her own right; and

(c) The income of the couple, including SSI payment, are considered:

(7)) couple meets the income and resource requirements of this chapter when the total income of the SSI beneficiary is excluded, or

(3) A child under five years of age, born after September 30, 1983.

((8)) (4) A pregnant woman who does not meet the aid to families with dependent children and/or FIP income, resource and/or deprivation requirements. For this subsection:

(a) The period of eligibility includes the ((six weeks following delivery)) sixty-day period beginning with the last day of pregnancy to cover the post partum care; and

(b) The department shall increase the number in the household ((shall be increased)) by one before ((being compared)) comparing the pregnant woman's income to the medically needy income level in WAC 388-99-020; and

(c) The department shall increase the number in the household ((shall be increased)) by one before ((being compared)) comparing the pregnant woman's income to the resource level in WAC 388-99-035.

**WSR 87-24-077**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed December 2, 1987]

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 inpatient hospital care, amending WAC 388-86-050 and 388-86-051; Conditions of payment—Hospital care, amending WAC 388-87-013 and 388-87-070;

that the agency will at 10:00 a.m., Tuesday, January 26, 1988, 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 January 27, 1988.

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

The specific statute these rules are intended to implement is chapter 74.09 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 26, 1988.

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

Leslie F. James, Director  
 Administrative Services  
 Department of Social and Health Services  
 Mailstop OB 39  
 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. The meeting site is in a location which is barrier free.

Dated: December 1, 1987

By: Leslie F. James, Director  
 Administrative Services

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-86-050, 388-86-051, 388-87-013 and 388-87-070.

Purpose: To implement a selective contracting program for the payment of inpatient hospital services to Medicaid recipients.

Reason: To control expenditures for inpatient care by contracting with the most cost effective inpatient hospitals in each area.

Statutory Authority: RCW 74.08.090.

Summary: The department shall establish selective contracting areas. Hospitals in the areas shall bid for contracts to provide inpatient services. Generally, payment to noncontract hospitals for services to Medicaid

recipients shall be limited to emergency services. Non-contracting hospitals shall be reimbursed for non-emergent inpatient services if going to a contracting hospital would cause a travel burden for the recipient. Certain services and hospitals shall be exempt from selective contracting and will be reimbursed by OE/TRSR methodology. The method for determining the ratable for medically indigent/medical care services payments has been amended.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Jim Sparks, Program Manager, Division of Medical Assistance, mailstop HB 41, phone 753-7316.

Rules are proposed by DSHS.

These rules are not necessary as a result of a new state or federal law.

No economic impact statement is required under the Regulatory Fairness Act.

#### AMENDATORY SECTION (Amending Order 2397, filed 7/2/86)

WAC 388-86-050 INPATIENT HOSPITAL CARE. (1) The department ~~((will))~~ shall provide hospitalization for recipients under age sixty-five and for recipients sixty-five and over who have exhausted Medicare benefits. With exceptions and limitations in WAC 388-86-051 the recipient ~~((will))~~ shall have free choice of hospitalization.

(2) Prior approval is required for non-emergent hospital admissions.

(3) The division of medical assistance ~~((will))~~ shall certify hospital admission, length of stay and/or services for all recipients.

(4) Department authorization for inpatient hospital care, in hospitals excepted from the diagnosis-related group based pricing system, for eligible individuals shall be limited to the number of days established at the 75th percentile in the 1983 edition of the publication Length of Stay in PAS Hospitals, by Diagnosis United States Western Region, unless prior contractual arrangements are made by the department for a specified length of stay. When hospitalization of a recipient exceeds the number of days as limited by this subsection, the hospital shall submit to the local medical consultant a request with adequate justification and signed by the attending physician within sixty days of final service for approval of the extension.

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

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

(c) The department shall make Medicaid payment ~~((will be made))~~ for care in a state mental institution for categorically needy and medically needy individuals under age twenty-one and age sixty-five and older.

(d) The department shall make Medicaid payments ~~((will be made))~~ for care in an approved psychiatric facility for categorically needy and medically needy individuals under age twenty-one.

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

(6) The department shall not pay for the days of Friday or Saturday if non-emergent hospital admissions ~~((shall not be))~~ are made on Friday or Saturday for scheduled surgery on Monday. ~~((The attending physician may admit the recipient on Sunday to accomplish the necessary preoperative work-up.))~~

(7) ~~((Approval for))~~ The department shall approve hospitalization of a recipient ~~((shall be))~~ based on the recipient's need for semi-private



accommodations and ~~((reimbursement made))~~ shall reimburse at the multiple occupancy rate, regardless of accommodations provided by the hospital. ~~The department shall establish special rates ((may be established))~~ for recipients covered by the Involuntary Treatment Act. Semi-private accommodations ~~((shall))~~ mean not less than two nor more than a four-bed room.

(8) The department shall cover~~(s))~~ medically necessary services provided in a hospital in connection with the care or treatment of teeth, jaws, or structures directly supporting the teeth if the procedure requires hospitalization ~~((in connection with the provision of such services))~~. Services covered under this subsection ~~((must))~~ shall be furnished under the direction of a physician or dentist.

#### NEW SECTION

WAC 388-86-051 **SELECTIVE CONTRACTING PROGRAM.** The department shall provide nonemergency inpatient hospital services to Medicaid recipients in selective contracting areas through the award of selective hospital contracts.

(1) Selective contracting areas (SCA) are those areas in which hospitals participate in competitive bidding for hospital contracts. The department shall base SCAs on a historical patterns of hospital use by Medicaid patients.

(2) A contracting hospital is a hospital located in a SCA that is awarded a selective hospital contract with the department to provide inpatient hospital services for Medicaid recipients.

(3) A noncontracting hospital is a hospital that is located in a SCA, is not designated as exempt, and does not have a selective contract with the department.

(4) An exempt hospital is a hospital that is either not located in a SCA or is exempted by the department. The department shall classify the following as exempt hospitals:

(a) Hospitals in a SCA that are designated by the department as "remote" hospitals. Hospitals designated as remote shall meet the following criteria:

(i) Be a hospital located more than ten miles from the nearest hospital in the SCA; and

(ii) Have fewer than seventy-five beds; and

(iii) Have had fewer than five hundred Medicaid inpatient admissions during the study sample period.

(b) HMO hospitals providing inpatient services to HMO enrollees only,

(c) Children's hospitals,

(d) State psychiatric hospitals,

(e) Out-of-state hospitals in nonborder areas, and out-of-state hospitals in border areas not designated as SCAs,

(f) The Fred Hutchinson Cancer Research Center (bone marrow transplant beds), and

(g) Separate (freestanding) psychiatric facilities including Fairfax Hospital in Kirkland, Washington; Mid-Columbia Hospital in Richland, Washington; and Pine Crest Hospital in Couer d'Alene, Idaho.

(5) Medicaid recipients receiving inpatient services in a SCA shall be limited to the contracting or exempt hospital(s) in the SCA for elective (nonemergent) inpatient hospital services. The following exclusions shall apply:

(a) The department shall pay for inpatient hospital services, provided by any hospital, for treatment of emergency medical conditions. An emergency medical condition is a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

(i) Placing the patient's health in serious jeopardy;

(ii) Serious impairment to bodily functions; or

(iii) Serious dysfunction of any bodily organ or part.

(b) The department shall pay for inpatient services provided by any hospital to Medicaid recipients determined to reside an excessive travel distance from a contracting hospital.

(i) The recipient is deemed to have an excessive travel burden if the travel distance from a recipient's residence to a contracting hospital exceeds the recipient's county travel distance standard as defined by the department.

(ii) If a recipient must travel outside his/her SCA to obtain inpatient services not available within the community (such as treatment from a tertiary hospital), the recipient shall obtain such services from a contracting hospital, unless the services can be obtained from a noncontracting hospital that is located a significantly closer distance to the recipient's residence than a contracting hospital.

(c) The department shall reimburse all applicable Medicare deductible and coinsurance amounts for inpatient services at any hospital for Medicaid recipients who are also beneficiaries of Medicare Part A.

#### AMENDATORY SECTION (Amending Order 1937, filed 1/12/83)

WAC 388-87-013 **CONDITIONS OF PAYMENT—HOSPITAL CARE.** (1) All hospital admissions ~~((require local medical consultant approval))~~ shall be subject to department review and approval. Prior department approval ~~((of the local medical consultant))~~ is required for all nonemergent hospital admissions.

(2) Neither the department nor the recipient ~~((with))~~ shall be responsible for payment for:

(a) Additional days of hospitalization in the case of a hospitalized recipient when:

(i) The PAS limitations have been exceeded, and

(ii) The provider has not obtained ~~((local medical consultant))~~ department approval unless prior contractual arrangements are made by the department for a specified length of stay, or

(b) Elective (nonemergent) inpatient services received by a Medicaid recipient from a noncontracting hospital in a SCA unless:

(i) Exclusions in WAC 388-86-051 apply, or

(ii) The recipient makes contractual arrangements with the hospital at least seventy-two hours in advance of the hospital admission making the recipient responsible for payment.

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

#### AMENDATORY SECTION (Amending Order 2539, filed 9/17/87)

WAC 388-87-070 **PAYMENT—HOSPITAL INPATIENT SERVICES.** (1) The department ~~((with))~~ shall pay hospital costs of ~~((eligible persons))~~ categorically needy, medically needy, medically indigent and medical care services recipients as defined in WAC 388-80-005, as now or hereafter amended, who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70-41.020, as now or hereafter amended.

~~((Recipients must have been approved as financially and medically eligible for hospitalization. They are:~~

(a) Categorically needy recipients;

(b) Limited casualty program recipients;

(c) Medically needy recipients;

(d) Medically indigent recipients;

(e) Recipients of medical care services.)

(2) ~~((Except for excluded services;))~~ The department shall determine payment for hospital inpatient services ~~((is determined))~~ according to a diagnosis related group (DRG) based formula pricing system established by the department, except for hospitals participating in the selective contracting program as prescribed in WAC 388-86-051 and services excluded from DRG-based reimbursement as prescribed in subsection (4) of this section. The department shall base formula price payments on the methodology prescribed in the department's State Plan under Title XIX of the Social Security Act, Methods and Standards Used for Establishing Payment Rates for Hospital Inpatient Services (hereafter referred to as the Title XIX State Plan). ~~((Payment amounts are based upon historical average costs per discharge, adjusted for case mix and indexed to the payment period. Payment for cases meeting the criteria of cost outlier is at eighty percent of the rates determined according to the method in subsection (4)(a) of this section.))~~

(3) The rate structure of selective contracting hospitals for inpatient hospital services is identified in Appendix B of such selective contracts. The rate shall be inclusive of all inpatient services provided either directly or indirectly by the contractor and constitutes the department's maximum financial obligation under the contract.

(4) Certain services are excluded from the diagnosis related group based ~~((pricing))~~ reimbursement system. These exclusions shall include:

(a) Rehabilitation~~(, pain treatment, psychiatric, alcoholism treatment and detoxification, and long term hospital level care services:~~

~~(b))~~ services provided in department approved rehabilitation hospitals and general hospital distinct units, and services for physical medicine and rehabilitation (PM & R) patient,

(b) Pain treatment provided in department approved pain treatment facilities,

(c) Free standing psychiatric hospitals.



~~(d) Alcoholism treatment and detoxification provided in a department approved alcohol treatment center (ATC).~~

~~(e) DRGs 385-389.~~

~~(f) Long-term hospital level care services.~~

~~(g) Services provided to patients occupying beds utilized by the Fred Hutchinson Cancer Research Center bone marrow transplant program.~~

~~((c) Services at children's hospitals.~~

~~(4) Payment for excluded services is determined as follows:~~

~~(a) Reimbursable cost of excluded services in subsection (3)(a) and (b) of this section is determined by multiplying charges in allowable revenue codes by the ratio of hospital commission approved operating expenses to total rate setting revenue.~~

~~(b) Payment rates for children's hospitals are determined by computing the ratio of indexed historical hospital commission approved operating expenses to total rate setting revenue. This ratio is multiplied times allowable charges.~~

~~(5) For all administrative days, days of hospitalization in which medical necessity is below that appropriate for acute hospital care, the departments maximum reimbursement level will be the adjusted state-wide average per diem rate for skilled nursing facilities.~~

~~(6) For dates of admission beginning October 1, 1985, payment rates established in accordance with subsections (2), (4) and (5) of this section are reduced for services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of medical care services. Hospitals are grouped according to the percentage of total rate setting revenue comprising medical assistance, medicare, bad debt, charity, and other contractual adjustments and rates are reduced according to the following table:~~

Hospital Group	Percent Medicare, Medicaid, Bad Debt, Charity and other Contractual Adjustments of Total Rate Setting Revenue	Percentage Reduction in Payment Rate
1	60.00 or more*	20.0
2	50.00 - 59.99	40.0
3	less than 50.00	60.0

\*Plus psychiatric hospitals

~~(7) Payment rates or amounts to hospitals established by this section will be adjusted as necessary to remove the impacts of ownership changes and revaluation of assets, including recapture of depreciation as necessary, in accordance with section 2314 of Public Law 98-369 and related federal regulations, guidelines, instructions, and state plan requirements:))~~

~~(h) HMO hospitals providing inpatient services to HMO enrollees, and~~

~~(i) Department approved services to AIDS patients.~~

~~(5) Payments for excluded DRG-based services are based on the Operating Expenses to Total Rate Setting Revenue (OE/TRSR) price methodology as prescribed in the department's Title XIX State Plan. For out-of-state hospitals, including border area hospitals, the department shall apply the Washington state-wide average OR/TRSR to allowable charges, unless the border hospital is a contracting hospital.~~

~~(6) The department shall base payments for services provided to recipients of the medically indigent component of the limited casualty program and recipients of the medical care services program on reduced rates established in accordance with subsections (2) and (5) of this section. The department shall group hospitals according to each hospital's percentage of medical assistance revenue (Medicaid program, medically indigent component of the limited casualty program and the medical care services program) to total rate setting revenue. The department shall assign a percent reduction (rateable) to each hospital group. The department shall apply the rateable to the rates established in subsections (2) and (3) of this section.~~

**WSR 87-24-078**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning food stamp standard utility allowance, WAC 388-49-505;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, 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 January 6, 1988.

The authority under which these rules are proposed is RCW 74.04.050.

The specific statute these rules are intended to implement is RCW 74.04.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
 Administrative Services  
 Department of Social and Health Services  
 Mailstop OB 39  
 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. The meeting site is in a location which is barrier free.

Dated: December 2, 1987

By: Leslie F. James, Director  
 Administrative Services

**STATEMENT OF PURPOSE**

The department proposes, subject to input at public hearings, to adopt WAC 388-49-505.

Purpose of the Proposed Change: To update the standard utility allowance using new methodology.

These proposed changes are required by federal regulations (CFR) 273.9 (d)(6)(iv) for all states using a standard utility allowance.

Statutory Authority: RCW 74.04.050.

Summary of the Proposed Rule Change: Updates the standard utility allowance for households which are eligible and choose to use them.

Person Responsible for Drafting, Implementation and Enforcement of These Rule Changes: Patricia Richards, Division of Income Assistance, OB-31C, scan 234-0796.

This change is a result of federal law.

**NEW SECTION**

WAC 388-49-505 UTILITY ALLOWANCES. (1) The department shall:

- (a) Establish an annualized standard utility allowance for use in calculating shelter costs;
  - (b) Obtain FNS approval of the methodology used to establish the standard utility allowance;
  - (c) Establish a separate annualized telephone allowance;
  - (d) Obtain FNS approval of the methodology used to establish the telephone allowance.
- (2) Effective March 1, 1988, the annual standard utility allowances by household size are:

Persons in Household	Annualized Utility Standards
1	117
2	125
3	132
4	141
5	149
6	154
7	160
8	165
9	175
10 or more	182

(3) Effective March 1, 1988, the monthly telephone standard is sixteen dollars.

**WSR 87-24-079**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed December 2, 1987]

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 effect of resources on financial need, amending WAC 388-28-435;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, 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 January 6, 1988.

The authority under which these rules are proposed is RCW 74.04.055.

The specific statute these rules are intended to implement is RCW 74.04.055.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
 Administrative Services  
 Department of Social and Health Services  
 Mailstop OB 39  
 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. The meeting site is in a location which is barrier free.

Dated: December 2, 1987  
 By: Leslie F. James, Director  
 Administrative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.  
 Re: WAC 388-28-435(7).

Purpose of the Rule or Rule Change: To clarify and correct WAC 388-28-435(7).

Reason These Rules are Necessary: To bring WAC 388-28-435(7) into compliance with federal requirements at 45 CFR 233.20 (a)(3)(iv)(E).

Statutory Authority: RCW 74.04.055.

Summary of the Rule or Rule Change: WAC 388-28-435(7) is amended to clarify "income tax refund" may be either a state or federal payment.

Person Responsible for Drafting, Implementation and Enforcement of the Rule or Rule Change: Phyllis Doros, Program Manager, Division of Income Assistance, mailstop OB-31J, phone 753-6912, scan 234-6912.

These rules are necessary as a result of federal law.

AMENDATORY SECTION (Amending Order 2441, filed 11/10/86)

WAC 388-28-435 EFFECT OF RESOURCES ON FINANCIAL NEED—PERSONAL PROPERTY EXEMPTIONS—CEILING VALUES—AFDC AND RA. (1) ~~((Household furnishings and personal clothing essential for daily living are exempt resources without ceiling value. Such items in storage shall be presumed to be not essential for daily living, but all other household furnishings and personal clothing shall be presumed to be essential for daily living and both presumptions stand in the absence of evidence to the contrary.~~

~~((2)) Resources shall not exceed one thousand dollars per household regardless of size. The ~~((total value of))~~ department shall consider cash, marketable securities, cash discount value of real estate or chattel mortgages, sales contracts, cash surrender value of life insurance, ~~((and))~~ excess equity value of vehicles, value of nonexempt property, and any other resources not specifically ~~((exempted shall not exceed one thousand dollars regardless of family size. Possession of resources in excess of the maximum shall render the household ineligible))~~ exempt.~~

~~((2)) Regardless of value, the department shall exempt household furnishings and personal clothing essential for daily living. The department shall not exempt household furnishings and personal clothing in storage without evidence that these items are essential for daily living.~~

~~((3)) The department shall exempt term or burial insurance up to ~~((a maximum))~~ an equity value of one thousand five hundred dollars per ~~((family))~~ household member ~~((for the use of the applicant or applicants or recipient or recipients is exempt)).~~~~

~~((4)) The department shall exempt one cemetery plot for each ~~((member of the))~~ assistance household ~~((is exempt personal property))~~ member. ~~((Any additional plots shall be considered as a resource with other resources up to the ceiling maximum of one thousand dollars.))~~~~

~~((5)) The department shall exempt one used and useful vehicle with an equity value of one thousand five hundred dollars or less ~~((is an exempt resource)).~~~~

~~((6)) ~~((Excess equity value of a used and useful vehicle and the equity value of other vehicles shall apply toward the limit in subsection (2) of this section.~~~~

~~((7)) The department shall consider an income tax refund ~~((or a compensatory award is))~~ a resource in the month received ~~((and considered with the resources in subsection (2) of this section)). ~~((a))~~ "Income tax refund" ~~((is defined as that portion of))~~ means a payment received from a state or from the ~~((U.S.))~~ United States Internal Revenue Service (IRS) representing a refund of taxes previously paid. The Earned Income Tax Credit portion ~~((of an IRS payment))~~ is excluded from this definition. ~~((b) A "compensatory award" is defined as a one-time settlement or benefit received as a result of a personal injury or wrongful death or from victims of crime compensation or labor and industries, other than time-loss compensation.))~~~~~~

**WSR 87-24-080**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Health)**

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

Amd WAC 248-19-328 Nursing home concurrent review cycles.  
 Amd WAC 248-19-373 Determination of nursing home bed needs;

that the agency will at 10:00 a.m., Tuesday, January 5, 1988, 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 January 6, 1988.

The authority under which these rules are proposed is RCW 70.38.115 and 70.38.135.

The specific statute these rules are intended to implement is RCW 70.38.115 and 70.38.135.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

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

Leslie F. James, Director  
 Administrative Services  
 Department of Social and Health Services  
 Mailstop OB 39  
 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. The meeting site is in a location which is barrier free.

Dated: November 30, 1987

By: Leslie F. James, Director  
 Administrative Services

### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.

Re: Amending chapter 248-19 WAC.

Purpose of the Changes: To modify definitions used in the review of continuing care retirement community (CCRC) project applications; to clarify which review procedures apply to various CCRC projects; and to update the basis for determining the need for nursing home beds.

These rules are necessary for the orderly administration of certificate of need reviews.

Statutory Authority: RCW 70.38.115 and 70.38.135.

Summary of Rule Changes: WAC 248-19-328 Nursing home concurrent review cycles, amends the description of the types of nursing home bed projects subject to the review cycles, and amends the definitions of categories of continuing care retirement communities; and WAC 248-19-373 Determination of nursing home bed

needs, revises the rules used to determine nursing home bed need, establishes additional criteria for determining nursing home bed need for continuing care retirement community projects, and provides for adjustments to nursing home bed.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule: Frank Chestnut, Director, Certificate of Need Program, phone 753-5854, mailstop OB-43E.

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

Certificate of need program staff do not believe these rule changes will have an impact on small businesses.

### AMENDATORY SECTION (Amending Order 2487, filed 5/1/87)

WAC 248-19-328 NURSING HOME CONCURRENT REVIEW CYCLES. (1) The ~~((following undertakings))~~ department shall ~~((be reviewed))~~ review concurrently ~~((under))~~ during review cycles established under subsection ~~((4)(c))~~ (6) of this section the following:

- (a) New nursing homes,
- (b) Nursing home bed additions, or
- (c) Redistribution of beds from the following facility or service categories to skilled nursing care beds:
  - (i) Acute care,
  - (ii) Boarding home care, or
  - (iii) Intermediate care for the mentally retarded, or
  - (d) Redistribution of beds from the following facility or service categories to intermediate care facility beds:
    - (i) Acute care, or
    - (ii) Boarding home care.

(2) Undertakings of type A continuing care retirement communities ~~((CCRCs))~~ (CCRCs), as defined in subsection (3)(b)(i) of this section ~~((meeting))~~ which do not propose or are not operating within a transition period as defined in subsection (3)(d) of this section during development, and which meet the following conditions, shall be reviewed under the regular review process per WAC 248-19-330(-):

- (a) The number of nursing home beds requested in a single undertaking shall not exceed sixty, and
- (b) After project completion, the number of nursing home beds, including those with which the CCRC contracts, shall not exceed one bed for each four independent living units within the CCRC. In computing this ratio, only independent living units of the CCRC already existing, and/or scheduled for completion at the same time as the proposed nursing home beds under the same financial feasibility plan, shall be counted.

(3) For purposes of this section, the following definitions shall be used:

(a) "Continuing care contract" means a contract to provide a person, for the duration of the person's life or for a term in excess of one year, shelter along with nursing, medical, health-related or personal care services, in exchange for payment of an entrance fee, periodic charges, or both. Continuing care contracts include, but are not limited to, life care agreements and mutually terminable contracts. The living space and services under a continuing care contract may or may not be provided at the same location.

(b) "Continuing care retirement community (CCRC)" means any of a variety of entities providing shelter and services based on continuing care contracts with its enrollees. CCRCs are categorized as follows:

(i) "Type A CCRC" means a CCRC ~~((providing))~~ meeting the following requirements:

(A) Maintains for a period in excess of one year a CCRC contract with its enrollees or residents ((with)) for a contractually guaranteed range of services from independent living through nursing home care((including some form of assistance with activities of daily living and unrestricted nursing care without any limitations unrelated to medical need. With limited exceptions related to start-up periods, a type A CCRC));

(B) Continues a contract if an enrollee or resident is no longer able to pay for services;

(C) Offers services only to contractual enrollees((The enrollee's financial responsibility is stated in the contract, with the CCRC responsible for remaining costs. With the exception of insurance purchased

by the CCRC or its enrollees no third party, including after a limited transition or start-up period, the) with limited exception related to use of transition periods; and

(D) Prohibits Medicaid program (~~(is liable)~~) liability for costs of care even if the member depletes his or her personal resources.

(ii) "Type B CCRC" means a CCRC (~~(not)~~) meeting (~~(at)~~) the following requirements (~~(of type A CCRCs, but does provide nursing home care or other facilities or services. A typical example would be a CCRC operating an on-site nursing home, but contractually guarantees only a limited number of days of nursing home care, after which additional payment is required of the enrollee. Many type B CCRCs have nursing home units maintaining)~~):

(A) Maintains for a period in excess of one year a CCRC contract with its enrollees or residents,

(B) May provide a range of services beyond nursing home care,

(C) May terminate a contract if an enrollee or resident is unable to pay for services,

(D) May admit patients to the nursing home who are not CCRC enrollees or residents, and

(E) May maintain Medicaid contracts and/or (~~(admit patients who are not CCRC enrollees)~~) other requirements for third-party payment.

(c) "Enrollee" of a CCRC means an individual who has signed a continuing care contract with (~~(the)~~) a CCRC.

(d) "Transition period" means a period of time, not exceeding five years, between the date an enrollee becomes the first resident of a type A CCRC and the date it fully meets the requirements of a type A CCRC as contained in the current state health plan.

(4) The annual nursing home concurrent review consists of three cycles:

(a) One of the three annual cycles is reserved for the review of competing applications submitted by or on behalf of:

(i) Type A CCRCs applying for nursing home beds available from the (~~(one hundred and twenty-bed)~~) statewide CCRC (~~(pool)~~) allotment as described in WAC 248-19-373(8).

(ii) Type A CCRCs which propose or are operating within a transition period during development and are not applying for nursing home beds available from any nursing home planning area, and

(iii) Type B CCRCs applying for nursing home beds available from the (~~(one hundred and twenty-bed)~~) statewide (~~(pool)~~) CCRC allotment as described in WAC 248-19-373(8).

(b) Two other cycles are for review of competing applications for nursing home beds needed in half of the (~~(counties or)~~) nursing home planning areas.

(5) The department shall use the following nursing home concurrent review application filing procedures:

(a) Each applicant shall:

(i) File the required number of copies of each application (~~(with)~~) as specified in the application information requirements, and

(ii) Mail or deliver the application so that the department receives it no later than the last day for initial application receipt as prescribed in the schedule for (~~(each of the)~~) that concurrent review (~~(cycles)~~) cycle.

(b) The department shall (~~(not)~~):

(i) Only review (~~(any application)~~) applications for which a letter of intent as described in WAC 248-19-270 was (~~(not filed)~~) mailed or delivered so that the department receives it at least thirty days before the last day for (~~(submittal)~~) receipt of initial applications as indicated below,

(ii) Begin screening all applications received during the initial application period on the first working day following the close of that period, and

(iii) Return to the applicant any application received after the last day of the initial application receipt period.

(~~(c) The department shall begin screening all applications received during the initial application submittal period on the first working day following the close of the submittal period:~~

(~~(d) The department shall return to the applicant any application filed after the last day of the initial application submittal period:~~)

(6) The schedules for the three annual nursing home bed concurrent review cycles shall be as follows:

(a) For (~~(competing)~~) those applications (~~(identified)~~) described in subsection (4)(a) of this section, the concurrent review cycle schedule shall be as follows:

(i) Period for (~~(submittal)~~) receipt of letters of intent shall begin on the first working day of June and end on the first working day of July,

(ii) (~~(End of initial application submittal)~~) Period (~~(is)~~) for receipt of initial applications shall begin on the first working day of July and end on the first working day of August,

(iii) End of initial application completeness screening period is the first working day of September,

(iv) End of final application (~~(submittal)~~) receipt period is the first working day of October, and

(v) Beginning of concurrent review period is October 16 or first working day after that date.

(b) For competing applications submitted for nursing home beds available for the Chelan/Douglas, Clallam, Clark/Skamania, Cowlitz, (~~(Douglas)~~) Grant, Grays Harbor, Island excluding Camano, Jefferson, King, Kittitas, Klickitat, Okanogan, Pacific, San Juan, Skagit, Spokane, and Yakima (~~(counties or)~~) nursing home planning areas, the concurrent review cycle schedule shall be as follows:

(i) Period for (~~(submittal)~~) receipt of letters of intent shall begin on the first working day of July and end on the first working day of August,

(ii) (~~(End of initial application submittal)~~) Period (~~(is)~~) for receipt of initial applications shall begin on the first working day of August and end on the first working day of September,

(iii) End of initial application completeness screening period is the first working day of October,

(iv) End of final application (~~(submittal)~~) receipt period is the first working day of November, and

(v) Beginning of concurrent review period is November 16 or first working day after that date.

(c) For competing applications submitted for nursing home beds available (~~(from)~~) the Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Kitsap, Lewis, Lincoln, Mason, Pend Oreille, Pierce, Snohomish including Camano, Stevens, Thurston, Wahkiakum, Walla Walla, Whatcom, and Whitman (~~(counties or)~~) nursing home planning areas, the concurrent review cycle schedule shall be as follows:

(i) Period for (~~(submittal)~~) receipt of letters of intent shall begin on the first working day of August and end on the first working day of September,

(ii) (~~(End of initial application submittal)~~) Period (~~(is)~~) for receipt of initial applications shall begin on the first working day of September and end on the first working day of October,

(iii) End of initial application completeness screening period is the first working day of November,

(iv) End of final application (~~(submittal)~~) receipt period is the first working day of December, and

(v) Beginning of concurrent review period is December 16 or first working day after that date.

#### AMENDATORY SECTION (Amending Order 2386, filed 6/2/86)

WAC 248-19-373 DETERMINATION OF NURSING HOME BED NEEDS. (1) The department shall use the following rules (~~(are adopted for use)~~) in making decisions on certificate of need applications involving (~~(nursing home beds submitted for review under the provisions of RCW 70.38.105):~~)

(a) (~~(With the assistance of a work group, the state health coordinating council developed a method for determining future nursing home bed needs with the intention of incorporating that method as an amendment to the 1982 state health plan. The secretary of the department reviewed the method and submitted it to the governor for adoption as an amendment to the state health plan. The governor adopted the method as part of an amendment of the state health plan on March 27, 1984. See RCW 70.38.045 and RCW 70.38.065.)~~) New nursing homes,

(b) (~~(The nursing home bed need projections in subsection (3)(a) of this section shall be used to interpret the certificate of need review criteria in RCW 70.38.115 (2)(b) and WAC 248-19-370)~~) Nursing home bed additions,

(c) Redistribution of beds from any of the following facility and service categories to skilled nursing care beds:

(i) Acute care,

(ii) Boarding home care, or

(iii) Intermediate care for the mentally retarded;

(d) Redistribution of beds from any of the following facility and service categories to intermediate care facility beds:

(i) Acute care, or

(ii) Boarding home care; and

(e) Relocation of nursing home beds from one nursing home planning area to another nursing home planning area.

(2) The secretary finds:

(a) That (~~(in developing)~~) the (~~(amendment to the 1982)~~) nursing home bed projection method contained in the state health plan (~~(the~~

state health coordinating council sought and received the assistance of a work group consisting of representatives from a wide variety of groups interested in) is the appropriate means for determining nursing home bed needs in this state((:)); and

(b) That the ((work group consisted of representatives from the following: State health coordinating council; Puget Sound health systems agency; Washington association of homes for the aging; Washington state health facilities association; united nursing home association; area agency on aging; nursing home ombudsman; state nursing home advisory council; senior citizens lobby; state council on aging; the department's bureau of aging and adult services; bureau of nursing home affairs; and regional offices; and the house committee on social and health services)) state health plan nursing home bed need method and the resultant projections as contained in subsections (4), (5), (7), and (8) of this section are consistent with RCW 70.38.045 and RCW 70.38.065.

((c) That the following assumptions which were incorporated in the amendment regarding the bed need projection method are the appropriate policy considerations for projecting nursing home bed needs:

(i) Nursing home bed need projections should reflect variations in nursing home use by different age groups of the population:

(ii) Nursing home beds should ordinarily be located reasonably close to the people they serve.

(iii) Equity and the availability in use of nursing home beds within the state should be increased by reducing the wide variation in nursing home use rates within age groups among areas of the state:

(iv) Areas of the state that are underbedded, adequately bedded, and overbedded should be identified and treated differently in the bed need projection process.

(v) The overall supply of beds in the state should represent a reasonable and appropriate state nursing home bed to elderly population ratio:

(vi) Most current nursing home use in the state reflects an appropriate need for formal services which should be met by nursing home beds or other services in long-term care continuum:

(vii) To be responsive to unique local circumstances, the nursing home bed need projection process should include local discretion in defining nursing home planning areas and bed allocations:

(d) That the amendment to the 1982 state health plan established a 1990 target state nursing home bed to elderly population ratio (see subsection (2)(c)(v) of this section) of 53.7 beds per one thousand persons aged sixty-five or older. Taken into account in establishing this ratio were the following:

(i) The national bed ratio and the bed ratios of other states judged to have reasonable and progressive long-term care policies; and

(ii) State policy goals for the allocation of scarce resources between nursing home beds and other institutional and community-based services in the long-term care continuum; and

(iii) The effects on nursing home bed needs of new health system developments, such as hospital diagnostic related group (DRG) reimbursement; and

(iv) Progress being made in developing other long-term care services for the population at risk of nursing home placement:

(e) That nursing home bed need projections derived from the state health plan bed need methodology should not be exceeded in decisions on applications for certificates of need:))

(3) ((The following are the 1987 projections of total nursing home beds needed in each county as derived from)) Consistent with the general provisions of the state health plan, the department shall apply the following nursing home bed need ((projection methodology. These projections will remain in effect until updated. The next update is scheduled for the last half of 1986. The projections do not reflect necessary reductions for current licensed nursing home beds (excluding nursing home beds used for HMR); beds in hospitals used for long-term care; and the number of nursing home beds approved by certificate of need; but not yet licensed. The projections less these reductions equal additional beds needed)) policies:

(a)	((Clallam	470
	Island	215
	Jefferson	129
	King	8,867
	Kitsap	1,151
	Pierce	3,105
	San Juan	74
	Skagit	585
	Snohomish	2,270
	Whatcom	1,081

Clark	1,178
Cowlitz	585
Grays Harbor	667
Klickitat	100
Lewis	493
Mason	195
Pacific	196
Thurston	719
Wahkiakum	53
Benton	396
Chelan	446
Douglas	101
Franklin	138
Grant	230
Kittitas	227
Okanogan	275
Yakima	1,436
Adams	112
Asotin	233
Columbia	71
Ferry	27
Garfield	40
Lincoln	101
Pend Oreille	56
Spokane	2,667
Stevens	176
Walla Walla	497
Whitman	236))

The department shall use the state health plan nursing home bed projection method to calculate nursing home bed need projections for the three-year period ending in 1990 and for at least one subsequent longer range period.

(b) ((These bed need projections include the allocation plans of the applicable regional health council, as provided for in the nursing home)) The department and the state health coordinating council shall review the bed need projection method during the last half of 1989, unless it is reviewed sooner under the provisions of subsection (c) of this section. ((Where there is no regional health council allocation plan, the nonallocated projection is shown.))

(c) ((Certificates of need issued by the department shall approve no more than the number of additional beds indicated as needed for a given county by the projection method as listed in subsection (3)(a) of this section unless the department after consultation with the appropriate health systems agency finds additional beds are needed to further the projection method policy that nursing home beds should ordinarily be located reasonably close to the people they serve. When the department approves more beds than are projected as needed under this rule, the approval shall include a written explanation.

Note:

<sup>1</sup>Step 5 of the state health plan nursing home bed need projection methodology concerns the determination of the appropriate number of nursing home beds in each county. The method states the regional health councils are responsible for the development of an allocation plan. The regional health councils may group counties into multiple county planning areas and allocate beds or reallocate beds among counties based on the planning areas. The allocation plan shall be developed separate from the review of individual certificate of need applications)) The department and the state health coordinating council shall revise the bed projection method if either determines that significant nursing home bed supply problems have developed.

(d) The department and the state health coordinating council shall not consider hospital swing beds, which are available to provide either acute care or nursing home care as nursing home beds, for the purpose of determining nursing home bed needs or available nursing home bed supply.

(e) The department shall use the following nursing home planning areas in its nursing home bed need projections:

- (i) Chelan/Douglas counties,
- (ii) Clark/Skamania counties,
- (iii) Snohomish county and Camano Island,
- (iv) Island county without Camano Island, and
- (v) The other thirty-three individual counties in the state.

(4) The following are the unallocated baseline nursing home bed need projections for 1990 listed by health service area and nursing home planning area.

(a) Puget Sound Health Service Area

Clallam	470
Island excluding Camano	221
Jefferson	128
King	9,023
Kitsap	1,099
Pierce	3,158
San Juan	75
Skagit	588
Snohomish including Camano	2,275
Whatcom	1,070

(b) Southwest Washington Health Service Area

Clark/Skamania	1,151
Cowlitz	581
Grays Harbor	663
Klickitat	108
Lewis	509
Mason	235
Pacific	195
Thurston	849
Wahkiakum	53

(c) Central Washington Health Service Area

Benton	390
Chelan/Douglas	582
Franklin	150
Grant	252
Kittitas	227
Okanogan	284
Yakima	1,440

(d) Eastern Washington Health Service Area

Adams	112
Asotin	209
Columbia	66
Ferry	25
Garfield	40
Lincoln	95
Pend Oreille	55
Spokane	2,782
Stevens	177
Walla Walla	500
Whitman	236

(5) The department shall calculate the total net nursing home beds needed within each nursing home planning area by changing the 1990 baseline nursing home bed need projection for each nursing home planning area, as follows:

(a) Subtracting the total number of currently licensed nursing home beds within the nursing home planning area, excluding nursing home beds used as intermediate care for the mentally retarded (IMR) from the 1990 baseline nursing home bed need projection;

(b) Adding the total number of nursing home beds which the department has delicensed since the last recomputation of the total number of licensed nursing home beds within the nursing home planning area;

(c) Subtracting the total number of hospital beds, excluding designated swing beds, within the nursing home planning area which are used for long-term care from the 1990 baseline nursing home bed need projection;

(d) Subtracting the total number of nursing home beds approved by certificate of need, but not yet licensed from the 1990 baseline nursing home bed need projection; and

(e) Adding nursing home beds being reallocated from another nursing home planning area or areas to the 1990 baseline nursing home bed need projection; or

(f) Subtracting nursing home beds being reallocated to another nursing home planning area or areas from the 1990 baseline nursing home bed need projection.

(6) Under the state health plan nursing home bed need method, area agencies on aging may submit reallocation plans to the department which:

(a) Reallocate net needed nursing home beds among two or more nursing home planning areas,

(b) Document the following:

(i) That all area agencies representing the geographic areas involved support each proposed reallocation, and

(ii) That the reallocation plan is consistent with the requirements contained in the state health plan, and

(c) Receives approval from the department's aging and adult services administration.

(7) Under the state health plan, the department shall limit to three hundred the total number of nursing home beds approved for all type A continuing care retirement communities which propose or are operating within a transition period as defined in WAC 248-19-328(3).

(a) These three hundred beds available for type A continuing care retirement communities shall be in addition to the net nursing home beds needed in all of the nursing home planning areas and the statewide CCRC allotment of described in subsection (8) of this section.

(b) All nursing home beds approved for type A continuing care retirement communities which propose or are operating within a transition period shall be counted as beds within this three hundred bed limitation unless and until the continuing care retirement community fully complies with all provisions of the state health plan type A continuing care retirement community performance standards.

(8) Under the state health plan, there is a statewide allotment of one hundred and twenty beds which shall be available only for applications sponsored by or on behalf of continuing care retirement communities as defined in WAC 248-19-328(3).

(9) The total statewide 1990 baseline nursing home bed need, including nursing home planning areas needs under subsection (4) of this section and the special continuing care retirement community bed allotment in subsection (8) of this section is thirty thousand one hundred ninety-three.

(10) The department shall apply the following procedures in correcting the number of total net nursing home beds needed within a nursing home planning area as the result of changes in that area's bed supply as defined in subsection (5) of this section.

(a) When the number of currently licensed nursing home beds increases without a corresponding decrease in the number of certificate of need approved, but not yet licensed beds, the department shall reduce the number of net needed nursing home beds as defined in subsection (5) of this section.

(i) When this reduction can be made prior to the date of commencement of review for the concurrent review cycle, the department shall:

(A) Inform in writing, all persons from whom the department has received an application and/or a valid letter of intent, and

(B) Explain to each person from whom the department has received an application the procedures for withdrawing or amending a certificate of need application.

(ii) When this reduction cannot be made prior to the date of commencement of review for the concurrent review cycle, the department shall not consider the correction in reaching a decision on each affected application.

(b) When the number of certificate of need approved, but not yet licensed, beds increases, the department shall reduce the number of net needed nursing home beds as defined in subsection (5) of this section.

(i) When this reduction can be made prior to the date of commencement of review for the concurrent review cycle, the department shall:

(A) Inform in writing, all persons from whom the department has received an application and/or a valid letter of intent, and

(B) Explain to each person from whom the department has received an application the procedures for withdrawing or amending a certificate of need application.

(ii) When this reduction cannot be made prior to the date of commencement of review for the concurrent review cycle, the department shall not consider the correction in reaching a decision on each affected application.

(c) When the number of currently licensed nursing home beds or certificate of need approved, but not yet licensed beds, decreases, the department shall increase the number of net needed nursing home beds as defined in subsection (5) of this section.

(i) When this increase can be made prior to the department's initial decision on each affected application, the department shall:

(A) Notify all affected applicants in writing, and

(B) Explain to each affected applicant the procedures for amending a certificate of need application.

(ii) When this increase cannot be made prior to the date of the department's initial decisions on the affected applications, the department shall include the increase in the number of net needed nursing home

beds in any subsequent decision on each affected application or the next concurrent review cycle for that nursing home planning area, whichever occurs first.

(11) The department shall not issue certificates of need approving more than the number of additional beds indicated as, either available under subsections (7) or (8) of this section, or as needed for a given nursing home planning area, unless:

(a) The department has consulted with the appropriate regional health council, if any, and

(b) The department finds that such additional beds are needed to further the projection method policy that nursing home beds should ordinarily be located reasonably close to the people they serve, and

(c) The department explains such approval in writing.

### WSR 87-24-081

#### PROPOSED RULES

#### BOARD OF PILOTAGE COMMISSIONERS

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning special meeting, WAC 296-116-020;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch  
Assistant Attorney General

#### STATEMENT OF PURPOSE

Rule: WAC 296-116-020.

Statutory Authority: RCW 88.16.035.

Reason for Amendment: Adds more flexibility to the board's special meeting requirements and is consistent with the Open Meetings Act codified in chapter 42.30 RCW.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

AMENDATORY SECTION (Amending Order 78-2, Resolution No. 78-2, filed 8/23/78)

WAC 296-116-020 SPECIAL MEETING. A special meeting of the board of pilotage commissioners may be called by the chairperson, or by ((any two members of the board, by serving notice, in writing,

upon all other members of the board not less than five days prior to the meeting date. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour and place of such meeting and shall be in conformance with the provisions of chapter 42.30 RCW)) the vice-chairperson, by delivering personally or by mail written notice to each member of the board; and to each local newspaper of general circulation and to each local radio or television station which has on file with the governing body a written request to be notified of such special meeting or of all special meetings. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and the notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the governing body. Such written notice may be dispensed with as to any member who at or prior to the time of the meeting files a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes and the pilot advising of the board's action.

### WSR 87-24-082

#### PROPOSED RULES

#### BOARD OF PILOTAGE COMMISSIONERS

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning emergency meeting, WAC 296-116-030;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch  
Assistant Attorney General

#### STATEMENT OF PURPOSE

Rule: WAC 296-116-030.

Statutory Authority: RCW 88.16.035.

Reason for Amendment: Gives the board more flexibility in holding emergency meetings and is consistent with the Open Meetings Act codified in chapter 42.30 RCW.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.



AMENDATORY SECTION (Amending Order 78-2, Resolution No. 78-2, filed 8/23/78)

WAC 296-116-030 EMERGENCY MEETING. (~~An emergency meeting may be called by the chairperson, or by any two members of the board without notification whenever an accident of any importance, such as stranding, collision or the like, shall occur to any vessel while utilizing the services of a state licensed pilot, for the purpose of making an investigation into the cause of such accident. The findings of such an emergency meeting shall be submitted to the board for appropriate action at the next regular monthly meeting.~~) If there is a need for expedited action by the board to meet an emergency, the chairperson or vice-chairperson may provide for a meeting site and the notice requirements of chapter 42.30 RCW shall be suspended during the emergency.

## WSR 87-24-083

## PROPOSED RULES

## BOARD OF PILOTAGE COMMISSIONERS

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning licensing of pilots, WAC 296-116-080;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch  
Assistant Attorney General

## STATEMENT OF PURPOSE

. Rule: WAC 296-116-080.

Statutory Authority: RCW 88.16.090.

Reason for Amendment: Necessitated by the 1987 legislative amendment to RCW 88.16.090 which directs the board to conduct an examination on a regular date, as prescribed by rule, at least once every two years.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

AMENDATORY SECTION (Amending Order 86-2, Resolution No. 86-2, filed 3/10/86)

WAC 296-116-080 LICENSING OF PILOTS. (1) No person shall be licensed by the board unless he has applied for a pilotage license and successfully completed: (a) The pilotage examination; (b)

familiarization trips required by the board; and (c) the pilotage training program, if applicable.

The majority of the entire board shall pass on the licensing of a pilot and licenses shall be signed by the chairperson. All applicants shall have and display a United States Government Masters License and a first class United States endorsement without restrictions on that license to pilot in whichever pilotage district the applicant desires a license. In addition all applicants shall have and display an endorsement to their masters license issued by the United States Coast Guard certifying competence as a radar observer.

(2) Prior to commencing familiarization trips, and the pilot training program, if applicable, an applicant must pass a written and oral examination given and graded by the board. ~~The board (shall hold examinations at such times as will ensure the maintenance of an efficient and competent pilotage service))~~ will conduct such examinations for both pilotage districts during the third week in March in each odd-numbered year. Notice of the examination shall be published four months in advance by one paid advertisement in a major newspaper and written notice to one radio station, one television station, United Press International, and the Associated Press, as well as all pilots licensed by the board and all operators registered with the board. Applications will be accepted by the board immediately following the publication of the notice of the examination. The board may, in an emergency, call for an immediate examination on less than four months notice.

(a) The examination may be taken by all qualified applicants who:

(i) Have had a license application on file with the board for at least one month prior to the examination. (This requirement may be waived upon the showing of good cause;)

(ii) Have tendered a nonrefundable examination fee of three hundred dollars. The board may, at its discretion, refund the examination fee for an applicant who is unable to sit for the examination.

(iii) Have had a physical examination by a physician designated by the board not more than thirty days prior to the examination to determine his physical fitness to be a pilot.

(b) The examination shall be in compliance with RCW 88.16.090 and shall consist of questions covering, but not limited to, the following subjects as they pertain to the pilotage district for which the examination is being given:

(i) Rules of the road as set forth in United States government publications;

(ii) Aids to navigation;

(iii) Courses, distances, and distance past abeam at change-of-course points, course points within channels, waterways, and navigable tributaries within the pilotage district for which the examination is being given;

(iv) Cable crossing areas;

(v) Dredged channel widths and depths;

(vi) Bridge signals - width, regulations, and closed periods;

(vii) Ship handling, docking and undocking problems, use of tow-boats and anchors, and seamanship;

(viii) Vessel traffic system regulations where applicable;

(ix) Ranges for determining compass error;

(x) Channel ranges;

(xi) Engine and rudder order commands for United States and foreign merchant vessels and United States naval vessels;

(xii) Operation and use of marine radar, including rapid plotting techniques;

(xiii) Calculation of currents and tides;

(xiv) Pier, wharf, or terminal locations and berth numbers; dock or pier headings, lengths, and minimum depths of water alongside;

(xv) Prohibited areas, restricted areas, and explosive anchorages;

(xvi) Use of navigational and bridge instruments;

(xvii) Anchorage locations;

(xviii) Duties of pilot;

(xix) Relationship between pilot and master;

(xx) Location and meaning of storm warning signals;

(xxi) Meaning of one and two flag signals;

(xxii) United States government public health quarantine regulations;

(xxiii) Harbor regulations;

(xxiv) Washington State Pilotage Act and rules of the board of pilotage commissioners;

(xxv) Chart knowledge, including chart symbols and abbreviations as set forth in the latest department of commerce NOS (National Ocean Survey) Chart No. 1.



(3) After successful completion of the examination, the board shall determine the number of familiarization trips which the applicant will have to make pursuant to RCW 88.16.090. Familiarization trips are ship movements over specified routes on which the applicant observes the route and the actions of the licensed pilot on board.

(4) After passing the examination, applicants for the Puget Sound pilotage district must enter and successfully complete a familiarization and training program. In this program applicants shall be required to pilot vessels under the supervision of Puget Sound pilots with more than five years experience. After every such assignment the supervisory pilots shall fill out, on a form provided by the board, an evaluation of the applicant's performance. After completion of the training period, the board shall evaluate the applicant's performance in shiphandling skills on the basis of these forms and other relevant information and decide whether the applicant should be licensed. Dependent on the applicant's experience level and grade of license, applicants in this training program shall pilot under such supervision for a minimum period of four months and seventy-five assignments and a maximum period of six months and one hundred assignments. Some or all of the familiarization trips required by RCW 88.16.090(7) may, at the board's discretion, be combined with trips during which the applicant is piloting the vessel under the supervision of a licensed pilot.

**WSR 87-24-084**

**PROPOSED RULES**

**BOARD OF PILOTAGE COMMISSIONERS**

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning limitations on new pilots, WAC 296-116-082;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.105.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch

Assistant Attorney General

**STATEMENT OF PURPOSE**

Rule: WAC 296-116-082.

Statutory Authority: RCW 88.16.105.

Reason for Amendment: Necessitated by the 1987 legislative amendment to RCW 88.16.105 which increased the limitation period for new pilots from two to three years.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

**AMENDATORY SECTION** (Amending Order 79-6, Resolution No. 79-6, filed 3/4/80)

WAC 296-116-082 LIMITATIONS ON NEW PILOTS. The initial license issued by the board to a pilot applicant shall not authorize such pilot to perform pilotage services on any vessel of a size of 25,000 gross tons (International) or more, or of over 660 feet in length for the first year that such licensee becomes an active pilot. During this first year the licensee will not be authorized to pilot loaded petroleum tankers. During the second year of piloting under an initial license the pilot may perform pilotage on vessels in excess of 25,000 gross tons (International) and up to 35,000 gross tons (International) if such pilotage does not include the docking or undocking of the vessel. During the third year of piloting under an initial license the pilot may perform pilotage on vessels not over 35,000 gross tons (International), however, the pilot may perform pilotage on vessels in excess of 35,000 gross tons (International) if such pilotage does not include the docking or undocking of the vessel. The initial license shall contain the above limitations and the date of the commencement and expiration of such periods of limitation. The board may also prescribe required familiarization trips before a newly licensed pilot may pilot a larger or different type of vessel.

**WSR 87-24-085**

**PROPOSED RULES**

**BOARD OF PILOTAGE COMMISSIONERS**

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning physical requirements, WAC 296-116-120;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch

Assistant Attorney General

**STATEMENT OF PURPOSE**

Rule: WAC 296-116-120.

Statutory Authority: RCW 88.16.090.

Reason for Amendment: Necessitated by the 1987 legislative addition to RCW 88.16.090 requiring the board to review the physician's report and within 90 days of the date of each annual physical examination make a determination of whether or not a pilot is fully able to carry out the duties of a pilot under the Pilotage Act.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

AMENDATORY SECTION (Amending Order 85-2, Resolution No. 85-2, filed 7/12/85)

WAC 296-116-120 PHYSICAL REQUIREMENTS. (1) In order to determine the physical fitness of persons to continue to serve as licensed pilots under the provisions of the pilotage act, all licensed pilots shall be required to pass a general physical examination annually within forty-five days prior to the date their annual state pilot license fee is due. As part of this examination pilots shall have completed on a form provided by the board a detailed report of physical examination. This form shall be prepared by the ~~((pilot and the))~~ examining physician and shall be ~~((maintained on file by the physician for a period of five years. The physician will submit))~~ submitted to the board along with a letter stating whether and under what conditions the pilot is capable of providing pilotage services. The completion of the form and the letter to the board satisfies the minimum health standards of RCW 88.16.090(6). The detailed report of physical examination is a confidential record ~~((which will be made available to the board at the board's request))~~ and will not be available for public inspection. Such examination shall be obtained at the expense of the licensed pilots from a physician or physicians designated in advance by the board. The secretary of the board shall give each pilot reasonable written notice of the date when any such physical examination becomes due and shall specify the name of the physicians then approved by the board to conduct such physical examination.

(2) The physical examination required of all pilots shall demonstrate that he is in all respects physically fit to perform his duties as a pilot. The examination shall assure that one's abilities as a pilot will not be impaired by eyesight, hearing or other bodily function and shall include examination of the pilot's eyes (including tests for color blindness, depth perception, night vision, disease, field of vision and reflexes); ears; heart; blood pressure; blood components; pulse; speech capabilities; history of diseases (including diabetes, cancer, arthritis, arrhythmia, asthma, bronchitis, emphysema, ulcers, alcoholism and other illnesses) and any other type of information which the physician feels is relevant.

(3) In the case of renewal of license as pilot, should the pilot be temporarily physically incapacitated at the time his license is due to be renewed, the commission shall not revoke such license until a further physical examination to be given at the expiration of three months. This procedure shall be carried on until it is evident that the pilot is permanently incapacitated; provided further, that no pilot shall be carried on the inactive list for longer than one year if disabled. Any pilot who is physically incapacitated shall not serve as a pilot during such period of incapacitation.

### WSR 87-24-086

#### PROPOSED RULES

#### BOARD OF PILOTAGE COMMISSIONERS

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning exempt vessels, WAC 296-116-360;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch  
Assistant Attorney General

#### STATEMENT OF PURPOSE

Rule: WAC 296-116-360.

Statutory Authority: RCW 88.16.070.

Reason for Amendment: Necessitated by the 1987 legislative amendment to RCW 88.16.070 which gives the board the authority to exempt certain vessels from the provisions of the Pilotage Act.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

#### NEW SECTION

WAC 296-116-360 EXEMPT VESSELS. Under the authority of RCW 88.16.070, application may be made to the board of pilotage commissioners to seek exemption from the pilotage requirements for the operation of a limited class of small passenger vessels or yachts, which are not more than five hundred gross tons (international), do not exceed two hundred feet in length, and are operated exclusively in the waters of the Puget Sound pilotage district and lower British Columbia. The owners or operators of such vessel or vessels must:

(1) Seek exemption at least sixty days prior to planned vessel operations in the Puget Sound pilotage district.

(2) Submit the petition requesting exemption to the chairperson, Washington state board of pilotage commissioners, with details concerning description of the vessel, the contemplated use of vessel, the proposed area of operation, the name and address of the vessel's owner, and the dates of planned operations. The board shall hold a hearing at a regularly scheduled board meeting to consider such exemption request.

The board, when granting such an exemption, may establish such conditions they deem necessary so that such an exemption shall not be detrimental to the public interest in regard to safe operation preventing loss of human lives, loss of property, and protecting the marine environment of the state of Washington.

One such condition shall be that the master of the vessel, shall at all times, hold as a minimum, a United States government license as a master of freight and towing vessels not more than one thousand gross tons (inspected vessel). In some instances, the board may also require a first class federal pilotage endorsement for waters over which the vessel intends to operate.

The board shall annually, or at any other time when in the public interest, review any exemptions granted to the specified class of small vessels to ensure that each exempted vessel remains in compliance with the original exemption and any conditions to the exemption. The board shall have the authority to revoke such exemption when there is not continued compliance with the requirements for exemption.

WSR 87-24-087

PROPOSED RULES

## BOARD OF PILOTAGE COMMISSIONERS

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning procedure for refusal of certain pilots by shippers or agents, WAC 296-116-400;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch  
Assistant Attorney General

## STATEMENT OF PURPOSE

Rule: WAC 296-116-400.

Statutory Authority: RCW 88.16.035.

Reason for Amendment: Necessitated by the 1987 legislative amendment to the Pilotage Act which allows a steamship company or agent to request that a particular pilot not be assigned to pilot that company's vessels based on specific safety concerns.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

NEW SECTION

WAC 296-116-400 PROCEDURE FOR REFUSAL OF CERTAIN PILOTS BY SHIPPERS OR AGENTS. All licensed pilots possess a full measure of skill, experience, and knowledge which qualifies them to pilot vessels in their pilotage district. Possession of a state pilotage license confirms their high level of professionalism.

When a shipping company or agent believes assignment of a particular pilot to their vessels should not be made for specific safety reasons, they may submit a written request to the board detailing the specific safety concerns. To be considered, the request must substantiate errors in judgment, physical or mental health deficiencies or other pertinent factors relative to safe piloting. The request must be submitted to the board within ten days of the alleged act or omission causing their specific safety concern.

The board shall investigate this report and shall conduct a hearing at a regularly scheduled board meeting not more than sixty days following receipt of the request. The board shall notify the steamship company or agent and pilot in writing of its decisions and reasons therefor.

In the event that the request is approved, the board shall provide the pilot with a specific list of vessels, shipping companies, and/or agents

for which that pilot shall not provide pilotage services as well as the length of time covering such restriction.

WSR 87-24-088

PROPOSED RULES

## BOARD OF PILOTAGE COMMISSIONERS

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning definition of Grays Harbor pilotage district, WAC 296-116-410;

that the agency will at 9:00 a.m., Thursday, January 14, 1988, in the Henry M. Jackson Federal Building, 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 88.16.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1988.

Dated: November 24, 1987

By: Marjorie T. Smitch  
Assistant Attorney General

## STATEMENT OF PURPOSE

Rule: WAC 296-116-410.

Statutory Authority: RCW 88.16.050.

Reason for Amendment: Necessitated by the 1987 legislative amendment to RCW 88.16.050 which includes Willapa Harbor in the Grays Harbor pilotage district and directs the board to define the boundary line between Grays Harbor and Willapa Harbor and the high seas.

Implementation: This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, Washington 98104, (206) 464-7818.

Proposed: Rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

NEW SECTION

WAC 296-116-410 DEFINITION OF GRAYS HARBOR PILOTAGE DISTRICT. The Grays Harbor pilotage district shall have an outer boundary line between Grays Harbor and Willapa Harbor and the high seas which shall be seaward of a line from Point Brown rear range light to Grays Harbor entrance lighted whistle buoy number three, (latitude N 46-55.00, longitude 124-14.42 W), thence to Grays Harbor entrance lighted whistle buoy number two (latitude N 46-52.43, longitude 124-12.35 W), thence to Grays Harbor light and from the Willapa Bay light to the Willapa Bay approach lighted whistle buoy "W" (latitude N 46-41.50, longitude 124-10.46 W), thence to the charted northern-most position of Leadbetter Point and all other Washington coastal points as applicable west of slip point to Cape Flattery and south to Cape Disappointment.

**WSR 87-24-089**  
**NOTICE OF PUBLIC MEETINGS**  
**PENINSULA COLLEGE**  
 [Memorandum—December 2, 1987]

The Community College District No. 1 board of trustees holds its regular meetings at 3 p.m. in the Board Room at Peninsula College on the following dates:

- January 19, 1988
- February 16, 1988
- March 15, 1988
- April 19, 1988
- May 17, 1988
- June 21, 1988
- July 19, 1988
- September 20, 1988
- October 18, 1988
- November 15, 1988
- December 20, 1988

**WSR 87-24-090**  
**NOTICE OF PUBLIC MEETINGS**  
**SEATTLE COMMUNITY COLLEGES**  
 [Memorandum—December 1, 1987]

Following is a list of the regularly scheduled meetings of the board of trustees for the Seattle Community College District for calendar year 1988. All meetings are scheduled for 6:00 p.m.

January 5, 1988	NSCC
February 2, 1988	SCCC
March 1, 1988	S SCC
April 5, 1988	NSCC
May 3, 1988	SCCC
June 7, 1988	S SCC
JULY MEETINGS ARE SCHEDULED IF REQUIRED	
August 2, 1988	S CCD
September 6, 1988	NSCC
October 4, 1988	S SCC
November 1, 1988	S SCC
December 6, 1988	S CCD

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

Until February 1988. After February, new address will be:

1500 Harvard  
 Seattle, WA 98122

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 87-24-091**  
**EMERGENCY RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Order 1961—Filed December 2, 1987]

I, C. Alan Pettibone, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to an emergency noxious weeds grant program, chapter 16-752 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 to provide emergency assistance to local noxious weed control agencies who receive state noxious weed grant funds between July 1, 1986, and June 30, 1987, and whose noxious weed control program would be seriously impaired without such funds.

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

This rule is promulgated pursuant to chapter 17.10 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 2, 1987.

By Michael V. Schwisow  
 Deputy Director

NEW SECTION

**WAC 16-752-200 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—PURPOSE.** (1) *The purpose of the following rules are to provide emergency assistance to local noxious weed control agencies who received state noxious weed control grant funds between July 1, 1986 and June 30, 1987, and whose noxious weed control program would be seriously impaired without such funds.*

(2) *Definition. "Local agency" means any activated county noxious weed control board, weed district or intercounty weed district.*

NEW SECTION

**WAC 16-752-201 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—ALLOTMENT.** *One hundred thousand dollars or so much thereof as may be necessary shall be distributed as provided in this chapter.*

NEW SECTION

**WAC 16-752-202 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—APPLICATION.** (1) *The legislative authority of any county with an activated county noxious weed control board, or board of any weed district which received and utilized state grant*

funds between July 1, 1986 and June 30, 1987 may apply to the director for grant funds pursuant to this chapter.

(2) Each applicant shall employ adequate administrative personnel to supervise an effective weed control program.

(3) No requests shall exceed the total amount of state noxious weed control grant funds requested and utilized by the applicant local agency between July 1, 1986 and June 30, 1987.

(4) Funds allocated under this chapter and not expended by June 30, 1987 shall revert to the department.

#### NEW SECTION

##### WAC 16-752-203 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—REQUIREMENTS.

(1) Monies from the emergency noxious weeds grant fund shall be used solely for the purchase of materials and/or biological control agents by one of the following methods:

(a) Direct purchase by a local agency for application by the agency or for distribution to landowners;

(b) Reimbursement to local agencies of local monies paid to landowners following the landowner's purchase or application of materials or biological control agents: **PROVIDED**, That no local agency shall be reimbursed for any weed control activities performed prior to December 15, 1987.

(2) Monies from the emergency noxious weeds grant fund shall not be used for the application costs of materials or biological control agents whether applied by the local agency, landowner or commercial applicator.

(3) All activities carried out under the emergency noxious weeds grant program shall comply with Washington pesticide application act, chapter 17.21 RCW, Washington pesticide control act, chapter 15.58 RCW, any any rules promulgated under these chapters. For those local agencies which choose to purchase materials directly for distribution to landowners this shall include but not be limited to the local agency obtaining a pesticide dealer license and the supervisor or other representative of the local agency obtaining a pesticide dealer manager license.

(4) Monies from the emergency noxious weeds grant fund shall be used only on those weeds which are on the noxious weed list, WAC 16-750-010.

(5) All recipients shall employ approved crop/pasture/range management and weed control practices on those lands for which assistance is received.

(6) Each landowner participating in the program shall complete an application and crop/pasture/range management agreement prior to receiving state assistance to control noxious weeds. Upon completion of treatment, each landowner participating in the program shall file a certification of completion of treatment with the local agency. These records shall be maintained by the local agency as part of its permanent state noxious weed control grant program record. Individual local agencies shall be responsible for developing forms to meet this requirement and such forms shall contain substantially the same information as that contained in the department form, "application for assistance to control noxious

weeds". A sample of each form used by a local agency in conjunction with this program shall be submitted to the department prior to any payment by the department.

(7) Records.

(a) Those local agencies which purchase materials or biological control agents directly for distribution to landowners shall maintain records on the quantity and value of materials and agents distributed to each landowner.

(b) Those local agencies which reimburse landowners following the landowner's purchase of materials or biological control agents shall retain a copy of the invoice showing the landowner's name, the date of purchase, the material and agents purchased, and the quantity and value of that purchase.

(c) The records specified in subsection (7)(a) and (b) of this section shall be maintained by the local agency as part of its permanent state noxious weed control grant program record.

(8) Each local agency shall develop an inspection plan to ensure landowner compliance with the provisions of this chapter. Such inspection plan shall include inspecting not less than twenty percent of the treated properties in any one year. If after inspection, any landowner shall be found not in compliance with the provisions of this program, the local agency shall immediately notify the department and shall withhold any outstanding payment to this landowner until such payment is approved by the department.

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

#### NEW SECTION

##### WAC 16-752-204 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—PAYMENT.

(1) One signed original copy of the memorandum of understanding between the local agency and the department shall be submitted to the department on or before June 27, 1988 and prior to payment by the department. A second signed original copy shall be maintained as a part of the local agency's permanent noxious weed control grant program record.

(2) Requirements for payment by the department are as follows:

(a) Those local agencies that purchase materials or biological control agents directly shall be required to submit to the department a bill of sale showing the name and address of the vendor, the name of the material, the amount purchased and the cost along with a completed state invoice, form A-19, prior to payment by the department. Additionally, on or before July 7, 1988, a noxious weed control program report summarizing all program control activities conducted during the term of the agreement shall be completed and submitted to the department.

(b) Those local agencies that reimburse landowners following the purchase or application of materials or biological control agents shall be required to complete a noxious weed control program report summarizing the control activities conducted to date along with each completed state invoice, form A-19, prior to payment by

the department. Additionally, on or before July 7, 1988, a noxious weed control program report summarizing all program control activities conducted during the term of the agreement shall be completed and submitted to the department.

(3) State invoices, form A-19, submitted for payment shall be received by the department no later than July 7, 1988.

(4) Failure to submit the required forms within the times specified may delay or eliminate payment.

**WSR 87-24-092**  
**PROPOSED RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
 [Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Wildlife Commission intends to adopt, amend, or repeal rules concerning wildlife classified as endangered species, amending WAC 232-12-014;

that the agency will at 9:00 a.m., Friday, January 15, 1988, in the Best Western Executive Inn, 5700 Pacific Highway East, Tacoma, WA 98424, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 15, 1988.

The authority under which these rules are proposed is RCW 77.12.020(6).

The specific statute these rules are intended to implement is RCW 77.12.020(6).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 6, 1988.

Dated: November 25, 1987

By: Jack L. Smith, Chief  
 Wildlife Management Division

**STATEMENT OF PURPOSE**

Title and Number of Rule Section: WAC 232-12-014  
 Wildlife classified as endangered species.

Statutory Authority: RCW 77.12.020(6).

Specific Statute that Rule is Intended to Implement: RCW 77.12.020(6).

Summary of the Rule: This notice proposes to add the northern spotted owl (*Strix occidentalis caurina*) to the commission's list of endangered species.

Reasons Supporting the Proposed Rule: The northern spotted owl is dependent of large tracts (3800 acres) of low elevation old-growth forest for its survival in Washington. This critical spotted owl habitat is in jeopardy due to current and proposed logging practices on public lands. Listing of the northern spotted owl as endangered will give official and appropriate recognition to the current status of this subspecies.

Agency Personnel Responsible for Drafting and Implementation: Jack L. Smith, Chief, Wildlife Management Division, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5728; and Enforcement: John Gillespie, Acting Chief, Wildlife Enforcement, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Wildlife.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

AMENDATORY SECTION (Amending Order 192, filed 9/9/82)

WAC 232-12-014 WILDLIFE CLASSIFIED AS ENDANGERED SPECIES. Endangered species include: Columbian white-tailed deer, *Odocoileus virginianus leucurus*; Mountain caribou, *Rangifer tarandus*; Blue whale, *Balaenoptera musculus*; Bowhead whale, *Balaena mysticetus*; Finback whale, *Balaenoptera physalus*; Gray whale, *Eschrichtius gibbosus*; Humpback whale, *Megaptera novaeangliae*; Right whale, *Balaena glacialis*; Sei whale, *Balaenoptera borealis*; Sperm whale, *Physeter catodon*; Wolf, *Canis lupus*; Peregrine falcon, *Falco peregrinus*; Aleutian Canada goose, *Branta canadensis leucopareia*; Brown pelican, *Pelecanus occidentalis*; Leatherback sea turtle, *Dermochelys coriacea*; Grizzly bear, *Ursus arctos horribilis*; Sea Otter, *Enhydra lutris*; White pelican, *Pelecanus erythrorhynchos*; Sandhill crane, *Grus canadensis*; Snowy plover, *Charadrius alexandrinus*; Upland sandpiper, *Bartramia longicauda*; Northern spotted owl, *Strix occidentalis*.

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 87-24-093**  
**PROPOSED RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
 [Filed December 2, 1987]

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

- New WAC 232-12-276 Scientific permits.
- Rep WAC 232-12-274 Conditions for issuance of permits for scientific collection, research or display;

that the agency will at 9:00 a.m., Friday, January 15, 1988, in the Best Western Executive Inn, 5700 Pacific Highway East, Tacoma, WA 98424, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 15, 1988.

The authority under which these rules are proposed is RCW 77.32.010 (2)(b) and 77.32.240.

The specific statute these rules are intended to implement is RCW 77.32.010 (2)(b) and 77.32.240.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 6, 1987 [1988].

Dated: November 25, 1987

By: Jack L. Smith, Chief  
Wildlife Management Division

### STATEMENT OF PURPOSE

Title and Number of Rule Section: New section WAC 232-12-276, Scientific permits.

Statutory Authority: RCW 77.32.010 (2)(b) and 77.32.240.

Specific Statute that Rule is Intended to Implement: RCW 77.32.010 (2)(b) and 77.32.240.

Summary of the Rule: Establishes rules for obtaining a scientific permit to collect wildlife or their nests and eggs for research or display.

Reasons Supporting the Proposed Rule: Wildlife is important to valuable research and public education programs. This rule provides for issuance of a scientific permit to collect wildlife or their nests and eggs for research or display.

Agency Personnel Responsible for Drafting and Implementation: Jack L. Smith, Chief, Wildlife Management Division, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5728; and Enforcement: John Gillespie, Acting Chief, Wildlife Enforcement, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Wildlife.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

### NEW SECTION

WAC 232-12-276 SCIENTIFIC PERMITS (1) It is unlawful to collect wildlife or their nests and eggs for the purpose of research or display without first obtaining a Washington state scientific permit.

(2) A scientific permit, valid for the time specified on the permit, may be issued to a person to collect wildlife or their nests and eggs for the purpose of research or display.

(3) The Director may issue and place conditions upon the exercise of a scientific permit if the applicant complies with the following:

(a) The applicant will submit a completed application providing specific information required by the Director.

(b) The applicant will submit a study plan which includes specific project objectives and justification for collection; target species and number to be collected; method(s) of collection; location(s) of collection; and proposed final disposition of collection.

(c) The applicant will demonstrate their qualifications for conducting the collection and the research or display of wildlife as requested in the application.

(d) The applicant will demonstrate access to adequate facilities and competence necessary to care for live wildlife to be collected for research or display.

(4) Scientific permits will not be granted if, in the opinion of the Director, the collection conflicts with existing collection activities.

(5) A copy of the valid scientific permit must be in the possession of any person exercising the privileges authorized by the permit. Subpermittees will be identified in a manner prescribed by the director.

(6) It is unlawful for a scientific permit holder to fail to keep accurate records showing information as required by the director. These records shall be maintained on a calendar year basis and shall be retained for a period of five years.

(7) It is unlawful for the holder of a scientific permit to fail to submit to the Department no later than January 31 of each year an annual report providing information as required by the Director.

(8) Scientific permit holders collecting wildlife or their nests or eggs for the purpose of research must submit to the Department a copy of the final report. Interim reports may be required.

(9) Wildlife Agents may inspect at reasonable times and in a reasonable manner the wildlife, nests, eggs, permits, records, and facilities of a scientific permit holder.

(10) It is unlawful for live wildlife collected directly from the wild to be displayed except by publicly owned zoos and aquariums. Live wildlife acquired from sources in the state of Washington other than directly from the wild may be used for wildlife education programs under conditions prescribed by the director.

(11) It is unlawful to fail to comply with the conditions of a scientific permit.

(12) For the purposes of this rule, the following definitions apply:

(a) "Collect" means to take control of or attempt to take control of wildlife or their nests and eggs.

(b) "Display" means to place or locate wildlife so that public viewing is encouraged or allowed.

### REPEALER

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

WAC 232-12-274 CONDITIONS FOR ISSUANCE OF PERMITS FOR SCIENTIFIC COLLECTION, RESEARCH OR DISPLAY

**WSR 87-24-094**  
**PROPOSED RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
[Filed December 2, 1987]

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

New WAC 232-28-710 1988 Spring bear and turkey seasons.  
Rep WAC 232-28-709 1987 Spring bear and turkey seasons;

that the agency will at 9:00 a.m., Friday, January 15, 1988, in the Best Western Executive Inn, 5700 Pacific Highway East, Tacoma, WA 98424, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 15, 1988.

The authority under which these rules are proposed is RCW 77.12.040.

The specific statute these rules are intended to implement is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 6, 1988.

Dated: November 23, 1987  
 By: Jack L. Smith, Chief  
 Wildlife Management Division

#### STATEMENT OF PURPOSE

Title and Number of Rule Section: WAC 232-28-710  
 1988 Spring bear and turkey seasons.

Statutory Authority: RCW 77.12.040.

Specific Statute that Rule is Intended to Implement:  
 RCW 77.12.040.

Summary of the Rule: Seasons will be established in the manner outlined in the 1987 season pamphlet.

Reasons Supporting the Proposed Rule: Resource management.

Agency Personnel Responsible for Drafting and Implementation: Jack L. Smith, Chief, Wildlife Management Division, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5728; and Enforcement: John Gillespie, Acting Chief, Wildlife Enforcement, Department of Wildlife, 600 North Capitol Way, Olympia, WA 98504, phone (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Wildlife.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

#### NEW SECTION

WAC 232-28-710 1988 SPRING BEAR AND TURKEY SEASONS.

**Reviser's note:** The text and accompanying pamphlet comprising the 1988 Spring bear and turkey seasons proposed by the Department of Wildlife have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Wildlife, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

#### REPEALER

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

WAC 232-28-709 1987 SPRING BEAR AND TURKEY SEASONS

WSR 87-24-095  
 PROPOSED RULES  
 STATE PATROL  
 (Commission on Equipment)  
 [Filed December 2, 1987]

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 practice and procedure for making or amendment of rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 15, 1988.

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

The specific statute these rules are intended to implement 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 January 14, 1988.

Dated: December 2, 1987

By: Lieutenant LaVere E. Klewin  
 ESR, Section Commander

#### STATEMENT OF PURPOSE

Title: Chapter 204-08 WAC, Practice and procedure.

Description of Purpose: To bring language of chapter 204-08 WAC into compliance with RCW 46.37.320 as amended by 1986 legislative action, and RCW 46.37.005 as amended by 1987 legislative action.

Specific Statute Rule is Intended to Implement: RCW 46.37.005.

Summary of Rule: Establishes the procedure for the chief of the Washington State Patrol to process petitions and issue declaratory rulings relating to proposed or adopted rules.

Reasons Supporting Proposed Action: 1986 and 1987 legislative action.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lieutenant LaVere E. Klewin, phone 753-6569.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: Washington State Patrol, governmental.

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

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

Small Business Economic Impact Statement: N/A.

#### AMENDATORY SECTION (Amending Rule II, filed 3/21/60)

WAC 204-08-020 PETITIONS FOR RULE-MAKING AMENDMENT OR REPEAL. (1) Any interested person may petition the ((commission)) chief requesting the promulgation, amendment, or repeal of any regulation.

(2) Where the petition requests the promulgation of a regulation, the requested or proposed regulation must be set out in full. The petition must also include all the reasons for the requested regulation together with briefs of any applicable law. Where the petition requests the amendment or repeal of a regulation presently in effect, the regulation or portion of the regulation in question must be set out as well



as the suggested amendment form if any. The petition must include all reasons for the requested amendment or repeal of the regulation.

(3) All petitions shall be considered by the ((commission)) chief and ((it)) he/she may, ((in its discretion)) order a hearing for the further consideration and discussion of the requested promulgation, amendment, repeal, or modification of any regulation.

(4) The ((commission)) chief shall notify the petitioning party within a reasonable time of the disposition, if any, of the petition.

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

WAC 204-08-030 DECLARATORY RULINGS. (1) As prescribed in RCW 34.04.080, any interested person may petition the ((commission)) chief for a declaratory ruling. The ((commission)) chief shall consider the petition and within a reasonable length of time shall:

- (a) Issue a nonbinding declaratory ruling; or
- (b) Notify the person that no declaratory ruling is to be issued; or
- (c) Set a reasonable time and place for an oral hearing or the submission of written evidence upon the matter, and give reasonable notification to the person of the time and place for such hearing or submission and of the issues involved.

If a hearing as provided in subsection (c) is conducted, the ((commission)) chief shall within a reasonable time:

- (1) Issue a binding declaratory rule; or
- (2) Issue a nonbinding declaratory rule; or
- (3) Notify the person that no declaratory ruling is to be issued.

#### AMENDATORY SECTION (Amending Rule IV, filed 3/21/60)

WAC 204-08-040 FORMS FOR DECLARATORY RULINGS. Any interested person petitioning the ((commission)) chief for a declaratory ruling pursuant to RCW 34.04.080, shall generally adhere to the following form for such purpose.

(1) At the top of the page shall appear the wording "Before the ((state commission on equipment)) chief of the Washington state patrol." On the left side of the page following the foregoing the following caption shall be set out: "In the matter of the petition of (name of petitioning party) for a declaratory ruling." Opposite the foregoing caption shall appear the word "petition."

(2) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party. The second paragraph shall state all rules or statutes that may be brought into issue by the petition. Succeeding paragraphs shall set out the state of facts relied upon in form similar to that applicable to complaints in civil actions before the superior courts of this state. The concluding paragraphs shall contain the prayer of the petitioner. The petition shall be subscribed and verified in the manner prescribed for verification of complaints in the superior courts of this state.

(3) The original and two legible copies shall be filed with the agency. Petitions shall be on white paper 8 1/2" by 11" in size.

#### AMENDATORY SECTION (Amending Rule V, filed 3/21/60)

WAC 204-08-050 FOR PROMULGATION, AMENDMENT, OR REPEAL OF COMMISSION REGULATIONS. ((For)) Interested persons petitioning the ((commission)) chief requesting a promulgation, amendment, or repeal of any regulations shall generally adhere to the following form for such purpose.

(1) At the top of the page shall appear the wording "Before the ((state commission on equipment)) chief of the Washington state patrol." On the left side of the page following the foregoing the following caption shall be set out: "In the matter of the petition of (name of petitioning party) for (state whether promulgation, amendment, or repeal) of ((regulation)) rule or ((regulations)) rules." Opposite the foregoing caption shall appear the word "petition."

(2) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party and whether the petitioner seeks the promulgation of new ((regulation)) rule or ((regulations)) rules, or amendment or repeal of existing ((regulation)) rule or ((regulations)) rules. The second paragraph, in the case of a proposed new ((regulation)) rule or ((regulations)) rules or amendment of an existing ((regulation)) rule, shall state the desired ((regulation)) rule in its entirety. Where the petition is for amendment, the new matter shall be underscored and the matter proposed to be deleted shall appear in double parentheses. Where the petition is for repeal of an existing ((regulation)) rule such shall be

stated and the proposed to be repealed shall either be set forth in full or shall be referred to by ((commission regulation)) rule number. The third paragraph shall set forth concisely the reason for the proposal of the petitioner and shall contain a statement as to the interest of the petitioner in the subject matter of the ((regulation)) rule. Additional numbered paragraphs may be used to give full explanation of the petitioners reasons for the action sought.

(3) Petitions shall be dated and signed by the person or entity named in the first paragraph or by his attorney. The original and two legible copies of the petition shall be filed with the agency.

(4) Petitions shall be on white paper 8 1/2" by 11" in size.

### WSR 87-24-096 PROPOSED RULES BOARD OF PHARMACY [Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pharmacy intends to adopt, amend, or repeal rules concerning pharmacy internship, amending WAC 360-10-010, 360-10-050 and 360-10-60; and designating Schedule II immediate precursors, adopting WAC 360-36-425;

that the agency will at 10:00 a.m., Thursday, January 21, 1988, in the Airport Hilton, Elliott East Room, 17620 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.64.005(11).

The specific statute these rules are intended to implement is RCW 18.64.080(4) and 69.50.201.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 20, 1988.

Dated: December 2, 1987

By: John H. Keith  
Assistant Attorney General  
Board Counsel

#### STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Pharmacy.

Summary, Purpose of Rule and Reason Proposed: Amended WAC 360-10-010, 360-10-050 and 360-10-060 would revise the internship requirements to improve the procedures and update the internship program; and proposed WAC 360-36-425 would designate certain substances as the immediate precursor of a Schedule II controlled substance which should be controlled to prevent, curtail or limit manufacture of illegal controlled substances.

Statutory Authority: RCW 18.64.005(11) for WAC 360-10-010, 360-10-050 and 360-10-060; and RCW 69.50.201 for WAC 360-36-425.

Responsible Agency Personnel: The board and the executive secretary of the board have responsibility for drafting, implementing and enforcing these rules. The executive secretary is Donald H. Williams, 319 East 7th Avenue, W.E.A. Building, FF-21, Olympia, Washington 98504, phone (206) 753-6834.

Proponents of the Proposed Rule: Washington State Board of Pharmacy.

Federal Law or State or Federal Court Requirements: Not necessitated as a result of federal law or state or federal court action.

Small Business Economic Impact Statement: Not necessary since these rules do not impact small businesses as that term was defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order 139, filed 12/9/77)

WAC 360-10-010 GENERAL REQUIREMENTS. (1) RCW 18.64.080(5) states: "Any person enrolled as a student of pharmacy in an accredited college may file with the state board of pharmacy an application for registration as a pharmacy intern——." A student of pharmacy shall be defined as any person enrolled in a college or school of pharmacy accredited by the board of pharmacy or any ((person enrolled in a prepharmacy program at an accredited college, and whose credits are acceptable for transfer by accredited colleges)) graduate of any accredited college or school of pharmacy.

(2) As provided for in RCW 18.64.080(~~((3))~~)(4) the board ((may specify not more than one year of internship requirement. The board)) of pharmacy hereby establishes fifteen hundred hours for the internship requirement. ((Credit may be allowed for up to three hundred hours for the completion of approved clinically oriented classes within a college of pharmacy, provided further that an additional five hundred hours of credit for the internship shall be granted to graduates of schools or colleges of pharmacy approved by the board.))

(a) For graduates prior to July 1, 1991, credit may be allowed:

(i) Up to three hundred hours for experiential classes as part of the curriculum of an accredited college or school of pharmacy commonly referred to as externship/clerkship;

(ii) Five hundred hours of credit for the internship shall be granted to graduates of board approved schools or colleges of pharmacy;

(iii) Seven hundred hours or more for experience obtained after completing the first quarter/semester of pharmacy education, and including any breaks or vacations.

(b) For graduates after July 1, 1991, credit may be allowed:

(i) Up to seven hundred hours of experiential classes as part of the curriculum of an accredited college or school of pharmacy commonly referred to as externship/clerkship;

(ii) Eight hundred or more hours for experience obtained after completing the first quarter/semester of pharmacy education, and including any breaks or vacations;

(iii) At least two hundred hours of internship must be gained after graduation.

(c) The board will document hours in excess of these requirements for students qualifying for out-of-state licensure.

(3) An applicant for licensure as a pharmacist who has completed seven hundred internship hours will be permitted to take the state board examination for licensure; however, no pharmacist license will be issued to the applicant until the fifteen hundred internship hours have been completed.

(4) ((Credit for up to five hundred hours at the rate of no more than fifteen hours per week may be allowed for part-time experience gained during the period while a student is regularly enrolled in a college, and full-time experience allowed while a student is enrolled for less than six quarter credit hours or four semester credit hours. This shall not exclude experience gained during regular student holiday and vacation periods.

(5) To retain a certificate as a pharmacy intern ((for the six-year period prescribed by law)), the intern must make continuing satisfactory progress in completing the pharmacy course.

((6)) (5) Experience must be obtained under the guidance of a preceptor who has met certification requirements prescribed in WAC 360-10-050 and has a certificate except as hereinafter provided for experience gained outside the state of Washington.

((7)) (6) Experience obtained in another state may be accepted toward the fulfillment of the fifteen hundred hour requirement provided that a letter is received from the board of pharmacy of that state in which the experience is gained and such letter indicates the experience gained would have been acceptable internship experience to the board of pharmacy in that state.

((8) A pharmacy intern shall not receive credit for any hours which predate his enrollment in a school of pharmacy, which does not include enrollment in a prepharmacy educational program. PROVIDED

HOWEVER, That any pharmacy internship hours which predate this amendatory regulation shall be acceptable for any intern taking the state pharmacy board examination prior to July 1, 1972.))

AMENDATORY SECTION (Amending Order 106, filed 6/3/71)

WAC 360-10-050 REQUIREMENTS FOR PRECEPTOR CERTIFICATION. (1) A pharmacist who is ((registered)) licensed and actively engaged in practice in a Class A pharmacy in the state of Washington, and who has met certification requirements prescribed in this section of the regulation and who has ((been certified by the board of pharmacy shall be known as a "pharmacy preceptor-")) completed a board approved training program within the last two years, and who has been certified by the board of pharmacy shall be known as "pharmacist preceptor." The requirement for completion of an approved training program becomes effective January 1, 1990.

(2) The ((pharmacy)) pharmacist preceptor must have completed twelve months as a ((registered)) licensed pharmacist engaged in the ((compounding and dispensing of pharmaceuticals)) practice of pharmacy as defined in RCW 18.64.011(11).

(3) Any preceptor or preceptor applicant who has been found guilty of a drug or narcotic violation or whose pharmacist license has been revoked ((or)), suspended, or placed on probation by the state board of pharmacy shall not be eligible for certification as a preceptor, ((unless special permission is obtained from the board of pharmacy)) until completion of the probationary period, and a showing of good cause for certification as a pharmacist preceptor.

(4) ((The pharmacy preceptor shall subscribe the following professional standards:

(a) The preceptor shall use every precaution to safeguard the public when dispensing any drugs or preparations; he shall make no attempt to prescribe for or to treat disease.

(b) The preceptor shall keep his pharmacy clean, neat, and sanitary; and well equipped with accurate measuring and weighing devices and other apparatus suitable for the proper performance of his professional duties.

(c) The preceptor shall be a good citizen and uphold and defend the laws of the states and nation; he shall keep himself informed concerning pharmacy and drug laws, and other laws pertaining to health and sanitation, and shall cooperate with the enforcement authorities.

(d) The preceptor shall willingly make available his expert knowledge of drugs to the intern and other health professions.

(e) The preceptor shall strive to perfect and enlarge his professional knowledge. He shall keep himself informed regarding professional matters by reading current pharmaceutical, scientific, and medical literature, attending seminars and other means.

(f) The preceptor shall seek to attract to his profession, youth of good character and intellectual capacity and aid in their instruction.

(g) The preceptor shall be responsible for the quality of the internship training under his/her supervision and he/she shall ((insure)) assure that the intern actually engages in pharmaceutical activities during that training period.

(5) The board of pharmacy shall withdraw a preceptor's certification upon proof that the preceptor failed to meet or maintain the requirements as stated in this section.

(6) In considering the approval of special internship programs pursuant to WAC 360-10-080, the board may approve alternative qualification requirements for the preceptors of such programs.

AMENDATORY SECTION (Amending Order 102, filed 12/5/69)

WAC 360-10-060 RULES FOR PRECEPTORS. (1) The ((pharmacy)) pharmacist preceptor shall supervise the pharmacy intern and shall be responsible for the sale of restricted items, and the compounding and dispensing of pharmaceuticals dispensed by an intern.

(2) The pharmacist preceptor must use the board approval plan of instruction for interns.

(3) Upon completion of the intern's experience at each site, the preceptor under whom this experience was obtained shall file a report with the board. Such report shall briefly describe the type of professional experience received under the preceptor's supervision and the preceptor's evaluation of the intern's ability to practice pharmacy at that stage of internship.

(4) The board of pharmacy shall provide the necessary affidavit forms to certify hours of experience under the personal supervision of a preceptor. Affidavits must be certified and recorded in the office of the board not later than thirty days after the completion of any site intern

experience; provided that any experience necessary for eligibility to take the licensing examination must be in the board office no later than thirty days prior to the examination.

(5) The ((pharmacy)) pharmacist preceptor may supervise more than one intern during a given time period; however, two interns may not dispense concurrently under the direct supervision of the preceptor. This is to say that two interns may dispense and record internship experience in the same day under one preceptor's direct supervision; however, they may not dispense and record internship experience during the same hour of the day.

#### NEW SECTION

WAC 360-36-425 SCHEDULE II IMMEDIATE PRECURSORS. (1) The board finds and designates the following substances as being the principal compound used or produced primarily for use and which are an immediate chemical intermediary used or likely to be used, in the manufacture of a schedule II controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(2) Unless specifically excepted or listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances or their salts or isomers having potential for abuse associated with the preparation of controlled substances shall be a schedule II controlled substance.

- (a) Anthranilic acid.
- (b) Ephedrine.
- (c) Methyamine.
- (d) Phenylacetic acid.
- (e) Pseudoephedrine.
- (f) Methamphetamine.

Except that any Federal Food and Drug Administration approved drug or compound containing Ephedrine, or any of its salts or isomers, or Pseudoephedrine, or any of its salts or isomers that are prepared for dispensing or over-the-counter distribution are not controlled substances for the purpose of this section.

**WSR 87-24-097**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Medical Examiners)**  
 [Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Medical Examiners intends to adopt, amend, or repeal rules concerning the registration and utilization of physician assistants;

that the agency will at 4:00 p.m., Friday, January 22, 1988, in the First Floor Conference Room, 1300 South Quince Street, 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 18.71A.020.

The specific statute these rules are intended to implement is RCW 18.71A.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 22, 1988.

Dated: December 2, 1987  
 By: John H. Keith  
 Assistant Attorney General  
 Board Counsel

#### STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Medical Examiners.

Purpose: To simplify the registration process for physician assistants who have been qualified through national certification examinations.

Statutory Authority: RCW 18.71A.020.

Summary of the Rules: WAC 308-52-138 Physician assistant—Program approval; 308-52-139 Physician assistant—Registration; 308-52-140 Physician assistant—Utilization; 308-52-1401 Noncertified physician assistants; 308-52-1402 Certified physician assistants; and 308-52-147 Remote site—Utilization.

Responsible Departmental Personnel: Gloria Westerfield, Executive Secretary, Professional Programs Management Division, 1300 South Quince Street, P.O. Box 9012, Olympia, Washington 98504, (206) 753-2287 comm, 234-2287 scan.

Proponents: Washington State Board of Medical Examiners.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: 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 507, filed 1/18/85)

WAC 308-52-138 PHYSICIAN ASSISTANTS—PROGRAM APPROVAL. No physician shall be entitled to register a physician assistant who has not successfully completed a program of training approved by the board in accordance with these rules.

(1) Standards. The board will establish standards by which programs designed to produce the various types of physician assistants shall be judged. If the council of medical education of the American Medical Association has defined "essentials" for such program, these shall be regarded as minimal criteria.

(2) Procedure.

(a) In order for a program for training physician assistants to be considered for approval by the board, the director of the program shall submit to the board a description of the course of training offered, including subjects taught and methods of teaching, entrance requirements, clinical experience provided, etc. The director of the program shall also advise the board concerning the medical skills which are attained in such course, and the methods by which the proficiency of the students in those skills was tested or ascertained. The board may require such additional information from program sponsors as it desires.

(b) The board will approve programs in terms of the skills attained by its graduates and the specialty for which the physician assistant is trained.

(c) Reapproval. Programs maintaining Council on Allied Health Education and Accreditation standards as defined in the "essentials" of the council of medical education of the American Medical Association will continue to be approved by the board without further review. Each approved program not maintaining the Council on Allied Health Education and Accreditation standards as defined in the "essentials" of the council of medical education of the American Medical Association will be reexamined at intervals, not to exceed three years. Approval will be continued or withdrawn following each reexamination.

(d) Registry. A registry of approved programs shall be maintained by the board at the division of professional licensing in Olympia, Washington, which shall be available upon request to interested persons.

(3)(a) Where an application for program approval has been pending for one year and has not been approved due to the absence of program standards promulgated by the board, a program may apply for provisional approval.

(b) Such approval is solely for the limited purpose of availing the program's students of the exemption contained in RCW 18.71.030(8)

and shall end when the board makes a final determination as to program approval pursuant to this section.

(c) Provisional approval as defined in subsection (b) above can be granted if the program:

- (i) Needs such approval in order for the clinical elements of its educational regimen to proceed on schedule;
- (ii) Has established the likelihood of satisfying the relevant program approval guidelines in their current form;
- (iii) Will otherwise comply with the terms of RCW 18.71.030(8); and
- (iv) Agrees to such other safeguards as the board may stipulate to ensure patient safety.

AMENDATORY SECTION (Amending Order PM 599, filed 5/29/86)

WAC 308-52-139 PHYSICIAN ASSISTANT—REGISTRATION. (1) Classification. Each physician assistant will be classified according to the specialty or content of his or her training program.

(2) Registration procedure. Applications shall be made jointly by the physician and the assistant on forms supplied by the board. Applications and supporting documents must be on file in the board office prior to consideration for registration. An application which clearly meets the board's requirements may receive interim approval by the board's executive secretary or ((assistant executive secretary)) their designee. Interim approval and all other applications are subject to final action by a board member or at a regular meeting of the board, such review may include an interview.

(3) Registration expiration and renewal. Physician assistant original registration will be issued to expire on the physician assistant's next birthdate. Each registered assistant and the registering physician shall be required to submit an application and fees annually for renewal of their registration at least sixty days prior to the expiration of the registration. Application for renewal shall be submitted on forms provided by the board. ((A statement must be made concerning any changes in utilization requested, which will be subject to approval of the board.))

(4) Change of registration. In the event that a physician assistant who is currently registered desires to become associated with another physician, such transfer may be accomplished administratively, providing that evidence is submitted to document the continuing competence of the physician assistant. Application for transfer of registration shall be made on forms provided by the board. Final approval may be granted administratively for transfer registrations which clearly meet board requirements. All other applicants will be reviewed by a board member or at a regular meeting of the board, such review may include an interview.

((5) Utilization plan. The application for registration of a physician assistant must include a detailed plan describing the manner in which the physician assistant will be utilized. The board will grant specific approval for the tasks which may be performed by the specialized physician assistants based upon the curriculum of the program from which the assistant graduated as contained in the files of the board. In the case of family practice (primary care) and pediatric physician assistants, the board will issue a list of tasks which physician assistants are commonly trained to perform, with the expectation that the physician sponsor will be responsible for determining which of the tasks the physician assistant will perform and at what level of supervision. No assistant shall be registered to perform tasks not contained in the program approval, or in the case of family practice and pediatric physician assistants, the board list, unless evidence satisfactory to the board is submitted demonstrating that he or she has been trained in that function and his or her competence has been properly and adequately tested. Request for approval of newly acquired skills may be considered at any regular meeting of the board or the application committee.))

AMENDATORY SECTION (Amending Order PM 609, filed 8/1/86)

WAC 308-52-140 PHYSICIAN ASSISTANT—UTILIZATION. (1) Limitations, number.

(a) No physician shall supervise more than two graduate physician assistants without special authorization by the board.

(b) The number of physician assistants in excess of two who may be supervised by a single physician in settings as outlined in subsection (2) of this section ((three of this regulation)) shall be established by the board on an individual basis.

(2) ((Limitations, geographic.

(a) No physician assistant shall be utilized in a place geographically separated from the supervising physician's primary place for meeting patients without the express permission of the board. The "primary place for meeting patients" shall be defined to include the physician's office, the institution(s) in which his or her patients are hospitalized or the homes of patients for whom a physician-patient relationship has already been established.

(b) Special permission may be granted to utilize a physician assistant in a place remote from the physician's primary place for meeting patients if:

(i) There is a demonstrated need for such utilization;

(ii) Adequate provision for immediate communication between the physician and his or her physician assistant exists;

(iii) A mechanism has been developed to provide for the establishment of a direct patient-physician relationship between the supervising physician and patients who may be seen initially by the physician assistant;

(iv) The responsible physician spends at least one-half day per week in the remote office. In the case of part-time or unique practice settings, the sponsoring physician may petition the board to modify the on-site requirement providing the sponsoring physician demonstrates that adequate supervision is being maintained by an alternate method. The board will consider each request on an individual basis.

(v) The provisions of WAC 308-52-141(2) are met.

(vi) The waiting room, offices and examining rooms of all facilities approved as remote sites must have posted a printed announcement that the (named) sponsor is responsible for all care rendered, and that the ((named)) individual providing the care is a physician assistant. Identification of the clinic on the outside facade must include the names of the physician sponsor and the physician assistant.

((7)) Limitations, health care institutions. A physician assistant working in or for a hospital, clinic, long term care facility, or other health care organization shall be registered and supervised ((by a supervising physician)) in the same manner as any other physician assistant and his or her functions shall be limited to those approved by the board. ((The extent to which a physician assistant may practice and write orders is subject to the bylaws of the facility.)) The extent to which a physician assistant may practice and write orders is subject to the bylaws of the facility. His or her responsibilities, if any, to other physicians must be defined in the application for registration. The physician may be permitted, at the discretion of the board, to utilize the physician assistant in a manner consistent with the standards set forth in WAC 308-52-150.

((8)) (3) Limitations, trainees. An individual enrolled in a training program for physician assistants may function only in direct association with his preceptorship physician or a delegated alternate physician in the immediate clinical setting, or, as in the case of specialized training in a specific area, an alternate preceptor approved by the program. They may not function in a remote location or in the absence of the preceptor.

NEW SECTION

WAC 308-52-1401 NONCERTIFIED PHYSICIAN ASSISTANTS. (1) Individuals will be considered as noncertified physician assistants as follows:

(a) Individuals who have graduated from a board approved training program and who have not passed the National Commission on Certification of Physician's Assistants (NCCPA) initial certification examination.

(b) Individuals who are foreign medical graduates who have been certified by the Educational Commission for Foreign Medical Graduates (ECFMG).

(2) On or after March 1, 1988, applicants for original registration will be designated noncertified and considered for registration as follows:

(a) A noncertified physician assistant may perform services for which he or she has been trained as outlined in the procedure reference and guideline established by the board.

(i) The noncertified physician assistant may not practice in a remote site, or prescribe controlled substances unless specially approved by the board.

(ii) A noncertified physician assistant and supervising physician shall ensure that, with respect to each patient, all activities, functions, services and treatment measures are immediately and properly documented in written form by the noncertified physician assistant. Every written entry shall be reviewed and countersigned by the supervising physician within two working days.

(3) The application for registration of a noncertified physician assistant must include a detailed plan describing the manner in which the noncertified physician assistant will be utilized. The board will grant specific approval for the tasks which may be performed by the specialized, noncertified physician assistant based upon the curriculum of the program from which the noncertified physician assistant graduated as contained in the files of the board. In the case of the noncertified family practice (primary care) and non-certified pediatric physician assistants, the board will issue a list of tasks which noncertified physician assistants are commonly trained to perform. No physician assistant shall be registered to perform tasks not contained in the program approval.

(4) It shall be the responsibility of the supervising physician to ensure that adequate supervision and review of the work of the noncertified physician assistant is provided.

(a) In the temporary absence of the supervising physician, the noncertified physician assistant may carry out those tasks for which they are registered, if the supervisory and review mechanisms noted above are provided by a delegated alternate physician supervisor.

(b) The noncertified physician assistant may not function as such if these supervisory and review functions are impossible.

(5) The noncertified physician assistant, at all times when meeting or treating patients, must wear an identifying badge in a prominent place on his person identifying him as a noncertified physician assistant.

(6) No noncertified physician assistant may advertise themselves in any manner which would tend to mislead the public generally or the patients of the physician as to their role.

#### NEW SECTION

##### WAC 308-52-1402 CERTIFIED PHYSICIAN ASSISTANTS.

(1) On or after March 1, 1988, individuals who have graduated from a board approved training program and who have passed the National Commission on Certification of Physician's Assistants (NCCPA) initial certification examination will be considered as certified physician assistants.

(2) A certified physician assistant may provide those services which he or she is competent to perform and which are consistent with the certified physician assistant's education, training, and experience.

(3) The supervising physician shall be responsible for determining the tasks and degree of supervision required for performance of special tasks in accordance with the board approved standard utilization plan. Any task or level of supervision in excess of those authorized must be supported by a written explanation describing the physician assistant's training, experience and demonstrated ability. The board may approve expanded tasks or supervision levels on an individual basis. If the certified physician assistant is being trained to perform additional tasks beyond those authorized, such training may be carried out only under the direct, personal supervision of the supervising physician or a qualified person designated by him or her. Evidence that is satisfactory to the board must be submitted demonstrating that he or she has been trained in that function and his or her competence has been properly and adequately tested. Requests for approval of newly acquired skill may be considered by a reviewing board member or at any regular meeting of the board.

(4) The functions of the certified physician assistant include performing diagnostic, therapeutic preventive and health maintenance services in any setting in which the physician renders care in order to allow more effective and focused application of the physician's particular knowledge and skills. The certified physician assistant is accountable for their own actions.

(5) It shall be the responsibility of the supervising physician to ensure adequate supervision and review of the work of the physician assistant is provided.

(a) The supervising physician shall review and countersign pertinent notes and orders concerning patient care provided by the physician assistant, if such care is rendered without direct consultation with the physician. The time period for such review and countersignature shall be established in the utilization plan and will depend upon the practice setting. Patient charts which reflect physician assistant care rendered with direct physician consultation need not be countersigned.

(b) In the temporary absence of the supervising physician, the physician assistant may carry out those tasks for which they are registered, if the supervisory and review mechanisms noted above are provided by a delegated alternate physician supervisor.

(c) The certified physician assistant may not function as such if these supervisory and review functions are impossible.

(6) The certified physician assistant must, at all times when meeting or treating patients, wear an identifying badge in a prominent place on his person identifying them as a certified physician assistant.

(7) No certified physician assistant may advertise themselves in any manner which would tend to mislead the public generally or the patients of the physician as to their role.

#### NEW SECTION

WAC 308-52-147 REMOTE SITE—UTILIZATION—LIMITATIONS, GEOGRAPHIC. (1) No physician assistant shall be utilized in a place geographically separated from the supervising physician without the express permission of the board. A remote site shall be defined as a setting physically separate from the supervising physician's primary place for meeting patients or a setting where a supervising physician is present less than twenty-five percent of the practice time of the physician assistant. The "primary place for meeting patients" shall be defined to include the physician's office, the institution(s) in which his or her patients are hospitalized, or the homes of patients for whom a physician-patient relationship has already been established.

(2) Special permission may be granted to utilize a physician assistant in a remote site if:

(a) There is a demonstrated need for such utilization;

(b) Adequate provision for immediate communication between the primary or alternate physician and the physician assistant exists;

(c) A mechanism has been developed to provide for the establishment of a direct physician-patient relationship between the supervising physician and patients who may be seen initially by the physician assistant;

(d) The responsible physician spends at least ten percent of the practice time of the physician assistant in the remote office. In the case of part time or unique practice settings, the sponsoring physician may petition the board to modify the on-site requirement providing the sponsoring physician demonstrates that adequate supervision is being maintained by an alternate method. The board will consider each request on an individual basis;

(e) All patient activities, functions, services and treatment measures are properly documented in written form by the physician assistant and reviewed and countersigned by the supervising physician;

(f) The provisions of WAC 208-52-141(2) are met;

(g) The waiting room, offices and examining rooms of all facilities approved as remote sites must have posted a printed announcement that the (named) sponsor is responsible for all care rendered, and the (named) individual providing the care is a physician assistant. Identification of the clinic on the outside facade must include the names of the physician sponsor and the physician assistant.

**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 87-24-098

#### PROPOSED RULES

#### DEPARTMENT OF LICENSING

[Filed December 2, 1987]

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 Uniform Commercial Code field access, new sections WAC 308-410-010, 308-410-020, 308-410-030, 308-410-040, 308-410-050, 308-410-060 and 308-410-070;

that the agency will at 1:30 p.m., Friday, January 8, 1988, in the 1st Floor Conference Room, Building 2, 405 Black Lake Boulevard, 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 62A.9-409, 60.13.040 as amended by section 7, chapter 189, Laws of 1987, and RCW 60.11.040(3).

The specific statute these rules are intended to implement is RCW 62A.9-409, 60.13.040 as amended by section 7, chapter 189, Laws of 1987, and RCW 60.11.040(3).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 8, 1988.

Dated: December 1, 1987  
By: Ken Mark  
Assistant Director

### STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To prescribe "field access" i.e., the review of computerized Uniform Commercial Code filing information and requesting of certified searches by electronic mail from a location outside the central filing location as a procedure for obtaining information from filing officers.

Statutory Authority: RCW 62A.9-409, 60.11.040(3), 60.13.040 as amended by section 7, chapter 189, Laws of 1987.

Summary of the Rules: WAC 308-410-010 Purpose and authority; 308-410-020 Definitions; 308-410-030 Filing information available for review; 308-410-040 Application to become a user; 308-410-050 Standard for allocating users; 308-410-060 Contract for use; and 308-410-070 Fees.

Reason Proposed: To better enable the Department of Licensing to serve the public.

Responsible Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Ken Mark, Assistant Director, Business License Services, 405 Black Lake Boulevard, Olympia, WA 98504, phone (206) 753-1749 or scan 234-1749; and Keith Weaver, Administrator, Business License Services, 405 Black Lake Boulevard, Olympia, WA 98504, phone (206) 753-9627 or scan 234-9627.

Proponents: State of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

TITLE 308 WAC  
UNIFORM COMMERCIAL CODE FIELD ACCESS  
Chapter 308-410 - Field Access

#### NEW SECTION

WAC 308-410-010 PURPOSE AND AUTHORITY. These rules are adopted under the authority of RCW 62A.9-409(1), RCW 60.11.040(3) and RCW 60.13.040 as amended by section 7, chapter 189, Laws of 1987. These rules pertain to "field access" to the computerized system which allows users direct access to the uniform commercial code computerized files.

#### NEW SECTION

WAC 308-410-020 DEFINITIONS. (1) "Field Access" means the review of computerized uniform commercial code filing information and requesting of certified searches by electronic mail from a location outside an established department of licensing uniform commercial code central filing location.

(2) "User" means a search company, lending institution, business, agency or person who has established by contract with the department the privilege of using the field access system.

(3) "Uniform Commercial Code Central Filing Location" means a location designated by the director of the department of licensing to serve as a centralized repository for filing, indexing, amending, terminating and furnishing information about uniform commercial code filing, processor, preparer and crop lien filings and other related filing information.

(4) "Electronic Mail" means the transmission of information or reproductions from one computer terminal to another using surface transmission lines or satellite stations.

(5) "Certified Search" means a certified document issued by the department of licensing upon the request and payment of fees by a requester stating whether there is on file with the department, on the date and hour stated on the certificate, any presently effective uniform commercial code filing information involving a named debtor or numbered account.

#### NEW SECTION

WAC 308-410-030 FILING INFORMATION AVAILABLE FOR REVIEW. All computerized filing information is available for review by the uniform commercial code field access user. Filing information may be reviewed by debtor name or by filing number.

#### NEW SECTION

WAC 308-410-040 APPLICATION TO BECOME A USER. Persons or agencies wishing to apply to become a user of the field access program must contact the uniform commercial code section of the department of licensing for application information.

#### NEW SECTION

WAC 308-410-050 STANDARD FOR ALLOCATING USERS. The standard for allocating users of the field access system will be on a first come, first served basis proportionately distributed between eastern and western Washington. The department reserves the right to determine when the field access system has reached its maximum user capacity, at which time no additional users will be allocated until system space becomes available.

#### NEW SECTION

WAC 308-410-060 CONTRACT FOR USE. The conditions and provisions for use must be established by contract between the department and the user.

#### NEW SECTION

WAC 308-410-070 FEES. The fees for use of the uniform commercial code field access system shall be based on the established rate per hour for use of mainframe computer time. The fee for access to the uniform commercial code field access system shall be based on the prevailing rate for surface transmission telephone line use. The specific fees for access and use shall be contained in the user contract.

WSR 87-24-099  
PROPOSED RULES  
DEPARTMENT OF ECOLOGY  
[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the siting of dangerous waste management facilities.

The Department of Ecology is proposing to amend the state's dangerous waste regulations, chapter 173-303 WAC. The amendments consist mainly of those required by law, chapter 70.105 RCW. A summary of the proposed changes is shown below.

For a copy of the proposed amendments, please contact Pat Dice at (206) 459-6355.

For questions concerning the proposed amendments, please contact Miles Kuntz, Department of Ecology, Mailstop PV-11, Olympia, WA 98504-8711, (206) 459-6309 or telephone Jim Sachet at (206) 459-6310.

Public hearings on the proposed amendments are scheduled as follows: January 11, 1988, 7:00 p.m., in the Best Western Hallmark Inn, Sun and Sage Rooms, 3000 Marina Drive, Moses Lake, WA, and on January 12, 1988, 7:00 p.m., in the Spokane County Public Health Center, Auditorium, West 1101 College, Spokane, WA, and on January 18, 1988, 7:00 p.m., in the Port of Seattle, Commissioners Chambers, 2201 Alaskan Way South, Pier 66, Seattle, WA.

The public comment period is scheduled to end on January 25, 1988. The adoption hearing is scheduled for February 15, 1988, at the Department of Ecology Headquarters Office. The amendments will become effective 30 days after adoption.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 15, 1988.

The authority under which these rules are proposed is chapter 70.105 RCW.

The specific statute these rules are intended to implement is RCW 70.105.210.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 25, 1988.

Dated: November 30, 1987

By: Phil Johnson  
Deputy Director

### STATEMENT OF PURPOSE

Title: Chapter 173-303 WAC, Dangerous waste regulations.

Description of Purpose: To minimize the short-term and long-term risks associated with the management of dangerous wastes by ensuring that such facilities are properly located.

Statutory Authority: Chapter 70.105 RCW.

Summary of Rule: The proposal would establish final siting standards to evaluate the proposed locations of dangerous waste management facilities.

Reasons Supporting Proposed Action: Increasing the level of control over the siting of these facilities will eliminate poor location of such facilities.

Agency Personnel Responsible for Drafting: Miles Kuntz, 459-6309; Implementation: Earl Tower, 459-6316; and Enforcement: Marc Horton, 459-6053, all located at Department of Ecology, mailstop PV-11.

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

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

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

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-120 RECYCLED, RECLAIMED, AND RECOVERED WASTES. (1) This section describes the requirements for persons who recycle materials that are solid wastes and dangerous. Except as provided in subsections (2) and (3) of this section, dangerous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of subsection (4) of this section. Dangerous wastes that are recycled will be known as "recyclable materials."

(2)(a) The following recyclable materials are solid wastes and sometimes are dangerous wastes. However, they are subject only to the requirements of (b) of this subsection, WAC 173-303-050, 173-303-145 and 173-303-960:

(i) Industrial ethyl alcohol that is reclaimed;

(ii) Used batteries (or used battery cells) returned to a battery manufacturer for regeneration;

(iii) Used oil that exhibits one or more of the characteristics or criteria of dangerous waste and is recycled in some manner other than:

(A) Being burned for energy recovery; or

(B) Being used in a manner constituting disposal, except when such use is by the generator on his own property;

(iv) Scrap metal;

(v) Fuels produced from the refining of oil-bearing dangerous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production, and transportation practices;

(vi) Oil reclaimed from dangerous waste resulting from normal petroleum refining, production, and transportation practices, which oil is to be refined along with normal process streams at a petroleum refining facility;

(vii) Coke and coal tar from the iron and steel industry that contains dangerous waste from the iron and steel production process;

(viii)(A) Dangerous waste fuel produced from oil-bearing dangerous wastes from petroleum refining, production, or transportation practices, or produced from oil reclaimed from such dangerous wastes, where such dangerous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil so long as the resulting fuel meets the used oil specification under WAC 173-303-515 (1)(d) and so long as no other dangerous wastes are used to produce the dangerous waste fuel;

(B) Dangerous waste fuel produced from oil-bearing dangerous waste from petroleum refining production, and transportation practices, where such dangerous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under WAC 173-303-515 (1)(e); and

(C) Oil reclaimed from oil-bearing dangerous wastes from petroleum refining, production, and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under WAC 173-303-515 (1)(e); and

(ix) Petroleum coke produced from petroleum refinery dangerous wastes containing oil at the same facility at which such wastes were generated, unless the resulting coke product exhibits one or more of the characteristics of dangerous waste in WAC 173-303-090.

(b) Any recyclable material listed in (a) of this subsection will be subject to the applicable requirements listed in subsection (4) of this section if the department determines, on a case-by-case basis, that:

(i) It is being accumulated, used, reused, or handled in a manner that poses a threat to public health or the environment; or

(ii) Due to the dangerous constituent(s) in it, any use or reuse would pose a threat to public health or the environment. Such recyclable material will be listed in WAC 173-303-016(6).

(3) The following recyclable materials are not subject to the requirements of this section but are subject to the requirements of WAC 173-303-070 through 173-303-110, 173-303-160, 173-303-500



through 173-303-525, and all applicable provisions of WAC 173-303-800 through 173-303-840:

- (a) Recycling requirements for state-only dangerous wastes (see WAC 173-303-500);
  - (b) Recyclable materials used in a manner constituting disposal (see WAC 173-303-505);
  - (c) Dangerous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670 (see WAC 173-303-510);
  - (d) Used oil that is burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670, if such used oil:
    - (i) Exhibits one or more of the characteristics of a dangerous waste; or
    - (ii) Is designated as DW solely through WAC 173-303-084 or 173-303-101 through 173-303-103; or
    - (iii) Is designated solely as W001, (see WAC 173-303-515);
  - (e) Spent lead-acid batteries that are being reclaimed (see WAC 173-303-520);
  - (f) Recyclable materials from which precious metals are reclaimed (see WAC 173-303-525).
- (4) Those recycling processes not specifically discussed in subsections (2) and (3) of this section are generally subject to regulation only up to and including storage prior to recycling.

The recycling process itself is generally exempt from regulation unless the department determines, on a case-by-case basis, that the recycling process poses a threat to public health or the environment.

Unless specified otherwise in subsections (2) and (3) of this section:

- (a) Generators of recyclable materials are subject to all applicable requirements of this chapter including, but not limited to, WAC 173-303-170 through 173-303-230;
- (b) Transporters of recyclable materials are subject to all applicable requirements of this chapter including, but not limited to, WAC 173-303-240 through 173-303-270;
- (c) Owners or operators of facilities that receive recyclable materials from off-site and recycle these recyclable materials without storing them before they are recycled are subject to the following requirements:
  - (i) WAC 173-303-060, and
  - (ii) WAC 173-303-370;
- (d) Owners or operators of facilities that store recyclable materials before they are recycled are subject to the following requirements including, but not limited to:
  - (i) For all recyclers, the applicable provisions of:
    - (A) WAC 173-303-280 through 173-303-395,
    - (B) (~~WAC 173-303-420 through 173-303-440;~~
    - (~~C~~) WAC 173-303-800 through 173-303-840;
  - (ii) For recyclers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;
  - (iii) For recyclers with final facility permits, the applicable storage provisions of:
    - (A) WAC 173-303-600 through 173-303-650, and
    - (B) WAC 173-303-660.

#### NEW SECTION

WAC 173-303-284 NOTICE OF INTENT. (1) Purpose. The purpose of this section is to provide notification to the department, local communities and the public that the siting of a dangerous waste management facility is being considered. Also, to provide general information about the proposed facility owner/operator, the type of facility, the type of wastes to be managed and compliance with the location standards.

(2) Applicability. This section applies to owners and operators of proposed facilities. This section also applies to existing facilities with interim or final status for which the department receives an application for expansion. As used in this section:

- (a) "Proposed facility" means a facility that does not have interim or final status on the effective date of this section, and for which the owner/operator applies for an interim or final status permit, under WAC 173-303-805 or 173-303-806, after the effective date of this section;
- (b) "Existing facility" means a facility for which an interim or final status permit has been issued by the department pursuant to WAC 173-303-805 or 173-303-806; and
- (c) "Expansion" means the enlargement of the land surface area of an existing facility from that described in an interim status permit, the

addition of a new dangerous waste management process, or an increase in the overall design capacity of existing dangerous waste management processes at a facility.

This section does not apply to owners/operators of facilities or portions of facilities applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65. In addition, this section does not apply to mobile facilities for on-site cleanup at treatment, storage or disposal facilities undergoing closure, facilities operating under an emergency permit pursuant to WAC 173-303-804, or facilities for on-site cleanup of sites under the Comprehensive Environmental Response Compensation and Liability Act, or chapters 70.105, 70.105A, and 90.48 RCW.

(3) Notice of intent to file for a dangerous waste permit.

(a) The notice of intent to be prepared by the owners/operators of the applicable facilities shall consist of:

- (i) The name, address, and telephone number of the owner, operator, and corporate officers;
- (ii) The location of the proposed facility or expansion on a topographic map with specifications as detailed in WAC 173-303-806 (4)(a)(xviii);
- (iii) A brief description of the types and amounts of wastes to be managed annually;
- (iv) A brief description of the waste management activities requiring a permit or revision of an existing permit;
- (v) An environmental checklist from the State Environmental Policy Act rules, chapter 197-11 WAC;
- (vi) Documentation that the proposed facility or expansion site meets the prohibition and setback requirements (not to include ground water or drinking water prohibitions or setbacks that require geohydrologic testing for verification) of WAC 173-303-285, Location standards;

(vii) A complete record of compliance violations of permit conditions at similar facilities owned or operated by the applicant, or its parent company, during the ten calendar years preceding the permit application. Along with the record of compliance violations, as issued by appropriate state or federal regulatory agencies, the applicant shall also submit responses to past violations and any written correspondence with regulatory agencies regarding compliance status of any similar facility owned or operated by the applicant or parent company of the owner or operator;

(viii) For informational purposes the need for the proposed facility or expansion shall be demonstrated by one of the following methods:

- (A) Current overall capacity within Washington is inadequate for dangerous wastes generated in Washington as determined by regional or state dangerous waste management plans; or
  - (B) The facility is a higher priority management method than is currently in place or practical and available for the types of waste proposed to be managed; or
  - (C) The facility will add to the types of technology available or will reduce cost impacts (not to include transportation costs) to Washington generators for disposal of dangerous wastes; and
- (ix) For informational purposes it shall be shown how the capacity of the proposed facility or expansion will affect the overall capacity within the state, in conjunction with existing facilities in Washington.

(b) The notice of intent shall be filed with the department, and copies shall be made available for public review, no less than one hundred fifty days prior to filing an application for a permit or permit revision. Public notification of the notice of intent to file shall be given at the time of filing by publication in a daily newspaper within the area of the proposed facility or expansion for a minimum of fourteen consecutive days.

#### NEW SECTION

WAC 173-303-285 LOCATION STANDARDS. (1) Purpose. The purpose of this section is to address location standards for dangerous waste management facilities requiring permits pursuant to WAC 173-303-805 or 173-303-806. These regulations are intended to minimize to the extent practical the short-term and long-term risks and costs that may result from dangerous waste management facilities. These regulations supersede the interim siting standards for preempted facilities adopted January 9, 1987.

Nothing in the location standards shall be construed to require the department to issue a permit if it determines that the site meets the requirements of the standards. All applications are also subject to review under the dangerous waste permit process where mitigation standards will be addressed.



For the purpose of ensuring compliance with this section the department may also require additional detailed facility location information in the dangerous waste permit process pursuant to WAC 173-303-806 (4)(a)(xi)(G) and (H) or in the interim status permit process pursuant to WAC 173-303-805 (7)(g) and (h). Under the conditions specified in WAC 173-303-805 and 173-303-806 the additional facility location information will be used by the department to determine if extraordinary preventative or mitigative measures are necessary to protect public health and the environment for facilities proposed to be located near sensitive resources.

(2) Applicability. This section applies to proposed facilities and facilities for which interim or final status permit applications have been submitted to the department as of the effective date of this section. This section also applies to existing facilities with interim or final status for which the department receives an application for expansion. This section applies only to the expanded portion of existing facilities. As used in this section:

(a) "Proposed facility" means a facility that does not have interim or final status on the effective date of this section, or a facility for which the owner/operator applies for an interim or final status permit, under WAC 173-303-805 or 173-303-806, after the effective date of this section;

(b) "Existing facility" means a facility for which an interim or final status permit has been issued by the department, under WAC 173-303-805 or 173-303-806; and

(c) "Expansion" means the enlargement of the land surface area of an existing facility from that described in an interim status permit or, the addition of a new dangerous waste management process or, the increase in overall design capacity of existing dangerous waste management processes or, the increase in capacity of existing waste volumes at an existing facility.

This section does not apply to facilities or portions of facilities whose owners or operators are applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65. In addition, this section does not apply to mobile facilities for on-site cleanup at treatment, storage or disposal facilities undergoing closure, facilities operating under an emergency permit pursuant to WAC 173-303-804, or facilities for on-site cleanup of contaminated sites under the Comprehensive Environmental Response Compensation and Liability Act, or chapters 70.105, 70.105A, and 90.48 RCW.

For the purposes of this section, waste piles and surface impoundments for the storage of dangerous waste will be considered the same as such facilities to be closed as landfills. All waste pile and surface impoundment facilities must meet the location standards for those types of facilities.

(3) Implementation. Owners/operators of facilities to which the location standards of this section apply must include in (or amend the existing) TSD facility application, submitted pursuant to WAC 173-303-805 or 173-303-806, information that demonstrates consideration and compliance with the location standards. A permit application for an expansion of an existing facility shall be required to comply with the location standards. However, under no circumstances will the location standards prevent the continued operation of existing facilities at or below the present level of waste management activity.

It is the intent that the location standards be used as a screen for applications to the dangerous waste permit process. Applications for facilities that do not meet the prohibitions or setback requirements specified in these standards will be rejected by the department. The department may place additional restrictions and conditions on a facility permit (including interim status) pursuant to its authority under chapter 173-303 WAC, Dangerous waste regulations, chapter 43.21C RCW, State Environmental Policy Act or chapter 173-403 WAC, Implementation of regulations for air contaminant sources.

Any industrial or manufacturing plant proposing to utilize dangerous waste as an energy source will be subject to the location standards as a new dangerous waste management facility.

(4) Definitions. Any terms used in this section that are not defined below or upon use shall have the meanings provided in WAC 173-303-040. For the purposes of this section, the following terms shall have the described meanings:

(a) "Buffer zone" means the area surrounding a facility starting at the facility boundary and extending outward in all directions for two hundred feet. In this zone no dangerous waste management activities have occurred in the past or will occur in the future. The buffer zone must not extend beyond the facility property line. Unless otherwise indicated all setback distances specified in this section will be measured

horizontally from the outer edge of the buffer zone or from the facility boundary for treatment and storage facilities without a buffer zone.

(b) "Consideration" means that a location standard must be addressed through the State Environmental Policy Act and all applicable local, state and federal regulations must be complied with.

(c) "Facility boundary" means the projected line enclosing the area of all structures and lands on which dangerous waste management activities occur, have occurred in the past or will occur in the future.

(d) "Incineration" means the practice of using an enclosed device for controlled flame combustion to burn or reduce dangerous waste.

(e) "Mitigation" means that engineering practices may be used to meet the objective of a location standard. Compensation for impacts or in-kind replacement of resources will not be considered to be mitigation. All mitigative measures must be approved by the department.

(f) "Residence" means any dwelling including private homes, rental homes, boarding houses, apartments, motels, or hotels.

(g) "Unit" means a specific type of dangerous waste management practice, device, or structure.

(h) "Waste pile" means any noncontainerized accumulation of solid, nonflowing dangerous waste that is used for treatment or storage of those wastes.

(5) Location standards.

(a) STRUCTURAL STABILITY - Intent. To prevent the release of dangerous waste into the environment because of structural damage to management facilities subject to the hazards identified below. The applicant shall provide supportive geologic, geotechnical, soils, and flood hazard information.

(i) Holocene earthquake fault.

(A) To prevent structural damage directly due to fault displacement the facility boundary for all facilities must be located at least two hundred feet, measured horizontally, from a fault which has had displacement in Holocene times, and pursuant to WAC 173-303-806 (4)(a)(xi)(A) and (B) all faults within three thousand feet of a facility must be identified and evaluated.

(B) As used in (i) of this subsection:

(I) "Holocene" means the most recent epoch of the Quaternary period, extending from the end of the Pleistocene to the present (approximately eleven thousand years).

(II) "Fault" means a fracture along which rocks or soils on one side have been displaced with respect to those on the other side.

(III) "Displacement" means the relative movement of any two sides of a fault measured in any direction.

(ii) Soils stability. To ensure structural stability under all conditions, including during seismic events, weak or unstable soils or conditions within the facility boundary must be mitigated through engineering practices. All surface impoundments, landfills and waste piles are prohibited from locating where such conditions exist within the proposed facility boundary. The following soils or conditions are defined as weak or unstable in the February 1985 EPA Permit Writer's Guidance Manual for Hazardous Waste Land Storage and Disposal Facilities Phase I: Organic soils, expansive soils, liquefaction sands, soft clays, sensitive clays, loess and quick conditions.

(iii) Subsidence.

(A) To prevent structural damage due to the subsidence of the land surface, all facilities are prohibited where known subsidence exists within the facility boundary of the proposed site.

(B) As used in (iii) of this subsection: "Subsidence" means a sinking of the land surface due to the removal of solid mineral matter or fluids from the subsurface.

(iv) Unstable slopes.

(A) To prevent structural damage due to unstable slopes, all landfill, surface impoundment, waste pile, and land treatment facilities are prohibited from locating in an area where unstable slopes may impact the waste management unit.

(B) Treatment, storage and incineration facilities locating in an area of unstable slopes must be designed, constructed and maintained to withstand any impacts due to unstable slopes during the life of the facility.

(C) As used in (iv) of this subsection: "Unstable slopes" means any area where the mass movement of earth materials called landslides, rockfalls, mud slides, slumps, earth flows or debris flows are likely to occur.

(v) Coastal flooding. To prevent structural damage due to coastal flooding, all facilities are prohibited from locating in areas subject to coastal flooding, including tsunamis or storm surges, consistent with the regulations and, where available, maps of the National Flood Insurance Program of the Federal Emergency Management Agency.

(b) **SURFACE WATER QUALITY PROTECTION** – Intent. To maintain the water quality standards of the state's surface waters and to protect them from contamination due to dangerous waste management.

(i) Surface water.

(A) To prevent contamination of the surface waters of the state and related beneficial uses, all landfill, land treatment, surface impoundment, incineration and waste pile facilities are prohibited from locating such that the facility buffer zone is within one-quarter mile, measured horizontally, of the ordinary high water mark of any perennial surface water body. This restriction also applies to intermittent streams or rivers providing salmonid fish habitat as determined by the department of fisheries.

(B) Treatment or storage facilities may locate such that the facility boundary is within one-quarter mile of a surface water body except as noted under the 100-year flood plain criterion. These facilities must be designed, constructed, operated and maintained to prevent surface water contamination due to worst case accidental spills, contaminated runoff or other discharges. A treatment or storage facility proposed for location within the jurisdiction of the Shoreline Management Act may be sited when consistent with a state approved shoreline master program.

(C) As used in (i) of this subsection: "Perennial surface water bodies" are normally continuous with natural flows throughout the year or annually recurring bodies of water including lakes, rivers, ponds, irrigation canals, streams, reservoirs, inland waters, saltwaters, and all other waters of the state (not to include manmade lagoons or impoundments for waste treatment or storage) within the jurisdiction of the state of Washington as defined by chapter 90.48 RCW, Water Pollution Control Act.

(D) Applications for expansions at existing facilities, or for proposed facilities for on-site waste management, may be exempt from this surface water location standard upon case-by-case review and approval by the department. Exemptions will be considered where:

(I) The expansion or proposed facility constitutes a higher priority waste management method, as described in RCW 70.105.150, than is currently in use;

(II) The expansion or proposed facility would only manage wastes generated on-site; and

(III) A proposed facility would manage the wastes of a generator in operation on or before the effective date of this regulation.

Any exemption approved by the department will include only those wastes for which the expansion or proposed facility would provide a higher priority waste management method.

(ii) Flood protection.

(A) To prevent dangerous waste from contaminating surface waters and to ensure structural stability during flooding, all landfill, land treatment, surface impoundment and waste pile facilities are prohibited from locating in a 100-year flood plain.

(B) Treatment, storage and incineration facilities may locate in a 100-year flood plain if they are engineered for flood proofing to protect against a washout of any waste by the 100-year flood plus three feet.

(C) A contingency plan for the removal of wastes off-site in the event of a flood will not be considered to be engineered flood proofing.

(D) As used in (iii) of this subsection: "100-year flood" means a flood that has a one percent chance of being equalled or exceeded in any given year.

(c) **GROUND WATER PROTECTION** – Intent. To protect the ground waters of the state from contamination due to dangerous waste management. The applicant shall submit the necessary geohydrologic data pursuant to WAC 173-303-806 (4)(a)(xx)(B) for all surface impoundment, waste pile, landfill and land treatment units.

(i) Regional aquifer.

(A) To prevent the degradation of the state's ground waters, all landfill, land treatment, surface impoundment and waste pile facilities are prohibited from locating where the depth to the seasonal high water level of the regional aquifer of beneficial use is less than fifty feet, measured from the lowest point of the proposed waste management unit(s).

(B) In addition to the fifty-foot minimum separation, all landfill, land treatment, surface impoundment and waste pile facilities must include in that minimum separation a twenty-foot stratum of a material with a saturated vertical hydraulic conductivity of no greater than  $1.0 \times 10^{-6}$  centimeters per second (1.03 ft/yr) unless:

(I) A thicker interval of more permeable material is present which provides equivalent retardation of pollutant migration; or

(II) The mean annual potential evapotranspiration exceeds the sum of the mean annual precipitation and the potential annual liquid loading from the wastes at the proposed facility site.

(C) Treatment, storage and incineration facilities may locate where the depth to the regional aquifer is less than fifty feet, but it must be shown that the aquifer will be protected from contamination due to normal operation or accidental spills and ground water monitoring may be required.

(D) The regional aquifer will be determined by the department on a site-by-site basis with the necessary information to be provided by the facility proponent. In making its determination the department will consider, but will not be limited to the following sources of information taken from private industry as well as federal, state and local governments: Regional and local geologic, geohydrologic, and geotechnical publications and reports, soil survey maps, topographic maps, aerial photographs, on-site and off-site water-supply reports, climatological data and unpublished geologic mapping.

(E) As used in (i) of this subsection: "Beneficial use" means the water uses as defined by the water resources management program established pursuant to the Water Resources Act of 1971 and chapter 173-500 WAC.

(ii) Regional aquifer recharge.

(A) To protect those areas of principal recharge to the state's regional aquifers from contamination by dangerous wastes, all landfill, land treatment, surface impoundment and waste pile facilities are prohibited from locating in a regional aquifer recharge area.

(B) Treatment, storage and incineration facilities locating in a known or suspected recharge area will provide for spill containment to preclude migration of contaminants to ground water from worst case spills, leaks or discharges and ground water monitoring may be required.

(C) As used in (ii) of this subsection: "Regional aquifer recharge area" means a region of principal recharge to a regional aquifer.

(iii) Ground water travel time.

(A) To allow time for on-site cleanup of contaminated ground water all landfill, land treatment, surface impoundment and waste pile facilities are prohibited from locating in an area where the ground water travel time is less than five years to the facility property line. The ground water travel time shall be calculated using the horizontal distance from the facility boundary to the facility property line and parallel to the ground water flow direction.

(B) Treatment, storage and incineration facilities may locate where the ground water travel time is less than five years if:

(I) There is adequate time for a ground water monitoring system to detect contamination and time for on-site cleanup; or

(II) Other mitigative measures are taken to prevent ground water contamination due to spills, leaks or discharges.

(d) **PROTECTION OF DOMESTIC WATER** – Intent. To ensure safe domestic water supplies for the people of the state.

(i) Public water supply watersheds. No facility of any type shall locate within the boundaries of a designated municipal watershed for public water systems utilizing surface water as governed by WAC 248-54-225, Watershed control.

(ii) Sole source aquifer.

(A) All landfill, land treatment, surface impoundment and waste pile facilities are prohibited from locating over a sole source aquifer.

(B) Treatment, storage and incineration facilities may locate over a sole source aquifer if spill containment and ground water monitoring measures are implemented to protect the aquifer from contamination due to worst case accidental spills or other discharges.

(C) As used in (ii) of this subsection: "Sole source aquifer" means an aquifer which supplies fifty percent or more of the drinking water for an area and other sources are not reasonably/economically available. Sole source includes any aquifer designated as sole or principal by the state or under Section 1424(e) of the Federal Safe Drinking Water Act (P.L. 93-523).

(iii) Ground water intake.

(A) For all landfill, land treatment, surface impoundment, incineration and waste pile facilities there must be a minimum of one-quarter mile, measured horizontally, from the facility buffer zone to the nearest ground water intake for domestic water.

(B) For treatment and storage facilities there must be a minimum of one-quarter mile, measured horizontally, from the facility boundary to the nearest ground water intake for domestic water.

(C) As used in (iii) of this subsection: "Domestic water" means any water used for human consumption, other domestic activities or livestock watering for which a water right has been granted.

## (iv) Wellhead protection.

(A) To protect from contamination the area surrounding and affected by the pumping of drinking water wells, all landfill, land treatment, surface impoundment and waste pile facilities are prohibited from locating in a wellhead protection area. The facility may not locate such that the area of influence of a well or well field would extend into the facility property line. This requirement is limited to wells or well fields supplying potable water to a public water system for use outside of the facility property line.

(B) Treatment, storage and incineration facilities may locate in such an area if accidental spill prevention and detection measures are used and the requirements of WAC 248-54-125, Source protection, are met.

## (C) As used in (iv) of this subsection:

(I) "Wellhead protection area" is as defined by the Safe Drinking Water Act amendments of 1986 and means the surface and subsurface area surrounding a water well or well field, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.

(II) "Area of influence" means the area surrounding a well(s) within which changes in the potentiometric surface have been measured due to pumping of that well(s).

(III) A "public water system" has at least fifteen service connections or regularly serves at least twenty-five individuals.

(e) AIR QUALITY PROTECTION - Intent. For the purpose of maintaining the ambient air quality standards of the state.

(i) Ambient air quality. All facilities will comply with the applicable state or local air quality standards and regulations. On a case-by-case basis, an evaluation of the air quality impacts shall be conducted for each dangerous waste management facility application. The evaluation shall be conducted in accordance with chapter 173-400 WAC, General regulations for air pollution sources, chapter 173-403 WAC, Implementation of regulations for air contaminant sources and, if applicable, chapter 173-434 WAC, Solid waste incinerator facilities. An application for an incinerator will be required to meet prevention of significant deterioration permit requirements as referenced under WAC 173-403-080.

(ii) The maximum ambient air concentration for toxic air contaminant emissions at or beyond the facility property boundaries, as estimated by dispersion modeling, shall not exceed an acceptable ambient level to be determined by the department using health data as the basis for determination.

(f) SENSITIVE AREA PROTECTION - Intent. To protect and preserve environmentally sensitive areas and recreational resources of the state.

## (i) Threatened or endangered species.

(A) All facilities are prohibited from locating in an area that would result in the taking of species or the direct elimination of critical habitat for federal or state listed threatened or endangered species.

(B) As used in (i) of this subsection: "Critical habitat" is as defined by the Endangered Species Act of 1973 (P.L. 93-205).

## (ii) Wetlands.

All facilities are prohibited from locating in a wetland as defined by the United States Fish and Wildlife Service (Cowardin et al. 1979).

## (iii) Shorelines.

(A) All landfill, land treatment, surface impoundment and waste pile facilities are prohibited from locating in an area designated as a shoreline of the state under the jurisdiction of the Shoreline Management Act.

(B) Treatment, storage and incineration facilities may site in a shoreline area when authorized as a conditional use as provided under a state-approved shoreline master program.

## (iv) Wilderness areas.

(A) All landfill, land treatment, surface impoundment, waste pile and incineration facilities are prohibited from locating in an area classified as a wilderness area as defined by the Wilderness Act of 1964 (P.L. 88-577).

(B) Treatment and storage facilities associated with mining activities allowed by the Wilderness Act may locate in a wilderness area.

## (v) State and federal wildlife refuges.

(A) All landfill, land treatment, surface impoundment, waste pile and incineration facilities are prohibited from locating in a state or federally designated wildlife refuge or a game farm.

(B) Treatment and storage facilities associated with mining activities allowed in wildlife refuges may locate in a wildlife refuge or a game farm.

## (vi) Parks, recreation areas and natural area preserves.

All facilities are prohibited from locating in an area with city, county, state or federal designation as a park or recreation area or any area provided for under chapter 79.70 RCW, Natural area preserves.

(vii) Archaeological and historic areas and national monuments. All facilities are prohibited from locating in an area with city, county, state or federal designation as an archaeological or historic area or a national monument.

(g) TRANSPORTATION ROUTES - Intent. To ensure the safe transportation of dangerous waste to management facilities and minimize public exposure to dangerous waste transport vehicles.

(i) Traffic flow and capacity. To minimize impacts to traffic flow and capacity, existing or proposed roadways in the immediate area leading to a facility will be of design and construction to accommodate the projected increase in traffic (truck and auto) due to the facility. Peak hour impacts at intersections and traffic control points may require mitigative measures.

(ii) Safety standards for transport routes. To reduce accident risks during transport of dangerous waste, both major and minor roadways and railways leading to the facility site will be constructed and/or maintained to be free of obstructions and meet minimum sight distance requirements. All roadways must be capable of handling the increase in truck traffic due to the facility, maintain safety standards, and access to the facility must not traverse zoned residential neighborhoods.

(h) ADJACENT LAND USE - Intent. To protect the population of the state from significant adverse impact due to dangerous waste management.

## (i) Buffer zone.

(A) To provide added protection to adjacent land uses or resources of beneficial use, all landfill, land treatment, surface impoundment, waste pile and incineration facilities must maintain at least a two hundred-foot buffer zone between the facility boundary and the nearest point of the facility property line.

(B) Treatment and storage facilities must maintain a fifty-foot buffer zone between the facility boundary and the nearest point of the facility property line or mitigative measures must be provided where the buffer zone is less than fifty feet.

## (ii) Residences.

(A) To minimize the exposure of the people of the state to dangerous wastes, all landfill, land treatment, surface impoundment, waste pile and incineration facilities are prohibited from locating such that the facility buffer zone is within one-half mile of a residential zone. These facilities are also prohibited from locating such that the facility buffer zone is within five hundred feet of a residence not located in a residential zone.

(B) Treatment and storage facilities are prohibited from locations such that the facility boundary is within one hundred feet of a residence. Those facilities which treat or store reactive wastes must provide protection through mitigative measures equivalent with the Uniform Fire Code's "American Table of Distances for Storage of Explosives," Table 77-201, 1985 Edition.

## (iii) Public gathering places.

(A) To protect the people of the state from exposure to dangerous waste in public gathering places, all landfill, land treatment, surface impoundment, waste pile and incineration facilities are prohibited from locating such that the facility buffer zone is within one-half mile of any public or private school, college, university, hospital, health care facility, church, retail shopping center, stadium or auditorium, or building with free public access that is operated by a local, state or federal government.

(B) Treatment and storage facilities are prohibited from locating such that the facility boundary is within one hundred feet of a public gathering place as listed above.

(C) Any facility owned or operated by a school, college or university is exempt from this standard with regard to that school, college or university.

(iv) Agricultural lands. To provide protection for food crops or food production activities, all facilities locating in or near agricultural use areas must eliminate or mitigate potential adverse impacts to agricultural activities due to waste management facilities, including but not limited to the effects of fumes or other emissions into the atmosphere.

(i) HOST COMMUNITY CONSIDERATIONS - Intent. For the purpose of providing consideration of the impacts of dangerous waste management facilities on the public services of the host community.

(i) Utilities and public services. The availability of utilities and public services must be considered when siting a facility, and if an extension or upgrade of any public service or utility system is necessitated for facility use, that cost will be incurred by the facility proponent.

(ii) Costs for emergency services. An increase in the need for host community emergency services (e.g., fire and hospital) created by the siting of a facility will be provided for by the facility proponent.

include, but are not limited to, high annual rainfall, extreme temperatures (high or low), and high winds.

(j) OTHER CONSIDERATIONS – Climatic factors. No facility will be located in an area that has a history of severe climatic factors without engineered protection to mitigate those factors. Severe climatic factors

LOCATION STANDARDS FOR SITING DANGEROUS WASTE MANAGEMENT FACILITIES IN WASHINGTON

STANDARDS	LANDFILL	LAND TREATMENT	SURFACE IMPOUNDMENT	WASTE FILE	INCINERATION	TREATMENT/STORAGE
<b>STRUCTURAL STABILITY</b>						
Distance to holocene earthquake fault	200 ft.	200 ft.	200 ft.	200 ft.	200 ft.	200 ft.
Soils stability	X	M	X	X	M	M
Subsidence	X	X	X	X	X	X
Unstable slopes	X	X	X	X	M	M
Coastal flooding	X	X	X	X	X	X
<b>SURFACE WATER QUALITY PROTECTION</b>						
Proximity to nearest surface water	1/4 mi.	1/4 mi.	1/4 mi.	1/4 mi.	1/4 mi.	M
Flood protection	X	X	X	X	M	M
<b>GROUND WATER PROTECTION</b>						
Minimum depth to regional aquifer	50 ft.	50 ft.	50 ft.	50 ft.	M	M
Regional aquifer recharge areas	X	X	X	X	M	M
Minimum travel time to property line	5 yr.	5 yr.	5 yr.	5 yr.	M	M
<b>PROTECTION OF DOMESTIC WATER</b>						
Watersheds	X	X	X	X	X	X
Sole source aquifer (federal or state)	X	X	X	X	M	M
Distance to ground water intake	1/4 mi.	1/4 mi.	1/4 mi.	1/4 mi.	1/4 mi.	1/4 mi.
Wellhead protection areas	X	X	X	X	M	M
<b>AIR QUALITY PROTECTION</b>						
Ambient air quality	C	C	C	C	C	C
<b>SENSITIVE AREA PROTECTION</b>						
Threatened or endangered species	X	X	X	X	X	X
Wetlands	X	X	X	X	X	X
State shorelines	X	X	X	X	C	C
Wilderness areas	X	X	X	X	X	M
State and federal wildlife refuges	X	X	X	X	X	M
Parks, recreation areas and natural preserves	X	X	X	X	X	X
Archaeological and historic areas and national monuments	X	X	X	X	X	X
<b>TRANSPORTATION ROUTES</b>						
Traffic flow and capacity	M	M	M	M	M	M
Safety standards for transport routes	C	C	C	C	C	C
<b>ADJACENT LAND USE</b>						
Buffer zone	200 ft.	200 ft.	200 ft.	200 ft.	200 ft.	M
Residential zones/residences	1/2 mi./500 ft.	1/2 mi./500 ft.	1/2 mi./500 ft.	1/2 mi./500 ft.	1/2 mi./500 ft.	100 ft.
Public gathering places	1/2 mi.	1/2 mi.	1/2 mi.	1/2 mi.	1/2 mi.	100 ft.
Agricultural lands	M	M	M	M	M	M
<b>HOST COMMUNITY CONSIDERATIONS</b>						
Utilities and public services	C	C	C	C	C	C
Costs for emergency services	C	C	C	C	C	C
<b>OTHER CONSIDERATIONS</b>						
Climatic factors	M	M	M	M	M	M

X - Excluded from siting in this area

M - Mitigative measures required to site in this area

To be determined during development of dangerous waste permits, and through environmental assessment under SEPA.

C - Consideration to be addressed in siting

**NEW SECTION**

WAC 173-303-286 PERFORMANCE STANDARDS. (1) Purpose. This section provides general performance standards for designing, constructing, operating, and maintaining dangerous waste facilities.

(2) Applicability. This section applies to all dangerous waste facilities permitted under WAC 173-303-800 through 173-303-840. These general performance standards shall be used to determine whether more stringent facility standards should be applied than those spelled out in WAC 173-303-280, 173-303-290 through 173-303-400 and 173-303-600 through 173-303-670.

(3) Performance standards. Unless authorized by state, local, or federal laws, or unless otherwise authorized in this regulation, the owner/operator shall design, construct, operate, or maintain a dangerous waste facility that to the maximum extent practical given the limits of technology prevents:

- (a) Degradation of ground water quality;
- (b) Degradation of air quality by open burning or other activities;
- (c) Degradation of surface water quality;
- (d) Destruction or impairment of flora and fauna outside the active portion of the facility;
- (e) Excessive noise;
- (f) Conditions that constitute a negative aesthetic impact for the public using rights of ways, or public lands, or for landowners of adjacent properties;
- (g) Unstable hillsides or soils as a result of trenches, impoundments, excavations, etc.;
- (h) The use of processes that do not treat, detoxify, recycle, reclaim, and recover waste material to the extent economically feasible; and
- (i) Endangerment of the health of employees, or the public near the facility.

**AMENDATORY SECTION** (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-420 ((SITING STANDARDS. (1) Purpose. This section provides criteria for the siting of dangerous waste facilities. The criteria are to be viewed as standards which a facility owner/operator shall meet in siting his facility.

(2) Applicability. These siting standards will apply to all facilities which require a permit under WAC 173-303-805 and 173-303-806, or as otherwise limited in each of the applicable paragraphs of this section:

(3) Earthquake fault criteria:  
 (a) Active portions of new TSD facilities will not be located within two hundred feet of a fault which has had displacement in Holocene times. For facilities managing special waste only, engineering efforts, as approved by the department, may be substituted for the two hundred-foot buffer zone.

- (b) As used in (a) of this subsection:
  - (i) "Fault" means a fracture along which rocks on one side have been displaced with respect to those on the other side;
  - (ii) "Displacement" means the relative movement of any two sides of a fault measured in any direction; and
  - (iii) "Holocene" means the most recent epoch of the Quarternary period, extending from the end of the Pleistocene to the present.

(c) Facilities which are located in counties other than those listed below are assumed to be in compliance with this subsection:

Chelan	Grant	Lewis	Skagit
Cllallam	Grays Harbor	Mason	Skamania
Clark	Jefferson	Okanogan	Snohomish
Cowlitz	King	Pacific	Thurston
Douglas	Kitsap	Pierce	Wahkiakum
Ferry	Kittitas	San Juan	Whatcom
			Yakima

(4) Floodplain criteria:  
 (a) A facility located in a one hundred-year floodplain must be designed, constructed, operated, and maintained to prevent washout of any dangerous waste by a one hundred-year flood, unless, in the case

of facilities which manage DW only, the owner or operator has included in his contingency plan (WAC 173-303-350) procedures which will cause the waste to be removed safely, before floodwaters can reach the facility, to a location where the wastes will not be vulnerable to floodwaters. The location to which wastes will be removed must be a facility permitted according to this chapter.

(b) For facilities which manage EHW, a facility located in a one hundred-year floodplain must be designed, constructed, operated, and maintained to prevent washout of any EHW by a one hundred-year flood. Contingency procedures for removal of EHW will not be deemed equivalent to engineered flood proofing.

(c) As used in (a) and (b) of this subsection:  
 (i) "One hundred-year floodplain" means any land area which is subject to one percent or greater chance of flooding in any given year from any source;

(ii) "Washout" means the movement of dangerous waste from the active portion of the facility as a result of flooding; and

(iii) "One hundred-year flood" means a flood that has a one percent chance of being equalled or exceeded in any given year.

(5) The siting of facilities in areas under the jurisdiction of the 1971 Shoreline Management Act (chapter 90.58 RCW):

(a) Areas defined as "wetlands" under RCW 90.58.030 (2)(f) (those areas under jurisdiction of the Shoreline Management Act) shall not be considered or used for the disposal of dangerous waste.

(b) Dangerous waste storage and treatment facilities, where such facilities have either historically located in areas under jurisdiction of the Shoreline Management Act, or where such facilities require a waterfront or harbor area location, shall be limited to those locations where the local shoreline management master program permits industrial, navigation, manufacturing, or similar activities. Areas classified natural, conservancy, rural, or residential shall not be considered for the location of a dangerous waste facility.

(6) Sole source aquifer criteria. No new facility shall dispose of dangerous waste over a sole source aquifer designated pursuant to section 1424(c) of the Safe Drinking Water Act (Public Law 93-523).

(7) Interim siting standards:  
 (a) Purpose. The purpose of this subsection is to establish interim siting considerations and criteria for preempted facilities requiring permits pursuant to WAC 173-303-805 or 173-303-806. These interim siting standards are to be used until superseded by final siting regulations adopted pursuant to RCW 70.105.200 through 70.105.270.

(b) Applicability. The interim siting standards described in this subsection apply to owners and operators of any preempted facilities for which:

- (i) Interim or final status permits have been issued by the department, pursuant to WAC 173-303-805 or 173-303-806; or
- (ii) Interim or final status permit applications that will be or have been submitted to the department, pursuant to WAC 173-303-805 or 173-303-806. This subsection does not apply to owners or operators of facilities who prior to July 28, 1985, manage wastes in landfills, land treatment, surface impoundments, or waste piles to be closed as landfills, or through incineration. In addition, this subsection does not apply to owners/operators of facilities or portions of facilities applying for research, development, and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65.

(c) Implementation. Owners/operators of preempted facilities to which the interim siting standards of this subsection apply must include in (or amend the existing) TSD facility application, submitted pursuant to WAC 173-303-805 or 173-303-806, information that demonstrates consideration of and compliance with the interim siting standards of this subsection.

(i) Applications for facilities that do not meet prohibitions or set back requirements specified in this subsection will be rejected by the department.

(ii) The department may place additional restrictions and conditions on a facility permit (including interim status) pursuant to its authority under this chapter and the State Environmental Policy Act, chapter 43.21C RCW.

(d) Definitions. Any terms used in this subsection that are not defined below shall have the meanings provided in WAC 173-303-040.

For the purposes of this subsection, the following terms shall have the described meanings:

(i) "Preempted facility" means any facility that includes as a significant part of its activities the following operations: (A) Landfill, (B) incineration, (C) land treatment, (D) surface impoundment to be closed as a landfill, or (E) waste pile to be closed as a landfill.

(ii) "Perennial surface water body" means any lake, river, pond, canal, stream, reservoir, inland water, saltwater, and other surface waters under the jurisdiction of the state of Washington that normally has continuous flow throughout the year. This does not include man-made lagoons, or impoundments associated with a facility.

(iii) "Area of influence" means the area surface and subsurface area surrounding a well(s) within which the potentiometric surface has been changed due to ground water withdrawal.

(iv) "Residences" means any dwelling, including private homes, rental homes, boarding houses, apartments, motels, and hotels.

(v) "Institution" means any public or private:

(A) School, college, university, hospital, health care facility, church;

(B) Retail shopping center;

(C) Stadium and auditorium; and

(D) Building with free public access that is operated by a local, state, or federal government.

(e) Structural stability.

(i) Proximity to Holocene earthquake fault — All provisions of subsection (3) of this section shall apply.

(ii) Subsidence. Consideration shall be given to any sinking of the land surface within the facility boundaries due to the removal of solid mineral matter or fluids from the subsurface.

(iii) Unstable slopes. Consideration shall be given to any steeply sloping areas within facility boundaries where the rapid mass movement of earth materials is likely to occur.

(iv) Soils stability. Consideration shall be given to any weak or unstable soils within the facility boundaries. Weak or unstable soils or conditions include, but are not limited to, organic soils, expansive soils, sands subject to liquefaction during seismic events, soft clays, sensitive clays, loess and quick conditions.

(v) Tsunami/storm surge. Consideration shall be given to shoreline areas bordering the Pacific Ocean and the Straits of Juan De Fuca that may flood because of tsunamis or storm surges.

(f) Surface water quality protection:

(i) One hundred-year floodplain. All requirements of subsection (4) of this section shall apply.

(ii) Proximity to surface water. No preempted facility shall be located within five hundred feet of a perennial surface water body. Five hundred feet shall be measured horizontally from the ordinary high water mark of the perennial surface water body to the nearest portion of the facility.

(g) Ground water protection:

(i) Minimum depth to regional aquifer. Consideration shall be given to the depth from any portion of the facility to the regional aquifer. Regional aquifer shall be determined by the department.

(ii) Regional aquifer recharge areas. Consideration shall be given to the areas that provide principal recharge to regional aquifers. Such areas shall be determined by the department.

(iii) Ground water travel time. Consideration shall be given to the rate of ground water movement in all directions from the facility to the facility property boundary.

(h) Drinking water protection:

(i) Public water supply watersheds. No facility shall be located within the boundaries of a designated public water supply watershed.

(ii) Sole source aquifer. All provisions of subsection (6) of this section shall apply.

(iii) Proximity to drinking water intakes. No preempted facilities shall be located within:

(A) Five hundred feet, measured horizontally from the nearest portion of the facility, of a surface or ground water intake for public or private drinking water if the facility is located up gradient from such an intake; or

(B) Two hundred fifty feet, measured horizontally from the nearest point of the facility boundary, of a surface or ground water intake for public or private drinking water if the facility is located down gradient or cross gradient from such an intake.

(iv) Wellhead protection areas. No preempted facility shall be located within the area of influence surrounding a water well or wellfield that is supplying potable water to a domestic water supply system for use outside the facility boundaries.

(i) Sensitive area protection. Preempted facilities shall be subject to the following locational standards for sensitive areas:

(i) Threatened and endangered species. No preempted facility shall locate in an area that would result in the taking of individuals of a species, or the direct elimination of habitat of species that are on the federal list of threatened and endangered species;

(ii) Shorelines and wetlands. All provisions of subsection (5) of this section shall apply;

(iii) Wilderness areas. No preempted facility shall locate in a wilderness area as so designated under the Wilderness Protection Act;

(iv) State and federal wildlife refuges. No preempted facility shall locate in a state or federal refuge as so designated under state and federal laws and regulations;

(v) Parks, scenic and recreational areas. No preempted facility shall be located in a city, county, state, or federally designated park, scenic area, or recreational area; and

(vi) Archeological and historic areas, national monuments. No preempted facility shall be located within any area designated by a city, county, state, or federal agency as an archeological or historic area or a national monument.

(j) Air quality protection. Evaluation shall be made of air impacts considering the effect of local meteorology, control technology and facility operation and maintenance on air emissions. The maximum ambient air concentration for toxic air contaminant emissions at or beyond the facility property boundaries, as estimated by dispersion modeling, shall not exceed an acceptable ambient level as determined by the department.

(k) Transportation routes:

(i) Traffic flow and capacity. Consideration shall be given to the traffic flow and capacity of existing or proposed roadways in the immediate area leading to a facility.

(ii) Safety standards for transport routes. Consideration shall be given to safety factors of primary and secondary access routes to a facility, including road, rail, and marine, as appropriate. Such factors shall include freedom from obstructions, sight distance, traffic flow and capacity at critical intersections, and such other traffic safety requirements designed to minimize public exposure to transport vehicles.

(l) Adjacent land use considerations:

(i) Proximity to residences. No preempted facility shall be located within:

(A) Two thousand feet from the nearest point of the facility property boundary to the boundary of an area zoned for residential uses by local governments. For the purposes of this subsection, the department shall consider local zoning in place as of July 28, 1985; and

(B) For areas not zoned for residential purposes, five hundred feet from the nearest point of the facility property boundary to the nearest property boundary of a residence.

(ii) Proximity to institutions. Consideration shall be given to a facility's proximity to institutions, as defined in (d) of this subsection. No preempted facility shall be located within two thousand feet from the nearest point of the facility property boundary to the nearest property boundary of an institution.

(iii) Proximity to agricultural lands. Consideration shall be given to a facility's proximity to lands used for raising agricultural crops or livestock. Such consideration shall include emissions to the air, water, and soils due to operation that may cause known adverse impacts to agricultural crops or livestock.

(m) Host community considerations:

(i) Utilities and public services. The availability of utilities and public services (such as water, gas, electricity, sewage, and refuse collection), and the costs for necessary increases in capacity shall be considered when siting any preempted facility.

(ii) Emergency services. The availability of emergency responses services (such as police, fire departments, and hospitals), and costs for necessary increases in capacity shall be considered when siting any preempted facility.) (Reserved.)

#### AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-430 ((PERFORMANCE STANDARDS. (1) Purpose. This section provides general performance standards for designing, constructing, operating, and maintaining dangerous waste facilities.

(2) Applicability. This section applies to all dangerous waste facilities permitted under WAC 173-303-800 through 173-303-840. These general performance standards shall be used to determine whether more stringent facility standards should be applied than those spelled

out in WAC 173-303-280 through 173-303-400 and 173-303-600 through 173-303-670.

(3) Performance standards. Unless authorized by state, local, or federal laws, or unless otherwise authorized in this regulation, the owner/operator shall design, construct, operate, or maintain a dangerous waste facility that to the maximum extent practical given the limits of technology prevents:

- (a) Degradation of ground water quality;
- (b) Degradation of air quality by open burning or other activities;
- (c) Degradation of surface water quality;
- (d) Destruction or impairment of flora and fauna outside the active portion of the facility;
- (e) Excessive noise;
- (f) Conditions that constitute a negative aesthetic impact for the public using rights of ways, or public lands, or for landowners of adjacent properties;
- (g) Unstable hillsides or soils as a result of trenches, impoundments, excavations, etc.;
- (h) The use of processes that do not treat, detoxify, recycle, reclaim, and recover waste material to the extent economically feasible, and
- (i) Endangerment of the health of employees, or the public near the facility.)) (Reserved.)

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-440 ((~~BUFFER MONITORING ZONES.~~ (1) Buffer zones:

(a) The owner/operator of a dangerous waste facility which treats or stores ignitable or reactive waste, except for those reactive wastes with buffer zones specified in (b) of this subsection in covered tanks must treat or store his ignitable waste in a manner equivalent with the National Fire Protection Association's buffer zone requirements for tanks, contained in Tables 2-1 through 2-6 of The Flammable and Combustible Liquids Code-1981.

(b) The owner/operator of a dangerous waste facility which treats or stores reactive waste exhibiting a characteristic specified in WAC 173-303-090 (7)(a)(vi), (vii) or (viii) must provide a buffer zone for his reactive waste equivalent with the Uniform Fire Code's American Table of Distances for Storage of Explosives, Table 77-201, 1979 edition. Where this requirement conflicts with the buffer zone of (a) of this subsection, the larger of the two buffer zones determined under (a) and (b) of this subsection must be used.

(c) Within the practical limits of the best available management technology, the owner/operator of a new dangerous waste impoundment, pile, landfarm, or landfill should attempt to locate his facility so that the travel time (as defined in WAC 173-303-040) from the active portion of the facility to the nearest downstream well or surface water used for drinking purposes is at least:

- (i) Three years, for DW; and
- (ii) Ten years, for EHW.

(2) Monitoring zones:

(a) The owner/operator of a new dangerous waste facility handling DW only may at his discretion provide a monitoring zone around surface impoundment, waste pile, land treatment, and landfill areas as follows:

$$D = \frac{wv}{N} \text{ (ft)}$$

Where

D = the minimum width of the monitoring zone

w = 3, a constant

v = velocity of surface soil migration, ft/yr

N = number of times the surface soil is sampled at one spot in a year.

Samples shall be taken a distance of

$$S = \frac{D}{w} \text{ (ft) from the active portion of the facility}$$

Where

D = the monitoring zone width in feet and

w = 3.

(b) The same monitoring zone determinations may be made for new facilities handling EHW, except that the value W = 10 shall be used.

(c) Additional information and assistance on choosing monitoring zones is available from the department.)) (Reserved.)

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-510 SPECIAL REQUIREMENTS FOR DANGEROUS WASTES BURNED FOR ENERGY RECOVERY. (1) Applicability.

(a) This section applies to dangerous wastes that are burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670, except as provided by (b) of this subsection. Such dangerous wastes burned for energy recovery are termed "dangerous waste fuel." Fuel produced from dangerous waste by processing, blending, or other treatment is also dangerous waste fuel. (These regulations do not apply, however, to gas recovered from dangerous waste management activities when such gas is burned for energy recovery.)

(b) The following dangerous wastes are not subject to regulation under this section:

(i) Used oil burned for energy recovery if it is a dangerous waste because it:

(A) Exhibits a characteristic of dangerous waste identified in WAC 173-303-090; or

(B) Is designated as DW only through the criteria of WAC 173-303-101 through 173-303-103; or

(C) Is a dangerous waste designated solely as W001.

Such used oil is subject to regulation under WAC 173-303-515 rather than this section.

Note: Used oil burned for energy recovery containing a listed waste (unless such listed waste is only state source W001) or a waste designated as EHW through the criteria of WAC 173-303-101 through 173-303-103 is subject to this section.

(ii) (Reserved.)

(2) Prohibitions.

(a) A person may market dangerous waste fuel only:

(i) To persons who have notified the department of their dangerous waste fuel activities under WAC 173-303-060 and have an EPA/state identification number; and

(ii) If the fuel is burned, to persons who burn the fuel in boilers or industrial furnaces identified in (b) of this subsection.

(b) Dangerous waste fuel may be burned for energy recovery in only the following devices:

(i) Industrial furnaces identified in WAC 173-303-040;

(ii) Boilers, as defined in WAC 173-303-040, that are identified as follows:

(A) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes; or

(B) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale.

(c) No fuel which contains any dangerous waste may be burned in any cement kiln which is located within the boundaries of any incorporated municipality with a population greater than five hundred thousand (based on the most recent census statistics) unless such kiln fully complies with regulations under this chapter that are applicable to incinerators.

(3) Standards applicable to generators of dangerous waste fuel.

(a) Generators of dangerous waste that is used as a fuel or used to produce a fuel are subject to WAC 173-303-170 through 173-303-230.

(b) Generators who market dangerous waste fuel to a burner also are subject to subsection (5) of this section.

(c) Generators who are burners also are subject to subsection (6) of this section.

(4) Standards applicable to transporters of dangerous waste fuel. Transporters of dangerous waste fuel (and dangerous waste that is used to produce a fuel) are subject to the requirements of WAC 173-303-240 through 173-303-270.

(5) Standards applicable to marketers of dangerous waste fuel.

Persons who market dangerous waste fuel are termed "marketers," and are subject to the following requirements. Marketers include generators who market dangerous waste fuel directly to a burner, persons who receive dangerous waste from generators and produce, process, or blend dangerous waste fuel from these dangerous wastes, and persons who distribute but do not process or blend dangerous waste fuel.

(a) Prohibitions. The prohibitions under subsection (2) of this section;



(b) Notification. Notification requirements under WAC 173-303-060 for dangerous waste fuel activities. Even if a marketer has previously notified the department of his dangerous waste management activities and obtained an EPA/state identification number, he must renotify to identify his dangerous waste fuel activities.

(c) Storage.

(i) For short term accumulation by generators who are marketers of dangerous waste fuel, the applicable provisions of WAC 173-303-200 or 173-303-201;

(ii) For all marketers who store dangerous waste fuel, the applicable storage provisions of:

(A) WAC 173-303-280 through 173-303-395; and

(B) (~~WAC 173-303-420 through 173-303-440;~~

~~(C))~~ WAC 173-303-800 through 173-303-840;

(iii) For marketers with interim status permits who store dangerous waste fuel, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iv) For marketers with final status permits who store dangerous waste fuel, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650; and

(B) WAC 173-303-660.

(d) Off-site shipment. The standards for generators in WAC 173-303-170 through 173-303-230 when a marketer initiates a shipment of dangerous waste fuel;

(e) Required notices.

(i) Before a marketer initiates the first shipment of dangerous waste fuel to a burner or another marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(A) The burner or marketer has notified the department under WAC 173-303-060 and identified his waste-as-fuel activities; and

(B) If the recipient is a burner, the burner will burn the dangerous waste fuel only in an industrial furnace or boiler identified in subsection (2)(b) of this section.

(ii) Before a marketer accepts the first shipment of dangerous waste fuel from another marketer, he must provide the other marketer with a one-time written and signed certification that he has notified the department under WAC 173-303-060 and identified his dangerous waste fuel activities; and

(f) Recordkeeping. In addition to the applicable recordkeeping requirements of WAC 173-303-210 and 173-303-380, a marketer must keep a copy of each certification notice he receives or sends for three years from the date he last engages in a dangerous waste fuel marketing transaction with the person who sends or receives the certification notice.

(6) Standards applicable to burners of dangerous waste fuel.

Owners and operators of industrial furnaces and boilers identified in subsection (2)(b) of this section that burn dangerous fuel are "burners" and are subject to the following requirements:

(a) Prohibitions. The prohibitions under subsection (2)(b) of this section;

(b) Notification. Notification requirements under WAC 173-303-060 for dangerous waste fuel activities. Even if a burner has previously notified the department of his dangerous waste management activities and obtained an EPA/state identification number, he must renotify to identify his dangerous waste fuel activities.

(c) Storage.

(i) For short term accumulation by generators who burn their dangerous waste fuel on site, the applicable provisions of WAC 173-303-200 or 173-303-201.

(ii) For all burners who store dangerous waste fuel, the applicable provisions of:

(A) WAC 173-303-280 through 173-303-395; and

(B) (~~WAC 173-303-420 through 173-303-440;~~

~~(C))~~ WAC 173-303-800 through 173-303-840;

(iii) For burners under interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iv) For burners with final facility permits, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650; and

(B) WAC 173-303-660.

(d) Required notices. Before a burner accepts the first shipment of dangerous waste fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

(i) He has notified the department under WAC 173-303-060 and identified his waste-as-fuel activities; and

(ii) He will burn the fuel only in a boiler or furnace identified in subsection (2)(b) of this section.

(e) Recordkeeping. In addition to the applicable recordkeeping requirements of WAC 173-303-380, a burner must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives dangerous waste fuel from that marketer.

(f) Local requirements. Any person who burns dangerous waste for energy recovery must comply with air emission requirements of the local air pollution control authority (or department of ecology if no local authority with jurisdiction exists).

#### AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-520 SPECIAL REQUIREMENTS FOR RECLAIMING SPENT LEAD ACID BATTERY WASTES. This section applies to persons who reclaim spent lead-acid batteries that are recyclable materials ("spent batteries").

(1) Persons who generate, transport, or who store spent batteries but do not reclaim them are subject only to the requirements of WAC 173-303-050, 173-303-145 and 173-303-960 if such spent batteries are going to a battery reclaimer.

(2) Owners and operators of battery reclaiming facilities that store spent lead acid batteries prior to reclaiming them are subject to the following requirements:

(a) For all reclaimers, the applicable storage provisions of:

(i) WAC 173-303-280 (2) and (3);

(ii) WAC 173-303-290;

(iii) WAC 173-303-310 through 173-303-360;

(iv) WAC 173-303-380;

(v) WAC 173-303-390 (2) and (3);

(vi) WAC 173-303-395;

(vii) WAC (~~173-303-420 through 173-303-440~~) 173-303-285;

(~~and~~)  
(viii) WAC (~~173-303-800 through 173-303-840~~) 173-303-286;

and  
(ix) WAC 173-303-800 through 173-303-840.

(b) For reclaimers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(c) For reclaimers with final facility permits, the applicable storage provisions of:

(i) WAC 173-303-600 through 173-303-650; and

(ii) WAC 173-303-660.

#### AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-560 MINIMUM STANDARDS FOR FACILITIES MANAGING SPECIAL WASTE. In no case will the department approve standards for facilities managing special waste which do not include, at a minimum, the following applicable requirements:

(1) WAC 173-303-060;

(2) WAC 173-303-286;

(3) WAC 173-303-350;

(~~4~~) (4) WAC 173-303-360;

(~~5~~) (5) WAC 173-303-370;

(~~6~~) (6) WAC 173-303-380; and

(~~7~~) (7) WAC 173-303-390(~~and~~

~~WAC 173-303-430).~~

#### AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-600 FINAL FACILITY STANDARDS. Purpose, scope, and applicability.

(1) The purpose of WAC 173-303-600 through 173-303-670, is to establish minimum state-wide standards which describe the acceptable management of dangerous waste. In addition to WAC 173-303-600 through 173-303-670, the final facility standards include WAC 173-303-280 through 173-303-395(~~and 173-303-420 through 173-303-440~~).

(2) The final facility standards apply to owners and operators of all facilities which treat, store or dispose of dangerous waste, and which are not exempted by subsection (3) of this section.

(3) The final facility standards do not apply to:

(a) Persons whose disposal activities are permitted under the Marine Protection, Research and Sanctuaries Act, except that storage, or



treatment facilities where dangerous waste is loaded onto an ocean vessel for incineration or disposal at sea are subject to final facility standards;

(b) Persons whose disposal activities are permitted under the Underground Injection Control Program of the Safe Drinking Water Act, except that storage, or treatment facilities needed to handle dangerous wastes are subject to final facility standards;

(c) Owners or operators of POTWs which treat, store, or dispose of dangerous waste provided they follow the permit-by-rule requirement of WAC 173-303-802(4);

(d) A generator accumulating waste on site in compliance with WAC 173-303-200;

(e) The owner or operator of a facility which is permitted to manage solid waste pursuant to chapter 173-304 WAC, if the only dangerous waste the facility manages is excluded from regulation under this chapter by WAC 173-303-070(8);

(f) A farmer disposing of waste pesticides from his own use provided he complies with WAC 173-303-160 (2)(b);

(g) A transporter storing a manifested shipment of dangerous waste for ten days or less in accordance with WAC 173-303-240(5);

(h) Any person, other than an owner or operator who is already subject to the final facility standards, who is carrying out an immediate or emergency response to contain or treat a discharge or potential discharge of a dangerous waste or hazardous substance;

(i) The owner or operator of a facility which is in compliance with the interim status requirements of WAC 173-303-400 and 173-303-805, until final administrative disposition of his final facility permit;

(j) The owner or operator of a totally enclosed treatment facility or elementary neutralization or wastewater treatment unit as defined in WAC 173-303-040, provided that he complies with the permit by rule requirements of WAC 173-303-802(5); and

(k) The addition, by a generator, of absorbent material to waste in a container, or of waste to absorbent material in a container, provided that these actions occur at the time the waste is first placed in containers and the generator complies with WAC 173-303-200 (1)(b) and 173-303-395 (1)(a) and (b).

(4) The owner or operator of a final status TSD facility which manages special waste may comply with the special requirements selected under WAC 173-303-550 through 173-303-560 in lieu of the final facility standards of WAC 173-303-600 through 173-303-670, but only for those special wastes which he manages and only after the department has issued or modified his final facility permit in accordance with WAC 173-303-800 through 173-303-840 to incorporate the special requirements.

(5) The owner or operator of a facility which recycles dangerous waste may, for such recycled wastes only, comply with the applicable recycling standards specified in WAC 173-303-120 and 173-303-500 through 173-303-525 in lieu of the final facility standards.

(6) The owner or operator must comply with the special land disposal restrictions for certain dangerous wastes in WAC 173-303-140.

**AMENDATORY SECTION** (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-650 SURFACE IMPOUNDMENTS. (1) Applicability. The regulations in this section apply to owners and operators of facilities that use surface impoundments to treat, store, or dispose of dangerous waste.

(2) Design and operating requirements.

(a)(i) A surface impoundment (except for an existing portion of a surface impoundment) 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 or ground water 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 subsurface soil or ground water or surface water) during the active life of the facility, provided that the impoundment is closed in accordance with subsection (6)(a)(i) of this section. For impoundments that will be closed in accordance with subsection (6)(a)(ii) of this section, the liner must be constructed of materials that can prevent wastes from migrating into the liner during the active life of the facility. The liner must be:

(A) 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;

(B) 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;

(C) Installed to cover all surrounding earth likely to be in contact with the waste or leachate; and

(D) For EHW management, the owner or operator shall submit an engineering report with his permit application under WAC 173-303-806(4) stating the basis for selecting the liner(s). The report shall be certified by a licensed professional engineer.

(ii) The owner or operator of a new surface impoundment installed after October 31, 1984, and in which liquid EHW is managed must:

(A) Install a double lined system which incorporates the specifications of subsection (3)(a), (b), and (c) of this section; and

(B) Must comply with either the ground water monitoring requirements of WAC 173-303-645, or the unsaturated zone monitoring requirements of WAC 173-303-655(6).

(b) The owner or operator will be exempted from the requirements of (a) of this subsection, if the department finds, based on a demonstration by the owner or operator, that alternate design and operating practices, together with location characteristics, will prevent the migration of any dangerous constituents listed in WAC 173-303-9905, or which otherwise cause his wastes to be regulated under this chapter, into the ground water 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 ground water 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 ground water or surface water.

(c) A surface impoundment must be designed, constructed, maintained, and operated to prevent overtopping resulting from normal or abnormal operations; overfilling; wind and wave action; rainfall; run-on; malfunctions of level controllers, alarms, and other equipment; and human error.

(d) A surface impoundment must be designed so that any flow of waste into the impoundment can be immediately shut off in the event of overtopping or liner failure.

(e) A surface impoundment must be designed to repel birds.

(f) A surface impoundment shall be located so as to meet the buffer zone requirements of WAC (~~(173-303-440)~~) 173-303-285.

(g) A surface impoundment must have dikes that are designed, constructed, and maintained with sufficient structural integrity to prevent their failure. In ensuring structural integrity, it must not be presumed that the liner system will function without leakage during the active life of the unit.

(h) Earthen dikes must be kept free of:

(i) Perennial woody plants with root systems which could weaken its structural integrity; and

(ii) Burrowing mammals which could weaken its structural integrity or create leaks through burrows.

(i) Earthen dikes must have a protective cover, such as grass, shale or rock to minimize wind and water erosion and to preserve their structural integrity.

(j) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this subsection are satisfied.

(3) Double-lined surface impoundments; exemption from WAC 173-303-645, ground water protection requirements.

(a) Except as provided in subsection (2)(a)(ii) of this section, the owner or operator of a double-lined surface impoundment is not subject to regulation under WAC 173-303-645 if the following conditions are met:

(i) The impoundment (including its underlying liners) must be located entirely above the seasonal high water table;

(ii) The impoundment must be underlain by two liners which are designed and constructed in a manner that prevents the migration of liquids into or out of the space between the liners. Both liners must meet all the specifications of subsection (2)(a)(i) of this section;

(iii) A leak detection system must be designed, constructed, maintained, and operated between the liners to detect any migration of liquids into the space between the liners; and

(iv) A leachate detection, collection and removal system must be designed and operated to remove accumulated liquids from the system as quickly as possible so as to avoid unnecessary buildup of hydrostatic pressure in the system.

(b) If liquid leaks into the leak detection system, the owner or operator must:

(i) Notify the department of the leak in writing within seven days after detecting the leak; and

(ii)(A) Within a period of time specified in the permit, remove accumulated liquid, repair or replace the liner which is leaking to prevent the migration of liquids through the liner, and obtain a certification from a qualified engineer that, to the best of his knowledge and opinion, the leak has been stopped; or

(B) If a detection monitoring program pursuant to WAC 173-303-645(9) has already been established in the permit (to be complied with only if a leak occurs), begin to comply with that program and any other applicable requirements of WAC 173-303-645 within the period of time specified in the permit.

(c) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this section are satisfied.

(4) Monitoring and inspection.

(a) During construction and installation, liners (except in the case of existing portions of surface impoundments exempt from subsection (2)(a)(i) of this section) and cover systems (e.g., membranes, sheets, or coatings) must be inspected for uniformity, damage, and imperfections (e.g., holes, cracks, thin spots, or foreign materials). Immediately after construction or installation:

(i) Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, or blisters; and

(ii) Soil-based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes, or other structural nonuniformities that may cause an increase in the permeability of the liner or cover.

(b) While a surface impoundment is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:

(i) Deterioration, malfunctions, or improper operation of overtopping control systems;

(ii) Sudden drops in the level of the impoundment's contents;

(iii) The presence of liquids in leak detection systems, where installed to comply with subsection (3) of this section; and

(iv) Severe erosion or other signs of deterioration in dikes or other containment devices.

(c) Prior to the issuance of a permit, and after any extended period of time (at least six months) during which the impoundment was not in service, the owner or operator must obtain a certification from a qualified engineer that the impoundment's dike, including that portion of any dike which provides freeboard, has structural integrity. The certification must establish, in particular, that the dike:

(i) Will withstand the stress of the pressure exerted by the types and amounts of wastes to be placed in the impoundment; and

(ii) Will not fail due to scouring or piping, without dependence on any liner system included in the surface impoundment construction.

(5) Emergency repairs; contingency plans.

(a) A surface impoundment must be removed from service in accordance with (b) of this subsection when:

(i) Unexpected changes of liquid levels occur; or

(ii) The dike leaks.

(b) When a surface impoundment must be removed from service as required by (a) of this subsection, the owner or operator must:

(i) Immediately shut off the flow or stop the addition of wastes into the impoundment;

(ii) Immediately contain any surface leakage which has occurred or is occurring;

(iii) Immediately stop the leak;

(iv) Take any other necessary steps to stop or prevent catastrophic failure;

(v) Empty the impoundment, if a leak cannot be stopped by any other means; and

(vi) Notify the department of the problem in writing within seven days after detecting the problem.

(c) As part of the contingency plan required in WAC 173-303-340 through 173-303-360, the owner or operator must specify:

(i) A procedure for complying with the requirements of (b) of this subsection; and

(ii) A containment system evaluation and repair plan describing: Testing and monitoring techniques; procedures to be followed to evaluate the integrity of the containment system in the event of a possible failure; description of a schedule of actions to be taken in the event of a possible failure; and the repair techniques and materials (and their availability) to be used in the event of leakage due to containment system failure or deterioration which does not require the impoundment to be removed from service.

(d) No surface impoundment that has been removed from service in accordance with the requirements of this section may be restored to service unless the portion of the impoundment which was failing is repaired and the following steps are taken:

(i) If the impoundment was removed from service as the result of actual or imminent dike failure, the dike's structural integrity must be recertified in accordance with subsection (4)(c) of this section;

(ii) If the impoundment was removed from service as the result of a sudden drop in the liquid level, then:

(A) For any existing portion of the impoundment, a liner must be installed in compliance with subsection (2)(a)(i) or (3) of this section; and

(B) For any other portion of the impoundment, the repaired liner system must be certified by a qualified engineer as meeting the design specifications approved in the permit.

(e) A surface impoundment that has been removed from service in accordance with the requirements of this section and that is not being repaired must be closed in accordance with the provisions of subsection (6) of this section.

(6) Closure and postclosure care.

(a) At closure, the owner or operator must:

(i) Remove or decontaminate all dangerous waste and dangerous waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with dangerous waste and leachate, and manage them as dangerous waste; or

(ii) If the surface impoundment will be closed as a landfill, except that this option is prohibited if EHW would remain in the closed unit(s):

(A) Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues;

(B) Stabilize remaining wastes to a bearing capacity sufficient to support a final cover; and

(C) Cover the surface impoundment with a final cover designed and constructed to:

(I) Provide long-term minimization of the migration of liquids through the closed impoundment with a material that has a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present;

(II) Function with minimum maintenance;

(III) Promote drainage and minimize erosion or abrasion of the final cover; and

(IV) Accommodate settling and subsidence so that the cover's integrity is maintained.

(b) If some waste residues or contaminated materials are left in place at final closure (except that no EHW may ever be left in place), the owner or operator must comply with all postclosure requirements contained in WAC 173-303-610 (7), (8), (9), and (10), including maintenance and monitoring throughout the postclosure care period (specified in the permit). The owner or operator must:

(i) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events;

(ii) Maintain and monitor the leak detection system in accordance with subsection (3) of this section, where such a system is present between double liner systems;

(iii) Maintain and monitor the ground water monitoring system and comply with all applicable requirements of WAC 173-303-645; and

(iv) Prevent run-on and run-off from eroding or otherwise damaging the final cover.

(c)(i) If an owner or operator plans to close a surface impoundment in accordance with (a)(i) of this subsection, and the impoundment does not comply with the liner requirements of subsection (2)(a)(i) of this section, and is not exempt from them in accordance with subsection (2)(b) of this section, then:

(A) The closure plan for the impoundment under WAC 173-303-610(3) must include both a plan for complying with (a)(i) of this subsection, and a contingent plan for complying with (a)(ii) of this subsection in case not all contaminated subsoils can be practicably removed at closure; and

(B) The owner or operator must prepare a contingent postclosure plan under WAC 173-303-610(8) for complying with (b) of this subsection in case not all contaminated subsoils can be practicably removed at closure.

(i) The cost estimates calculated under WAC 173-303-620 (3) and (5) for closure and postclosure care of an impoundment subject to (c) of this subsection must include the cost of complying with the contingent closure plan and the contingent postclosure plan, but are not required to include the cost of expected closure under (a)(i) of this subsection.

(d) During the postclosure care period, if liquids leak into a leak detection system installed under subsection (3) of this section, the owner or operator must notify the department of the leak in writing within seven days after detecting the leak. The department will then modify the permit to require compliance with applicable requirements of WAC 173-303-645, or, if so requested by the owner or operator, to require removal of all materials in accordance with (a)(i) of this subsection.

(7) Special requirements for ignitable or reactive waste. Ignitable or reactive waste must not be placed in a surface impoundment, unless:

(a) The waste is treated, rendered, or mixed before or immediately after placement in the impoundment so that:

(i) The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090; and

(ii) WAC 173-303-395 (1)(b) is complied with; or

(b) The waste is managed in such a way that it is protected from any material or conditions which may cause it to ignite or react; or

(c) The surface impoundment is used solely for emergencies.

(8) Special requirements for incompatible wastes. Incompatible wastes and materials must not be placed in the same surface impoundment, unless WAC 173-303-395 (1)(b) is complied with.

(9) Special requirements for dangerous wastes F020, F021, F022, F023, F026, and F027.

(a) The wastes F020, F021, F022, F023, F026, or F027 must not be placed in a surface impoundment unless the owner or operator operates the surface impoundment in accordance with a management plan for these wastes that is approved by the department pursuant to the standards set out in this subsection, and in accord with all other applicable requirements of this section. The factors to be considered are:

(i) The volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

(ii) The attenuative properties of underlying and surrounding soils or other materials;

(iii) The mobilizing properties of other materials co-disposed with these wastes; and

(iv) The effectiveness of additional treatment, design, or monitoring techniques.

(b) The department may determine that additional design, operating, and monitoring requirements are necessary in order to reduce the possibility of migration of these wastes to ground water, surface water, or air so as to protect human health and the environment.

#### AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-800 PERMIT REQUIREMENTS FOR DANGEROUS WASTE MANAGEMENT FACILITIES. (1) The purpose of WAC 173-303-800 through 173-303-840 is to establish the requirements for permits which will allow a dangerous waste facility to operate without endangering the public health and the environment.

(2) The owner/operator of a dangerous waste facility that transfers, treats, stores, or disposes (TSD) or recycles dangerous waste shall, when required by this chapter, obtain a permit covering the active life, closure period, ground water protection compliance period, and for any regulated unit (as defined in WAC 173-303-040(75)), and for any facility which at closure does not meet the removal or decontamination limits of WAC 173-303-610 (2)(b), post-closure care period in accordance with WAC 173-303-800 through 173-303-840.

(3) TSD facility permits will be granted only if the objectives of the siting and performance standards set forth in WAC ((173-303-420)) 173-303-285 and ((173-303-430)) 173-303-286 are met.

(4) Permits shall be issued according to the requirements of all applicable TSD facility standards.

(5) The owner/operator of a TSD facility is responsible for obtaining all other applicable federal, state, and local permits authorizing the development and operation of the TSD facility.

(6) The terms used in regard to permits which are not defined in WAC 173-303-040 shall have the same meanings as set forth in 40 CFR 270.2.

#### AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-802 PERMITS BY RULE. (1) Purpose and applicability. This section provides for permit by rule for particular facilities and activities managing dangerous wastes, provided that certain conditions are met. These facilities, activities, and conditions are listed in this section. Owners and operators of facilities with permits by rule are not required to submit an application for a dangerous waste facility permit.

(2) Ocean disposal barges or vessels. The owner or operator of a barge or other vessel which accepts dangerous waste for ocean disposal, shall have a permit by rule if the owner or operator:

(a) Has a permit for ocean dumping issued under 40 CFR Part 220 (Ocean Dumping, authorized by the Marine Protection, Research, and Sanctuaries Act, as amended, 33 U.S.C. § 1420 et seq.);

(b) Complies with the conditions of that permit; and

(c) Complies with the following dangerous waste regulations:

(i) WAC 173-303-060, notification and identification numbers;

(ii) WAC 173-303-170 through 173-303-230 when initiating shipments of dangerous waste;

(iii) WAC 173-303-370, manifest system;

(iv) WAC 173-303-380 (1)(a), operating record;

(v) WAC 173-303-390(2), annual report; and

(vi) WAC 173-303-390(1), unmanifested waste report.

(3) Underground injection wells. Underground injection wells with an underground injection control (UIC) permit for underground injection shall have a permit by rule if the owner or operator has a UIC permit issued by the department under a federally approved program for underground injection control, and complies with the conditions of the permit and requirements of 40 CFR 144.14 and applicable state waste discharge rules. All underground injection wells must comply with WAC 173-303-060, notification and identification numbers. However, underground injection wells disposing of EHW are prohibited.

(4) Publicly owned treatment works (POTW). The owner or operator of a POTW which accepts dangerous waste for treatment, shall have a permit by rule if the owner or operator:

(a) Has a National Pollutant Discharge Elimination System (NPDES) permit;

(b) Complies with the conditions of that permit;

(c) Complies with the following regulations:

(i) WAC 173-303-060, notification and identification numbers;

(ii) WAC 173-303-170 through 173-303-230 when initiating shipments of dangerous waste;

(iii) WAC 173-303-370, manifest system;

(iv) WAC 173-303-380 (1)(a), operating record;

(v) WAC 173-303-390(2), annual report; and

(vi) WAC 173-303-390(1), unmanifested waste reports;

(d) Accepts the waste only if it meets all federal, state, and local pretreatment requirements which would be applicable to the waste if it were being discharged into the POTW through a sewer, pipe, or similar conveyance; and

(e) Accepts no EHW for disposal at the POTW.

(5) Totally enclosed treatment facilities or elementary neutralization or wastewater treatment units.

(a) The owner or operator of a totally enclosed treatment facility or an elementary neutralization or wastewater treatment unit shall have a permit by rule, except as provided in (b) or (c) of this subsection, if he complies with:

(i) WAC 173-303-060, notification and identification numbers;

(ii) WAC 173-303-310, 173-303-350, 173-303-360, 173-303-370, 173-303-380 (1)(d), and 173-303-390 of the general facility standards; and

(iii) WAC ((173-303-430)) 173-303-286, performance standards.

(b) A facility is not required to have a permit by rule under this subsection if the owner or operator can demonstrate to the department's satisfaction that:

(i) The facility already has an existing permit (or permits) issued under federal, state or local authority (such as NPDES, state waste discharge, pretreatment, etc.); and

(ii) The permit (or permits) include, either separately or jointly in the case of multiple permits, all requirements specified in (a) of this subsection.

(c) The department may require the owner or operator of a totally enclosed treatment facility or an elementary neutralization or wastewater treatment unit subject to either (a) or (b) of this subsection to apply for and obtain a final facility permit in accordance with WAC 173-303-800 through 173-303-840, if:

(i) The owner or operator violates the general facility or performance requirements specified in (a) of this subsection;

(ii) The owner or operator is conducting other activities which require him to obtain a final facility permit;

(iii) The department determines that the general facility or performance requirements specified in (a) of this subsection, are not sufficient to protect public health or the environment and that additional requirements under chapter 173-303 WAC are necessary to provide such protection; or

(iv) The owner or operator does not comply with applicable local, state or federal requirements established pursuant to sections 402 or 307(b) of the Federal Clean Water Act, or chapter 90.48 RCW.

#### AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-805 INTERIM STATUS PERMITS. (1) Applicability. This section applies to all facilities eligible for an interim status permit. When a facility is owned by one person but is operated by another person, it is the operator's duty to qualify for interim status, except that the owner must also sign an interim status application. Prior to submittal of an interim status permit application the requirements of WAC 173-303-284 must be met.

(2) Failure to qualify for interim status. If the department has reason to believe upon examination of a Part A application that it fails to provide the required information, it shall notify the owner or operator in writing of the apparent deficiency. Such notice shall specify the grounds for the department's belief that the application is deficient. The owner or operator shall have thirty days from receipt to respond to such a notification and to explain or cure the alleged deficiency in his Part A application. If, after such notification and opportunity for response, the department determines that the application is deficient it may take appropriate enforcement action.

(3) Interim status for facilities under RCRA interim status. Any existing facility operating under interim status gained under section 3005 of RCRA shall be deemed to have an interim status permit under chapter 173-303 WAC provided that the owner/operator complies with the applicable requirements of WAC 173-303-400 and this section.

(4) Interim status for facilities managing state-designated (non-RCRA) dangerous wastes. Any existing facility which does not satisfy subsection (3) of this section, but which is only managing dangerous wastes that are not hazardous wastes under 40 CFR Part 261, shall be deemed to have an interim status permit provided that the owner/operator of the facility has complied with the notification requirements of WAC 173-303-060 by May 11, 1982 and has submitted Part A of his permit application by August 9, 1982. If an existing facility becomes subject to this chapter due to amendments to this chapter and the facility was not previously subject to this chapter, then the owner/operator of an existing facility may qualify for an interim status permit by complying with the notification requirements of WAC 173-303-060 within three months, and submitting Part A of his permit application within six months, after the adoption date of the amendments which cause the facility to be subject to the requirements of this chapter. Facilities qualifying for interim status under this subsection shall not be deemed to have interim status under section 3005 of RCRA, and may only manage non-RCRA wastes until they either qualify separately for interim status under section 3005 of RCRA or receive a final status facility permit allowing them to manage RCRA wastes.

(5) Maintaining the interim status permit.

(a) Timely notification and submission of a Part A application qualifies the owner/operator of the existing TSD facility for the interim status permit, until the department terminates interim status pursuant to subsection (8) of this section.

(b) Interim status for the existing TSD facility shall be maintained while the department makes final administrative disposition of a final facility permit pursuant to WAC 173-303-806 if:

(i) The owner/operator has submitted his final facility permit application (as described in WAC 173-303-806) within six months of the written request by the department to submit such application; and

(ii) Grounds for terminating interim status (as described in subsection (8) of this section) do not exist.

(c) The owner/operator of an interim status facility must update his Part A whenever he is managing wastes that are newly regulated under this chapter, and as necessary to comply with subsection (7) of this section. Failure to comply with this updating requirement is a violation of interim status.

(6) Prohibitions for interim status permits. Facilities with an interim status permit shall not:

(a) Treat, store, or dispose of dangerous waste not specified in Part A of the permit application;

(b) Employ processes not specified in Part A of the permit application; or

(c) Exceed the design capacities specified in Part A of the permit application.

(7) Changes during interim status.

(a) Dangerous wastes not previously identified in Part A of the application may be treated, stored, or disposed at a facility with interim status if the owner/operator submits to the department a revised Part A permit application prior to accepting the new dangerous wastes.

(b) Increases in the design capacity of processes used at a facility with interim status may be made if the owner or operator submits a revised Part A permit application prior to such a change ~~((along with a justification explaining the need for the change))), the requirements of WAC 173-303-284 are met~~ and the department approves the change because of a lack of available treatment, storage, or disposal capacity at other permitted TSD facilities.

(c) Changes in the processes for the treatment, storage, or disposal of dangerous waste may be made at a facility with interim status, or additional processes may be added if the owner or operator submits a revised Part A permit application prior to such changes ~~((along with a justification explaining the need for the change))), the requirements of WAC 173-303-284 are met~~ and the department approves the change because:

(i) It is necessary to prevent a threat to public health or the environment because of an emergency situation; or

(ii) It is necessary to comply with state, local, or federal regulations.

(d) Changes in the ownership or operational control of a facility with interim status may be made if the new owner or operator submits a revised Part A permit application no later than ninety days prior to the scheduled change. When a transfer of ownership or operational control of a facility occurs, the old owner or operator shall comply with the interim status financial requirements of 40 CFR Part 265 subpart H (as referenced in WAC 173-303-400), until the new owner or operator has demonstrated to the department that he is complying with the financial requirements. The new owner or operator must demonstrate compliance with the financial requirements within six months of the date of the change in the ownership or operational control of the facility. All other interim status duties are transferred effective immediately upon the date of the change of ownership or operational control of the facility. Upon demonstration to the department by the new owner or operator of compliance with the interim status financial requirements, the department shall notify the old owner or operator in writing that he no longer needs to comply with the interim status financial requirements as of the date of demonstration.

(e) In no event shall changes be made to a TSD facility under the interim status permit which amount to reconstruction of the facility. Reconstruction occurs when the capital investment in the changes to the facility exceeds fifty percent of the capital cost of a comparable entirely new TSD facility.

(f) Any revisions to an existing interim status permit must be made on the applicable Part A form(s), (forms 1 or 3 are available from the department). The owner and operator certification page must be signed and included with those sections completed.

(g) Owners or operators of existing interim status facilities applying for expansion may be required to submit additional detailed information as determined by the department on a case-by-case basis. Such information must address specific features of the environment and human populations in the vicinity of a proposed expansion and predict potential negative impacts on public health and the environment. The information submitted must also demonstrate to the department's satisfaction how those impacts, and any other impacts identified by the department, will be prevented or mitigated. The burden of proof for

such demonstrations will be solely on the applicant. Such information may be required for:

(i) Any landfill, land treatment, surface impoundment or waste pile facility proposed to be located within one-half mile of a shoreline of state-wide significance as defined in chapter 90.58 RCW, the Shoreline Management Act;

(ii) Any hazardous waste management facility proposed to be located within one-half mile of the property boundary of a designated municipal watershed for public water systems utilizing surface water as governed by WAC 248-54-225, Watershed control; or

(iii) Any landfill, land treatment, surface impoundment, waste pile or incineration facility proposing to locate within one-quarter mile of the boundary of any of the following as defined under WAC 173-303-285 (5)(f):

(A) Wetlands;

(B) Wilderness areas;

(C) State or federal wildlife refuges;

(D) Parks;

(E) Recreation or natural preserve areas;

(F) Archaeological or historic areas; or

(G) National monuments.

(h) The information required under (g) of this subsection will be used by the department to determine if preventative or mitigative measures will be required, beyond those proposed by the facility owner or operator, regarding structural design, operation and maintenance procedures, monitoring and detection systems or other measures as the department deems necessary and reasonable to protect public health and the environment.

(i) In addition to the above approvals and requirements the owners and operators of interim status facilities proposing to expand after the effective date of these amendments and under the conditions described in subsection (7)(g) of this section must also apply for a Part B final facility permit application pursuant to WAC 173-303-806.

(8) Termination of interim status permit. The following are causes for terminating an interim status permit, or for denying a revised permit application:

(a) Final administrative disposition of a final facility permit application is made pursuant to WAC 173-303-806;

(b) When the department on examination or reexamination of a Part A application determines that it fails to meet the applicable standards of this chapter, it may notify the owner or operator that the application is deficient and that the interim status permit has been revoked. The owner or operator will then be subject to enforcement for operating without a permit;

(c) Failure to submit a requested Part B application on time, or to provide in full the information required in the Part B application; ((or))

(d) Violation of applicable interim status standards;

(e) A determination that the permit applicant has failed to demonstrate that the proposed facility expansion complies with the location standards of WAC 173-303-285; or

(f) A determination by the department that the permit applicant has not demonstrated to the department's satisfaction, as required under subsection (7)(g) of this section, that the proposed facility expansion will not result in significant adverse impacts on public health or the environment, or in failure to satisfy the performance standards of WAC 173-303-286.

(9) Special waste facilities. If the department determines, pursuant to WAC 173-303-550 through 173-303-560, that interim status standards can be reduced, the department will issue a notice of interim status modification stating what standards will be applied. Failure to comply with the conditions and standards as stated in the notice of modification or with the requirements of this section shall form a basis for revoking the notice. Upon revocation of the notice of interim status modification by the department, the owner or operator shall be subject to all of the requirements applicable to interim status dangerous waste management facilities. Before issuing the notice of modification, the department shall provide public notice of its intent, shall allow thirty days for public comment, and shall hold a public hearing if there is a significant degree of public interest or there is written notice of opposition and the department receives a request for a hearing during the comment period. Notice of a public hearing shall be provided at least fifteen days in advance, and the public comment period shall be extended to include the date of the hearing if it will occur after the initial thirty-day comment period. Within fifteen days of the end of the public comment period the department shall, based on comments received,

issue, modify and issue, or deny the notice of interim status modification.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-806 FINAL FACILITY PERMITS. (1) Applicability. This section applies to all dangerous waste facilities required to have a final facility permit. The final facility permit requirements are applicable to:

(a) Final status TSD facilities;

(b) Special waste management facilities; and

(c) Certain recycling facilities that are not exempt from the permit requirements.

(2) Application. Any person subject to the permit requirements of this section who intends to operate a new TSD facility must comply with WAC 173-303-284 and apply for a final facility permit. The department may, at any time, require the owner or operator of an existing TSD facility to apply for a final facility permit. Such owner or operator will be allowed one hundred eighty days to submit his application; the department may extend the length of the application period if it finds that there are good reasons to do so. The owner or operator of an existing TSD facility may voluntarily apply for a final facility permit at any time. Any person seeking a final facility permit shall complete, sign, and submit an application to the department. An application shall consist of a Part A permit form (which can be obtained from the department), and the contents of Part B as specified in subsection (4) of this section.

(3) Effective regulations. A final facility permit will include all applicable requirements of this chapter which are in effect on the date that the permit is issued by the department. WAC 173-303-840(7) provides a means for reopening permit proceedings at the discretion of the department where new requirements become effective during the permitting process and are of sufficient magnitude to make additional proceedings desirable. Any other changes to the final facility permit will be in accordance with the permit modification requirements of WAC 173-303-830.

(4) Contents of Part B. Part B of a permit application shall consist of the information required in (a) through (h) of this subsection.

(a) General requirements. Part B of the permit application consists of the general information requirements of this subsection, and the specific information requirements in (b) through (h) of this subsection as applicable to the facility. The Part B information requirements presented in (a) through (h) of this subsection, reflect the standards promulgated in WAC 173-303-600. These information requirements are necessary in order for the department to determine compliance with WAC 173-303-600 through 173-303-670. If owners and operators of TSD facilities can demonstrate that the information prescribed in Part B cannot be provided to the extent required, the department may make allowance for submission of such information on a case-by-case basis. Information required in Part B shall be submitted to the department and signed in accordance with requirements in WAC 173-303-810(12). Certain technical data, such as design drawings and specifications, and engineering studies shall be certified by a registered professional engineer. The following information is required for all TSD facilities, except as WAC 173-303-600(3) provides otherwise.

(i) A general description of the facility.

(ii) Chemical, biological, and physical analyses of the dangerous waste to be handled at the facility. At a minimum, these analyses shall contain all the information which must be known to treat, store, or dispose of the wastes properly in accordance with WAC 173-303-600.

(iii) A copy of the waste analysis plan required by WAC 173-303-300(5) and, if applicable WAC 173-303-300 (5)(g).

(iv) A description of the security procedures and equipment required by WAC 173-303-310, or a justification demonstrating the reasons for requesting a waiver of this requirement.

(v) A copy of the general inspection schedule required by WAC 173-303-320(2): Include where applicable, as part of the inspection schedule, specific requirements in WAC 173-303-395 (1)(d), 173-303-630(6), 173-303-640(4), 173-303-650(4), 173-303-660 (4) and (5), 173-303-665(4), and 173-303-670(7).

(vi) A justification of any request for a waiver(s) of the preparedness and prevention requirements of WAC 173-303-340.

(vii) A copy of the contingency plan required by WAC 173-303-350: Include, where applicable, as part of the contingency plan, specific requirements in WAC 173-303-640(8), 173-303-650(5) and 173-303-660(6).

(viii) A description of procedures, structures, or equipment used at the facility to:

(A) Prevent hazards and contain spills in unloading/loading operations (for example, ramps, berms, pavement, special forklifts);

(B) Prevent run-off from dangerous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, berms, dikes, trenches);

(C) Prevent contamination of water supplies;

(D) Mitigate effects of equipment failure and power outages; and

(E) Prevent undue exposure of personnel to dangerous waste (for example, protective clothing).

(ix) A description of precautions to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes as required to demonstrate compliance with WAC 173-303-395 including documentation demonstrating compliance with WAC 173-303-395 (1)(c).

(x) Traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes (if appropriate); describe access road surfacing and load bearing capacity; show traffic control signals).

(xi) Facility location information;

~~(A) ((In order to determine the applicability of the earthquake fault criteria (WAC 173-303-420(3)) the owner or operator of a new facility must identify the county in which the facility is proposed to be located.~~

~~(Comment: If the county is not listed in WAC 173-303-420 (3)(c), no further information is required to demonstrate compliance with WAC 173-303-420(3).)~~

~~(B) (F) The facility ((is proposed to be located in a county listed in WAC 173-303-420 (3)(c), the)) owner or operator shall demonstrate compliance with the seismic standard WAC 173-303-285 (5)(a)(i). This demonstration may be made using either published geologic data or data obtained from field investigations carried out by the applicant. The information provided must be of such quality to be acceptable to geologists experienced in identifying and evaluating seismic activity. The information submitted must show that either:~~

~~(I) No faults which have had displacement in Holocene time are present, or no lineations which suggest the presence of a fault (which have displacement in Holocene time) within three thousand feet of a facility are present, based on data from: Published geologic studies; aerial reconnaissance of the area within a five-mile radius from the facility; an analysis of aerial photographs covering a three thousand foot radius of the facility; and if needed to clarify the above data, a reconnaissance based on walking portions of the area within three thousand feet of the facility; or~~

~~(II) If faults (to include lineations) which have had displacement in Holocene time are present within three thousand feet of a facility, no faults pass within two hundred feet of the portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted, based on data from a comprehensive geologic analysis of the site. Unless a site analysis is otherwise conclusive concerning the absence of faults within two hundred feet of such portions of the facility data shall be obtained from a subsurface exploration (trenching) of the area within a distance no less than two hundred feet from portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted. Such trenching shall be performed in a direction that is perpendicular to known faults (which have had displacement in Holocene time) passing within three thousand feet of the portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted. Such investigation shall document with supporting maps and other analyses, the location of faults found.~~

~~((C)) (B) Owners and operators of all facilities shall provide an identification of whether the facility is located within a one hundred-year floodplain. This identification must indicate the source of data for such determination and include a copy of the relevant Federal Insurance Administration (FIA) flood map, if used, or the calculations and maps used where an FIA map is not available. Information shall also be provided identifying the one hundred-year flood level and any other special flooding factors (e.g., wave action) which must be considered in designing, constructing, operating, or maintaining the facility to withstand washout from a one hundred-year flood.~~

~~(Comment: Where maps for the National Flood Insurance Program produced by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency are available, they will normally be determinative of whether a facility is located within or outside of the one hundred-year floodplain. However, if the FIA map excludes an area (usually areas of the floodplain less than two hundred feet in width), these areas must be considered and a determination made as to~~

whether they are in the one hundred-year floodplain. Where FIA maps are not available for a proposed facility location, the owner or operator must use equivalent mapping techniques to determine whether the facility is within the one hundred-year floodplain, and if so located, what the one hundred-year flood elevation would be.)

~~((D)) (C) Owners and operators of facilities located in the one hundred-year floodplain must provide the following information:~~

~~(I) Engineering analysis to indicate the various hydrodynamic and hydrostatic forces expected to result at the site as the consequence of a one hundred-year flood;~~

~~(II) Structural or other engineering studies showing the design of operational units (e.g., tanks, incinerators) and flood protection devices (e.g., floodwalls, dikes) at the facility and how these will prevent washout;~~

~~(III) If applicable, and in lieu of (a)(xi)(D)(I) and (II) of this subsection, a detailed description of procedures to be followed to remove dangerous waste to safety before the facility is flooded, including: Timing of such movement relative to flood levels, including estimated time to move the waste, to show that such movement can be completed before floodwaters reach the facility; a description of the location(s) to which the waste will be moved and demonstration that those facilities will be eligible to receive dangerous waste in accordance with the regulations under this chapter; the planned procedures, equipment, and personnel to be used and the means to ensure that such resources will be available in time for use; and the potential for accidental discharges of the waste during movement.~~

~~((E) Existing facilities not in compliance with WAC 173-303-420(4) shall provide a plan showing how the facility will be brought into compliance and a schedule for compliance.~~

~~(F)) (D) Owners and operators of all facilities shall provide all information necessary to demonstrate compliance with the shoreline siting standards of WAC ((173-303-420(5))) 173-303-285 (5)(f)(iii).~~

~~((G)) (E) The owner or operator of a new disposal facility must provide all information necessary to demonstrate compliance with the sole source aquifer siting standards of WAC ((173-303-420(6))) 173-303-285 (5)(d)(ii).~~

~~(F) The owner or operator of a new disposal facility must provide all information necessary to demonstrate compliance with all other siting standards of WAC 173-303-285.~~

~~(G) The department may request additional detailed information of facility owners or operators to ensure compliance with WAC 173-303-285, Location standards and 173-303-286, Performance standards. The content and extent of such information requests shall be determined on a case-by-case basis and may extend beyond design and operation specifications set forth in this chapter. The additional information submitted must address specific features of the environment and human populations in the vicinity of a proposed facility and predict potential negative impacts on public health and the environment due to natural or man-made hazards regarding that facility. The information submitted must also demonstrate to the department's satisfaction how those impacts, and any other impacts identified by the department, will be prevented or mitigated. The burden of proof for such demonstrations will be solely on the applicant. Such information may be required for:~~

~~(I) Any landfill, land treatment, surface impoundment or waste pile facility proposed to be located within one-half mile of a shoreline of state-wide significance as defined in chapter 90.58 RCW, the Shoreline Management Act;~~

~~(II) Any hazardous waste management facility proposed to be located within one-half mile of the property boundary of a designated municipal watershed for public water systems utilizing surface water as governed by WAC 248-54-225, Watershed control; or~~

~~(III) Any landfill, land treatment, surface impoundment, waste pile or incineration facility proposing to locate within one-quarter mile of the boundary of a wetland, wilderness area, state or federal wildlife refuge, park, recreation area, natural preserve, archaeological or historic area or national monument as defined under WAC 173-303-285 (5)(f).~~

~~(H) The information required under (a)(G) of this subsection will be used by the department to determine if preventative or mitigative measures will be required, beyond those proposed by the facility owner or operator, regarding structural design, operation and maintenance procedures, monitoring and detection systems or other measures as the department deems necessary and reasonable to protect public health and the environment.~~

~~(xii) An outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or~~



maintain the TSD facility in a safe manner as required to demonstrate compliance with WAC 173-303-330. A brief description of how training will be designed to meet actual job tasks in accordance with requirements in WAC 173-303-330 (1)(d).

(xiii) A copy of the closure plan and, where applicable, the postclosure plan required by WAC 173-303-610 (3) and (8). Include, where applicable, as part of the plans, specific requirements in WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), and 173-303-665(6).

(xiv) For dangerous waste disposal units that have been closed, documentation that notices required under WAC 173-303-610(10) have been filed.

(xv) The most recent closure cost estimate for the facility prepared in accordance with WAC 173-303-620(3) and a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(4). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvi) Where applicable, the most recent postclosure cost estimate for the facility prepared in accordance with WAC 173-303-620(5) plus a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(6). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvii) Where applicable, a copy of the insurance policy or other documentation which comprises compliance with the requirements of WAC 173-303-620(8). For a new facility, documentation showing the amount of insurance meeting the specification of WAC 173-303-620 (8)(a) and, if applicable, WAC 173-303-620 (8)(b), that the owner or operator plans to have in effect before initial receipt of dangerous waste for treatment, storage, or disposal. A request for a variance in the amount of required coverage, for a new or existing facility, may be submitted as specified in WAC 173-303-620 (8)(c).

(xviii) A topographic map showing a distance of one thousand feet around the facility at a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). Contours must be shown on the map. The contour interval must be sufficient to clearly show the pattern of surface water flow in the vicinity of and from each operational unit of the facility. For example, contours with an interval of 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). Owners and operators of TSD facilities located in mountainous areas should use large contour intervals to adequately show topographic profiles of facilities. The map shall clearly show the following:

- (A) Map scale and date;
- (B) One hundred-year floodplain area;
- (C) Surface waters including intermittent streams;
- (D) Surrounding land uses (residential, commercial, agricultural, recreational);
- (E) A wind rose (i.e., prevailing windspeed and direction);
- (F) Orientation of the map (north arrow);
- (G) Legal boundaries of the TSD facility site;
- (H) Access control (fences, gates);
- (I) Injection and withdrawal wells both on-site and off-site;
- (J) Buildings; treatment, storage, or disposal operations; or other structure (recreation areas, run-off control systems, access and internal roads, storm, sanitary, and process sewerage systems, loading and unloading areas, fire control facilities, etc.);
- (K) Barriers for drainage or flood control; and
- (L) Location of operational units within the TSD facility site, where dangerous waste is (or will be) treated, stored, or disposed (include equipment clean-up areas).

(Note - For large TSD facilities the department will allow the use of other scales on a case-by-case basis.)

(xix) Applicants may be required to submit such information as may be necessary to enable the department to carry out its duties under other state or federal laws as required.

(xx) Additional information requirements. The following additional information regarding protection of ground water is required from owners or operators of dangerous waste surface impoundments, waste piles, land treatment units, and landfills except as otherwise provided in WAC 173-303-645 (1)(b):

(A) A summary of the ground water monitoring data obtained during the interim status period under 40 CFR 265.90 through 265.94, where applicable;

(B) Identification of the uppermost aquifer and aquifers hydraulically interconnected beneath the facility property, including ground water flow direction and rate, and the basis for such identification (i.e., the information obtained from hydrogeologic investigations of the facility area);

(C) On the topographic map required under (a)(xviii) of this subsection, a delineation of the waste management area, the property boundary, the proposed "point of compliance" as defined under WAC 173-303-645(6), the proposed location of ground water monitoring wells as required under WAC 173-303-645(8), and, to the extent possible, the information required in (a)(xx)(B) of this subsection;

(D) A description of any plume of contamination that has entered the ground water from a regulated unit at the time that the application was submitted that:

(I) Delineates the extent of the plume on the topographic map required under (a)(xviii) of this subsection;

(II) Identifies the concentration of each constituent throughout the plume or identifies the maximum concentrations of each constituent in the plume. (Constituents are those listed in WAC 173-303-9905, and any other constituents not listed there which have caused a managed waste to be regulated under this chapter.);

(E) Detailed plans and an engineering report describing the proposed ground water monitoring program to be implemented to meet the requirements of WAC 173-303-645(8);

(F) If the presence of dangerous constituents has not been detected in the ground water at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a detection monitoring program which meets the requirements of WAC 173-303-645(9). This submission must address the following items specified under WAC 173-303-645(9):

(I) A proposed list of indicator parameters, waste constituents, or reaction products that can provide a reliable indication of the presence of dangerous constituents in the ground water;

(II) A proposed ground water monitoring system;

(III) Background values for each proposed monitoring parameter or constituent, or procedures to calculate such values; and

(IV) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data;

(G) If the presence of dangerous constituents has been detected in the ground water at the point of compliance at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a compliance monitoring program which meets the requirements of WAC 173-303-645(10). The owner or operator must also submit an engineering feasibility plan for a corrective action program necessary to meet the requirements of WAC 173-303-645(11) except as provided in WAC 173-303-645 (9)(h)(v). To demonstrate compliance with WAC 173-303-645(10), the owner or operator must address the following items:

(I) A description of the wastes previously handled at the facility;

(II) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(III) A list of constituents and parameters for which compliance monitoring will be undertaken in accordance with WAC 173-303-645 (8) and (10);

(IV) Proposed concentration limits for each dangerous constituent and parameter, based on the criteria set forth in WAC 173-303-645 (5)(a), including a justification for establishing any alternate concentration limits;

(V) Detailed plans and an engineering report describing the proposed ground water monitoring system, in accordance with the requirements of WAC 173-303-645(8); and

(VI) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data; and

(H) If dangerous constituents or parameters have been measured in the ground water which exceed the concentration limits established under WAC 173-303-645(5), Table 1, or if ground water monitoring conducted at the time of permit application under 40 CFR 265.90 through 265.94 at the waste boundary indicates the presence of dangerous constituents from the facility in ground water over background concentrations, the owner or operator must submit sufficient information, supporting data, and analyses to establish a corrective action program which meets the requirements of WAC 173-303-645(11). However, an owner or operator is not required to submit information to establish a corrective action program if he demonstrates to the department that alternate concentration limits will protect human health and

the environment after considering the criteria listed in WAC 173-303-645(5). An owner or operator who is not required to establish a corrective action program for this reason must instead submit sufficient information to establish a compliance monitoring program which meets the requirements of WAC 173-303-645 (10) and (a)(xx)(F) of this subsection. To demonstrate compliance with WAC 173-303-645(11), the owner or operator must address, at a minimum, the following items:

(I) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(II) The concentration limit for each dangerous constituent and parameter found in the ground water as set forth in WAC 173-303-645(5);

(III) Detailed plans and an engineering report describing the corrective action to be taken; and

(IV) A description of how the ground water monitoring program will demonstrate the adequacy of the corrective action.

(b) Specific Part B information requirements for containers. Except as otherwise provided in WAC 173-303-600(3), owners or operators of facilities that store containers of dangerous waste must provide the following additional information:

(i) A description of the containment system to demonstrate compliance with WAC 173-303-630(7). Show at least the following:

(A) Basic design parameters, dimensions, and materials of construction including allowance for a twenty-five-year, twenty-four-hour storm;

(B) How the design promotes positive drainage control or how containers are kept from contact with standing liquids in the containment system;

(C) Capacity of the containment system relative to the volume of the largest container to be stored;

(D) Provisions for preventing or managing run-on;

(E) How accumulated liquids can be analyzed and removed to prevent overflow; and

(F) A description of the building or other protective covering for EHW containers;

(ii) For storage areas that store containers holding wastes that do not contain free liquids, a demonstration of compliance with WAC 173-303-630 (7)(c), including:

(A) Test procedures and results or other documentation or information to show that the wastes do not contain free liquids; and

(B) A description of how the storage area is designed or operated to drain and remove liquids or how containers are kept from contact with standing liquids;

(iii) A description of the procedures for labeling containers;

(iv) Sketches, drawings, or data demonstrating compliance with WAC 173-303-630(8) (location of buffer zone and containers holding ignitable or reactive wastes) and WAC 173-303-630 (9)(c) (location of incompatible wastes), where applicable; and

(v) Where incompatible wastes are stored or otherwise managed in containers, a description of the procedures used to ensure compliance with WAC 173-303-630 (9)(a) and (b), and 173-303-395 (1)(b) and (c).

(c) Specific Part B information requirements for tanks. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use tanks to store or treat dangerous waste must provide the following information:

(i) References to design standards or other available information used (or to be used) in design and construction of the tank;

(ii) A description of design specifications including identification of construction materials and lining materials (include pertinent characteristics such as corrosion or erosion resistance);

(iii) Tank dimensions, capacity, and the basis for selecting shell thickness, certified by a licensed professional engineer;

(iv) A diagram of piping, instrumentation, and process flow;

(v) Description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);

(vi) Description of procedures for handling incompatible ignitable, or reactive wastes, including the use of buffer zones;

(vii) A description of the containment system to demonstrate compliance with WAC 173-303-640 (2)(b) and (c), where applicable, WAC 173-303-640(8). Show at least the following:

(A) Drawings and a description of the basic design parameters, dimensions, and materials of construction of the containment system;

(B) Capacity of the containment system relative to the design capacity of the tank(s) within the system;

(C) Description of the system to detect leaks and spills, and how precipitation and run-on will be prevented from entering into the detection system;

(viii) A description of the marking and/or labeling of tanks; and

(ix) Tank design to prevent escape of vapors and emissions of acutely or chronically toxic (upon inhalation) EHW.

(d) Specific Part B information requirements for surface impoundments. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store, treat, or dispose of dangerous waste in surface impoundments must provide the following additional information:

(i) A list of the dangerous wastes placed or to be placed in each surface impoundment;

(ii) Detailed plans and an engineering report describing how the surface impoundment is or will be designed, constructed, operated and maintained to meet the requirements of WAC 173-303-650(2). This submission must address the following items as specified in WAC 173-303-650(2):

(A) The liner system (except for an existing portion of a surface impoundment), including the certification required by WAC 173-303-650 (2)(a)(i)(D) for EHW management. If an exemption from the requirement for a liner is sought as provided by WAC 173-303-650 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituents into the ground water or surface water at any future time;

(B) Prevention of overtopping; and

(C) Structural integrity of dikes;

(iii) If any exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-650(3), detailed plans and an engineering report explaining the location of the saturated zone in relation to the surface impoundment, and the design of a double-liner system that incorporates a leak detection system between the liners;

(iv) A description of how each surface impoundment, including the liner and cover systems and appurtenances for control of overtopping, will be inspected in order to meet the requirements of WAC 173-303-650 (4)(a) and (b). This information should be included in the inspection plan submitted under (a)(v) of this subsection;

(v) A certification by a qualified engineer which attests to the structural integrity of each dike, as required under WAC 173-303-650 (4)(c). For new units, the owner or operator must submit a statement by a qualified engineer that he will provide such a certification upon completion of construction in accordance with the plans and specifications;

(vi) A description of the procedure to be used for removing a surface impoundment from service, as required under WAC 173-303-650 (5)(b) and (c). This information should be included in the contingency plan submitted under (a)(vii) of this subsection;

(vii) A description of how dangerous waste residues and contaminated materials will be removed from the unit at closure, as required under WAC 173-303-650 (6)(a)(i). For any wastes not to be removed from the unit upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-650 (6)(a)(ii) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the postclosure plan submitted under (a)(xiii) of this subsection;

(viii) If ignitable or reactive wastes are to be placed in a surface impoundment, an explanation of how WAC 173-303-650(7) will be complied with;

(ix) If incompatible wastes, or incompatible wastes and materials will be placed in a surface impoundment, an explanation of how WAC 173-303-650(8) will be complied with; and

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how the surface impoundment is or will be designed to meet the requirements of WAC 173-303-650(9).

(e) Specific Part B information requirements for waste piles. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store or treat dangerous waste in waste piles must provide the following additional information:

(i) A list of dangerous wastes placed or to be placed in each waste pile;

(ii) If an exemption is sought to WAC 173-303-660(2), and 173-303-645 as provided by WAC 173-303-660 (1)(c), an explanation of how the standards of WAC 173-303-660 (1)(c) will be complied with;



(iii) Detailed plans and an engineering report describing how the pile is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(2). This submission must address the following items as specified in WAC 173-303-660(2):

(A) The liner system (except for an existing portion of a pile), including the licensed engineer's certification when required by WAC 173-303-660 (2)(c). If an exemption from the requirement for a liner is sought, as provided by WAC 173-303-660 (2)(d), the owner or operator must submit detailed plans and engineering and hydrogeologic reports, as applicable, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the ground water or surface water at any future time;

(B) Control of run-on;

(C) Control of run-off;

(D) Management of collection and holding units associated with run-on and run-off control systems; and

(E) Control of wind dispersal of particulate matter, where applicable;

(iv) If an exemption from WAC 173-303-645 is sought as provided by WAC 173-303-660 (3) or (4), submit detailed plans and an engineering report describing how the requirements of WAC 173-303-660 (3)(a) or (4)(a) will be complied with;

(v) A description of how each waste pile, including the liner and apertures for control of run-on and run-off, will be inspected in order to meet the requirements of WAC 173-303-660(5). This information should be included in the inspection plan submitted under (a)(v) of this subsection. If an exemption is sought to WAC 173-303-645 pursuant to WAC 173-303-660(4), describe in the inspection plan how the inspection requirements of WAC 173-303-660 (4)(a)(iii) will be complied with;

(vi) If treatment is carried out on or in the pile, details of the process and equipment used, and the nature and quality of the residuals;

(vii) If ignitable or reactive wastes are to be placed in a waste pile, an explanation of how the requirements of WAC 173-303-660(7) will be complied with;

(viii) If incompatible wastes, or incompatible wastes and materials will be placed in a waste pile, an explanation of how WAC 173-303-660(8) will be complied with;

(ix) A description of how dangerous waste, waste residues and contaminated materials will be removed from the waste pile at closure, as required under WAC 173-303-660 (9)(a). For any waste not to be removed from the waste pile upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-665 (6)(a) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the postclosure plan submitted under (a)(xiii) of this subsection;

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a waste pile that is not enclosed (as defined in WAC 173-303-660 (1)(c)) is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(10).

(f) Specific Part B information requirements for incinerators. Except as WAC 173-303-670(1) provides otherwise, owners and operators of facilities that incinerate dangerous waste must fulfill the informational requirements of (f) of this subsection.

(i) When seeking an exemption under WAC 173-303-670 (1)(b) (ignitable or reactive wastes only):

(A) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is ignitable; or

(B) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is reactive for characteristics other than those listed in WAC 173-303-090 (7)(a)(iv) and (v), and will not be burned when other dangerous wastes are present in the combustion zone; or

(C) Documentation that the waste is a dangerous waste solely because it possesses the characteristic of ignitability, as determined by the tests for characteristics of dangerous waste under WAC 173-303-090; or

(D) Documentation that the waste is a dangerous waste solely because it possesses the reactivity characteristics listed in WAC 173-303-090 (7)(a)(i), (ii), (iii), (vi), (vii), and (viii), and that it will not be burned when other dangerous wastes are present in the combustion zone.

(ii) Submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with WAC 173-303-807.

(iii) In lieu of a trial burn, the applicant may submit the following information;

(A) An analysis of each waste or mixture of wastes to be burned including:

(I) Heating value of the waste in the form and composition in which it will be burned;

(II) Viscosity (if applicable), or description of physical form of the waste, and specific gravity of the waste;

(III) An identification of any dangerous organic constituents listed in WAC 173-303-9905 or, if not listed, which cause the waste(s) to be regulated, which are present in the waste to be burned, except that the applicant need not analyze for constituents which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified and the basis for their exclusion stated. The waste analysis must rely on analytical techniques specified in WAC 173-303-110(3), or their equivalent;

(IV) An approximate quantification of the dangerous constituents identified in the waste, within the precision produced by the analytical methods specified in WAC 173-303-110(3); and

(V) A quantification of those dangerous constituents in the waste which may be designated as principal organic dangerous constituents (PODC's) based on data submitted from other trial or operational burns which demonstrate compliance with the performance standards in WAC 173-303-670(4);

(B) A detailed engineering description of the incinerator, including:

(I) Manufacturer's name and model number of incinerator;

(II) Type of incinerator;

(III) Linear dimension of incinerator unit including cross sectional area of combustion chamber;

(IV) Description of auxiliary fuel system (type/feed);

(V) Capacity of prime mover;

(VI) Description of automatic waste feed cutoff system(s);

(VII) Stack gas monitoring and pollution control monitoring system;

(VIII) Nozzle and burner design;

(IX) Construction materials; and

(X) Location and description of temperature, pressure, and flow indicating devices and control devices;

(C) A description and analysis of the waste to be burned compared with the waste for which data from operational or trial burns are provided to support the contention that a trial burn is not needed. The data should include those items listed in (f)(iii)(A) of this subsection. This analysis should specify the principal organic dangerous constituents (PODC's) which the applicant has identified in the waste for which a permit is sought, and any differences from the PODC's in the waste for which burn data are provided;

(D) The design and operating conditions of the incinerator unit to be used, compared with that for which comparative burn data are available;

(E) A description of the results submitted from any previously conducted trial burn(s) including:

(I) Sampling and analysis techniques used to calculate performance standards in WAC 173-303-670(4); and

(II) Methods and results of monitoring temperatures, waste feed rates, carbon monoxide, and an appropriate indicator of combustion gas velocity (including a statement concerning the precision and accuracy of this measurement);

(F) The expected incinerator operation information to demonstrate compliance with WAC 173-303-670 (4) and (6), including:

(I) Expected carbon monoxide (CO) level in the stack exhaust gas;

(II) Waste feed rate;

(III) Combustion zone temperature;

(IV) Indication of combustion gas velocity;

(V) Expected stack gas volume, flow rate, and temperature;

(VI) Computed residence time for waste in the combustion zone;

(VII) Expected hydrochloric acid removal efficiency;

(VIII) Expected fugitive emissions and their control procedures; and

(IX) Proposed waste feed cutoff limits based on the identified significant operating parameters;

(G) Such supplemental information as the department finds necessary to achieve the purposes of this subsection;

(H) Waste analysis data, including that submitted in (f)(iii)(A) of this subsection, sufficient to allow the department to specify as permit principal organic dangerous constituents (permit PODC's) those constituents for which destruction and removal efficiencies will be required; and

(I) Test protocols and sampling and analytical data to demonstrate the designation status under WAC 173-303-070 of:

- (I) Incinerator ash residues, if any; and
- (II) Residues from the air pollution control devices.
- (iv) The department shall approve a permit application without a trial burn if the department finds that:
  - (A) The wastes are sufficiently similar; and
  - (B) The incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under WAC 173-303-670(6)) operating conditions that will ensure that the performance standards in WAC 173-303-670(4) will be met by the incinerator.
  - (g) Specific Part B information requirements for land treatment facilities. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use land treatment to dispose of dangerous waste must provide the following additional information:
    - (i) A description of plans to conduct a treatment demonstration as required under WAC 173-303-655(3). The description must include the following information:
      - (A) The wastes for which the demonstration will be made and the potential dangerous constituents in the waste;
      - (B) The data sources to be used to make the demonstration (e.g., literature, laboratory data, field data, or operating data);
      - (C) Any specific laboratory or field test that will be conducted, including:
        - (I) The type of test (e.g., column leaching, degradation);
        - (II) Materials and methods, including analytical procedures;
        - (III) Expected time for completion; and
        - (IV) Characteristics of the unit that will be simulated in the demonstration, including treatment zone characteristics, climatic conditions, and operating practices;
      - (ii) A description of a land treatment program, as required under WAC 173-303-655(2). This information must be submitted with the plans for the treatment demonstration, and updated following the treatment demonstration. The land treatment program must address the following items:
        - (A) The wastes to be land treated;
        - (B) Design measures and operating practices necessary to maximize treatment in accordance with WAC 173-303-655 (4)(a) including:
          - (I) Waste application method and rate;
          - (II) Measures to control soil pH;
          - (III) Enhancement of microbial or chemical reactions; and
          - (IV) Control of moisture content;
        - (C) Provisions for unsaturated zone monitoring, including:
          - (I) Sampling equipment, procedures, and frequency;
          - (II) Procedures for selecting sampling locations;
          - (III) Analytical procedures;
          - (IV) Chain of custody control;
          - (V) Procedures for establishing background values;
          - (VI) Statistical methods for interpreting results; and
          - (VII) The justification for any dangerous constituents recommended for selection as principal dangerous constituents, in accordance with the criteria for such selection in WAC 173-303-655 (6)(a);
        - (D) A list of dangerous constituents reasonably expected to be in, or derived from, the wastes to be land treated based on waste analysis performed pursuant to WAC 173-303-300;
        - (E) The proposed dimensions of the treatment zone;
      - (iii) A description of how the unit is or will be designed, constructed, operated, and maintained in order to meet the requirements of WAC 173-303-655(4). This submission must address the following items:
        - (A) Control of run-on;
        - (B) Collection and control of run-off;
        - (C) Minimization of run-off of dangerous constituents from the treatment zone;
        - (D) Management of collection and holding facilities associated with run-on and run-off control systems;
        - (E) Periodic inspection of the unit. This information should be included in the inspection plan submitted under (a)(v) of this subsection; and
        - (F) Control of wind dispersal of particulate matter, if applicable;
      - (iv) If food-chain crops are to be grown in or on the treatment zone of the land treatment unit, a description of how the demonstration required under WAC 173-303-655(5) will be conducted including:
        - (A) Characteristics of the food-chain crop for which the demonstration will be made;
        - (B) Characteristics of the waste, treatment zone, and waste application method and rate to be used in the demonstration;
        - (C) Procedures for crop growth, sample collection, sample analysis, and data evaluation;

- (D) Characteristics of the comparison crop including the location and conditions under which it was or will be grown; and
- (E) If cadmium is present in the land treated waste, a description of how the requirements of WAC 173-303-655 (5)(b) will be complied with;
- (v) A description of the vegetative cover to be applied to closed portions of the facility, and a plan for maintaining such cover during the postclosure care period, as required under WAC 173-303-655 (8)(a)(viii) and (c)(ii). This information should be included in the closure plan and, where applicable, the postclosure care plan submitted under (a)(xiii) of this subsection;
- (vi) If ignitable or reactive wastes will be placed in or on the treatment zone, an explanation of how the requirements of WAC 173-303-655(9) will be complied with; and
- (vii) If incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, an explanation of how WAC 173-303-655(10) will be complied with.
- (viii) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a land treatment facility is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-655(12).
- (h) Specific Part B information requirements for landfills. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that dispose of dangerous waste in landfills must provide the following additional information:
  - (i) A list of the dangerous wastes placed or to be placed in each landfill or landfill cell;
  - (ii) Detailed plans and an engineering report describing how the landfill is or will be designed, constructed, operated and maintained to comply with the requirements of WAC 173-303-665(2). This submission must address the following items as specified in WAC 173-303-665(2):
    - (A) The liner system and leachate collection and removal system (except for an existing portion of a landfill), including the licensed engineer's certification required by WAC 173-303-665 (2)(a)(i). If an exemption from the requirements for a liner and a leachate collection and removal system is sought, as provided by WAC 173-303-665 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituent into the ground water or surface water at any future time;
    - (B) Control of run-on;
    - (C) Control of run-off;
    - (D) Management of collection and holding facilities associated with run-on and run-off control systems; and
    - (E) Control of wind dispersal of particulate matter, where applicable;
  - (iii) If an exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-665(3), the owner or operator must submit detailed plans and an engineering report explaining the location of the saturated zone in relation to the landfill, the design of a double-liner system that incorporates a leak detection system between the liners, and a leachate collection and removal system above the liners;
  - (iv) A description of how each landfill, including the liner and cover systems, will be inspected in order to meet the requirements of WAC 173-303-665(4). This information should be included in the inspection plan submitted under (a)(v) of this subsection;
  - (v) Detailed plans and an engineering report describing the final cover which will be applied to each landfill or landfill cell at closure in accordance with WAC 173-303-665 (6)(a), and a description of how each landfill will be maintained and monitored after closure in accordance with WAC 173-303-665 (6)(b) and (c). This information should be included in the closure and postclosure plans submitted under (a)(xiii) of this subsection;
  - (vi) If ignitable or reactive wastes will be landfilled, an explanation of how the standards of WAC 173-303-665(7) will be complied with;
  - (vii) If incompatible wastes, or incompatible wastes and materials will be landfilled, an explanation of how WAC 173-303-665(8) will be complied with;
  - (viii) If bulk of noncontainerized liquid waste or wastes containing free liquids is to be landfilled, an explanation of how the requirements of WAC 173-303-665(9) will be complied with;
  - (ix) If containers of dangerous waste are to be landfilled, an explanation of how the requirements of WAC 173-303-665(10) will be complied with; and

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a landfill is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-665(11).

(5) Construction. A person may begin physical construction of a new facility, or of new portions of an existing facility if the new portions would amount to reconstruction under interim status (WAC 173-303-805(7)), only after complying with WAC 173-303-284, submitting Part A and Part B of the permit application and receiving a final facility permit. All permit applications must be submitted at least one hundred eighty days before physical construction is expected to begin.

(6) Reapplications. Any dangerous waste facility with an effective final facility permit shall submit a new application one hundred eighty days prior to the expiration date of the effective permit, unless the department grants a later date provided that such date will never be later than the expiration date of the effective permit.

(7) Continuation of expiring permits.

(a) When the owner/operator submits a timely application for a final facility permit and the application is determined by the department to be complete pursuant to subsection (8) of this section, the facility is allowed to continue operating under the expiring or expired permit until the effective date of the new permit.

(b) When the facility is not in compliance with the conditions of the expiring or expired permit, the department may choose to do any of the following:

(i) Initiate enforcement action based upon the permit which has been continued;

(ii) Issue a notice of intent to deny the new permit. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;

(iii) Issue a new permit with appropriate conditions; and/or

(iv) Take other actions authorized by this chapter.

(8) Completeness. The department shall not issue a final facility permit before receiving a complete application, except for permits by rule or emergency permits. An application for a permit is complete when the application form and any supplemental information has been submitted to the department's satisfaction. The completeness of any application for a permit shall be judged independently of the status of any other permit application or permit for the same facility or activity.

(9) Recordkeeping. Applicants shall keep records of all data used to complete the permit applications, and any supplemental information submitted to the department for a period of at least three years from the date the application is signed.

(10) General permit conditions. All final facility permits shall contain general permit conditions described in WAC 173-303-810.

(11) Permit duration.

(a) Final facility permits shall be effective for a fixed term not to exceed ten years.

(b) The department may issue any final facility permit for a duration that is less than the full allowable term.

(c) The term of a final facility permit shall not be extended beyond ten years, unless otherwise authorized under WAC 173-303-806(7).

(12) Grounds for termination. The following are causes for terminating a final facility permit during its term, or for denying a permit ((renewal)) application:

(a) Noncompliance by the permittee with any condition of the permit;

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; ((or))

(c) A determination that the permitted activity endangers public health or the environment and the hazard can only be controlled by permit modification or termination;

(d) A determination that the permit applicant has failed to demonstrate that the proposed facility complies with the location standards of WAC 173-303-285; or

(e) A determination by the department that the permit applicant has not demonstrated to the department's satisfaction, as required under subsection (4)(a)(xi)(G) of this section, that a facility at the proposed location will not result in significant adverse impacts on public health or the environment, or in failure to satisfy the performance standards of WAC 173-303-286.

(13) Permit changes. All final facility permits shall be subject to the requirements of permit changes, WAC 173-303-830.

(14) Procedures for decision making. Issuance of final facility permits will be subject to the procedures for decision making described in WAC 173-303-840.

(15) Other requirements for final special waste and recycling facility permits. In lieu of issuing a final special waste or recycling facility permit, the department may, after providing opportunity for public comment in accordance with WAC 173-303-840, defer to a permit already issued under other statutory authority administered by the department (such as the State Water Pollution Control Act, chapter 90.48 RCW, the State Clean Air Act, chapter 70.94 RCW, etc.) which incorporates the requirements of this section, and WAC 173-303-500 through 173-303-525 for recycling facilities or WAC 173-303-550 through 173-303-560 for special waste facilities.

#### NEW SECTION

WAC 173-303-901 RESPONSE TO REQUESTS FOR PUBLIC RECORDS. RCW 42.17.320 requires that the department, when responding to requests for public records make such responses "promptly". The department often receives requests, submitted pursuant to chapter 42.17 RCW, for public records that exist because of the requirements of or actions mandated by this chapter (such public records are referred to as dangerous waste records). When the department receives requests for such dangerous waste records, then the department shall respond promptly, as required by RCW 42.17.320, and in no event will the response occur later than twenty working days after receipt of the public request submitted pursuant to chapter 42.17 RCW.

#### WSR 87-24-100

#### PROPOSED RULES

#### MEDICAL DISCIPLINARY BOARD

[Filed December 2, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Medical Disciplinary Board intends to adopt, amend, or repeal rules concerning cooperation with investigation, new WAC 320-18-020;

that the agency will at 1:00 p.m., Friday, January 15, 1988, in the West Seattle Community Hospital, 2600 S.W. Holden, Seattle, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.130.050.

The specific statute these rules are intended to implement is RCW 18.130.180(8).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 14, 1988.

Dated: December 2, 1987

By: Joyce R. Dolliver  
Assistant Attorney General

#### STATEMENT OF PURPOSE

Title and Number of Rule Section or Chapter: New WAC 320-18-020, Cooperation with investigation.

Statutory Authority: RCW 18.130.150.

Specific Statute that Rule is Intended to Implement: RCW 18.130.180(8).

Summary of the Rule: To provide notice of what is deemed cooperation and failure to cooperate with the board under RCW 18.130.180(8).

Reasons Supporting the Proposed Rules: Provides notice of actionable conduct under RCW 18.130.180(8).

In addition to members of the board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Gloria Westerfield, Executive Secretary, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, (206) 753-2205 comm, (206) 234-2205 scan.

Name of the Person or Organization that is Proposing the Rule: Washington State Medical Disciplinary Board.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to These Rules: None.

This rule is not necessary to comply with a federal law or a federal or state court decision.

A small business economic impact statement is not required for this rule. Physicians are classed in SIC Code 801, Offices of Physicians, and physicians' assistants are classed in SIC Code 804, Offices of Other Health Practitioners. While physicians account for more than ten percent of this area and less than twenty percent of all industries, this rule does not have an economic impact on physicians. Physicians' assistants account for less than ten percent of the health care practitioners in their classification and less than twenty percent of all industries.

#### NEW SECTION

**WAC 320-18-020 COOPERATION WITH INVESTIGATION.** (1) A physician must comply with a request for records, documents or explanation from an investigator who is acting on behalf of the board by submitting the requested items within fourteen (14) calendar days of receipt of the request by the physician or the physician's attorney, whichever is first. If the physician fails to comply with the request within fourteen (14) calendar days, the investigator shall contact the physician or the physician's attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the physician requests an extension for a period not to exceed seven (7) calendar days. Other requests for extension may be granted only by the presiding officer.

(3) If the physician fails to comply with the request within three (3) business days after the receipt of the reminder, then a subpoena shall be served upon the physician to obtain the requested items.

(4) If the physician fails to comply with the subpoena, a statement of charges shall be issued pursuant to RCW 18.130.180(8) and, if there is sufficient evidence to support additional charges, then those charges may be included in the statement of charges.

(5) If the physician complies with the request after the issuance of the statement of charges, the board's assistant attorney general-prosecutor shall decide whether the charges based on RCW 18.130.180(8) will be prosecuted or settled. If the charges based on RCW 18.130.180(8) are to be settled, the settlement proposal shall be presented to the board or a duly constituted panel of the board for a decision on ratification and until ratified, the settlement is not final.

#### **WSR 87-24-101**

#### **NOTICE OF PUBLIC MEETINGS DEPARTMENT OF INFORMATION SERVICES (Information Services Board)**

[Memorandum—December 2, 1987]

The next scheduled Information Services Board meeting will be held on January 27, 1988.

#### **WSR 87-24-102**

#### **EMERGENCY RULES DEPARTMENT OF FISHERIES [Order 87-202—Filed December 2, 1987]**

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

I, Joseph R. Blum, 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 openings in Area 7B provide opportunity for harvest of non-Indian chum allocation. All other Puget Sound 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 1, 1987.

By Joseph R. Blum  
Director

#### NEW SECTION

**WAC 220-47-828 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** *Notwithstanding the provisions of Chapter 220-47 WAC, effective December 2, 1987 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

*\*Area 7B – Closed except gill nets using 6-inch minimum mesh may fish from 7:00 AM to 4:00 PM Thursday December 3 and purse seines may fish from 7:00 AM to 4:00 PM Friday December 4. Fishery exclusion zones applicable to Area commercial fisheries are described in WAC 220-47-307.  
Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 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 December 2, 1987.*

*WAC 220-47-827 PUGET SOUND COMMERCIAL SALMON FISHING RESTRICTIONS Order No. 87-200*

## 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.

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4-25-140	AMD 87-04-051	16-23-075	NEW-P 87-15-106	16-96-130	AMD-E 87-08-058
4-25-141	AMD-P 87-09-059	16-23-075	NEW 87-22-020	16-96-130	AMD-P 87-08-061
4-25-141	AMD-C 87-10-033	16-23-085	NEW-P 87-15-106	16-96-130	AMD 87-12-037
4-25-141	AMD 87-15-072	16-23-085	NEW 87-22-020	16-96-130	AMD-E 87-12-038
4-25-142	NEW-E 87-22-033	16-23-090	NEW-P 87-15-106	16-96-130	AMD-E 87-20-044
4-25-142	NEW-P 87-22-070	16-23-090	NEW 87-22-020	16-96-130	AMD-P 87-20-045
4-25-181	AMD-P 87-09-060	16-23-095	NEW-P 87-15-106	16-96-130	AMD 87-24-040
4-25-181	AMD-C 87-10-034	16-23-095	NEW 87-22-020	16-101-455	NEW-P 87-06-036
4-25-181	REP-P 87-09-060	16-23-100	NEW-P 87-15-106	16-101-455	NEW-C 87-09-032
4-25-181	REP-C 87-10-034	16-23-100	NEW 87-22-020	16-101-455	NEW-C 87-10-048
4-25-181	REP-P 87-22-069	16-23-105	NEW-P 87-15-106	16-101-455	NEW 87-12-026
4-25-182	REP-P 87-15-141	16-23-110	NEW 87-22-020	16-101-465	NEW-P 87-06-036
4-25-182	REP 87-19-118	16-23-110	NEW-P 87-15-106	16-101-465	NEW-C 87-09-032
4-25-183	REP-P 87-15-141	16-23-110	NEW 87-22-020	16-101-465	NEW-C 87-10-048
4-25-183	REP 87-19-118	16-23-115	NEW-P 87-15-106	16-101-465	NEW 87-12-026
4-25-184	REP-P 87-15-141	16-23-115	NEW 87-22-020	16-101-475	NEW-P 87-06-036
4-25-184	REP 87-19-118	16-23-120	NEW-P 87-15-106	16-101-475	NEW-C 87-09-032
4-25-185	NEW-P 87-15-141	16-23-120	NEW 87-22-020	16-101-475	NEW-C 87-10-048
4-25-185	NEW 87-19-118	16-23-125	NEW-P 87-15-106	16-101-475	NEW 87-12-026
4-25-186	NEW-P 87-15-141	16-23-125	NEW 87-22-020	16-101-570	AMD-P 87-06-036
4-25-186	NEW 87-19-118	16-23-150	NEW-P 87-15-106	16-101-570	AMD 87-09-033
4-25-187	NEW-P 87-15-141	16-23-150	NEW 87-22-020	16-101-690	NEW-P 87-05-028
4-25-187	NEW 87-19-118	16-23-160	NEW-P 87-15-106	16-101-690	NEW 87-08-038
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16-23-020	NEW-P 87-15-106	16-32-010	AMD-E 87-13-032	16-104-040	REP 87-16-075
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16-23-025	NEW-P 87-15-106	16-32-010	AMD 87-19-054	16-104-050	REP 87-16-075
16-23-025	NEW 87-22-020	16-32-010	AMD-P 87-22-054	16-104-060	REP-P 87-12-045
16-23-030	NEW-P 87-15-106	16-54-030	AMD-P 87-04-053	16-104-060	REP 87-16-075
16-23-030	NEW 87-22-020	16-54-030	AMD 87-08-021	16-104-070	REP-P 87-12-045
16-23-035	NEW-P 87-15-106	16-54-082	AMD-P 87-04-053	16-104-070	REP 87-16-075
16-23-035	NEW 87-22-020	16-54-082	AMD 87-08-021	16-104-080	REP-P 87-12-045
16-23-040	NEW-P 87-15-106	16-54-120	AMD-P 87-04-053	16-104-080	REP 87-16-075
16-23-040	NEW 87-22-020	16-54-120	AMD 87-08-021	16-104-090	REP-P 87-12-045
16-23-045	NEW-P 87-15-106	16-86-005	AMD-P 87-04-052	16-104-090	REP 87-16-075
16-23-045	NEW 87-22-020	16-86-005	AMD 87-08-020	16-104-100	REP-P 87-12-045
16-23-050	NEW-P 87-15-106	16-86-015	AMD-P 87-04-052	16-104-100	REP 87-16-075
16-23-050	NEW 87-22-020	16-86-015	AMD 87-08-020	16-104-110	REP-P 87-12-045
16-23-060	NEW-P 87-15-106	16-86-040	AMD-P 87-20-076	16-104-110	REP 87-16-075
16-23-060	NEW 87-22-020	16-86-040	AMD 87-23-043	16-104-120	REP-P 87-12-045

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16-104-130	NEW-P	87-12-045	16-228-460	NEW-E	87-09-054	16-231-148	NEW-E	87-08-072
16-104-130	NEW	87-16-075	16-228-470	NEW-E	87-09-054	16-231-148	NEW-P	87-14-073
16-104-140	NEW-P	87-12-045	16-228-480	NEW-E	87-09-054	16-231-148	NEW-E	87-14-074
16-104-140	NEW	87-16-075	16-228-490	NEW-E	87-09-054	16-231-148	NEW	87-18-060
16-104-150	NEW-P	87-12-045	16-228-500	NEW-E	87-09-054	16-231-215	AMD-P	87-04-060
16-104-150	NEW	87-16-075	16-228-510	NEW-E	87-09-054	16-231-215	AMD-E	87-08-072
16-104-160	NEW-P	87-12-045	16-228-520	NEW-E	87-09-054	16-231-215	AMD	87-09-015
16-104-160	NEW	87-16-075	16-228-530	NEW-E	87-09-054	16-231-225	AMD-P	87-04-060
16-104-170	NEW-P	87-12-045	16-228-540	NEW-E	87-09-054	16-231-225	AMD-E	87-08-072
16-104-170	NEW	87-16-075	16-228-550	NEW-E	87-09-054	16-231-225	AMD	87-09-015
16-104-180	NEW-P	87-12-045	16-230-030	AMD-E	87-11-018	16-231-235	AMD-P	87-04-060
16-104-180	NEW	87-16-075	16-230-160	AMD-P	87-11-055	16-231-235	AMD-E	87-08-072
16-104-190	NEW-P	87-12-045	16-230-160	AMD	87-15-001	16-231-235	AMD	87-09-015
16-104-190	NEW	87-16-075	16-230-190	AMD-P	87-11-055	16-231-238	NEW-E	87-08-072
16-104-200	NEW-P	87-12-045	16-230-190	AMD	87-15-001	16-231-238	NEW-P	87-14-073
16-104-200	NEW	87-16-075	16-230-470	AMD-P	87-04-060	16-231-238	NEW-E	87-14-074
16-104-210	NEW-P	87-12-045	16-230-470	AMD-E	87-08-072	16-231-238	NEW	87-18-060
16-104-210	NEW	87-16-075	16-230-470	AMD	87-09-015	16-231-315	AMD-P	87-04-060
16-104-220	NEW-P	87-12-045	16-230-615	AMD-P	87-04-060	16-231-315	AMD-W	87-05-006
16-104-220	NEW	87-16-075	16-230-615	AMD-E	87-08-072	16-231-340	AMD-P	87-04-060
16-104-230	NEW-P	87-12-045	16-230-615	AMD	87-09-015	16-231-340	AMD-E	87-08-072
16-104-230	NEW	87-16-075	16-230-640	AMD-P	87-04-060	16-231-340	AMD	87-09-015
16-200-695	NEW-P	87-13-061	16-230-640	AMD-E	87-08-072	16-231-343	NEW-E	87-08-072
16-200-695	NEW-E	87-16-015	16-230-640	AMD	87-09-015	16-231-343	NEW-P	87-14-073
16-200-695	NEW	87-19-097	16-230-645	AMD-P	87-04-060	16-231-343	NEW-E	87-14-074
16-200-700	REP-P	87-13-061	16-230-645	AMD-E	87-08-072	16-231-343	NEW	87-18-060
16-200-700	REP-E	87-16-015	16-230-645	AMD	87-09-015	16-231-425	AMD-P	87-04-060
16-200-700	REP	87-19-097	16-230-650	AMD-P	87-04-060	16-231-425	AMD-E	87-08-072
16-200-705	NEW-P	87-13-061	16-230-650	AMD-E	87-08-072	16-231-425	AMD	87-09-015
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16-200-705	NEW	87-19-097	16-230-655	AMD-P	87-04-060	16-231-530	AMD-E	87-08-072
16-200-710	REP-P	87-13-061	16-230-655	AMD-E	87-08-072	16-231-530	AMD	87-09-015
16-200-710	REP-E	87-16-015	16-230-655	AMD	87-09-015	16-231-620	AMD-P	87-04-060
16-200-710	REP	87-19-097	16-230-665	AMD-E	87-08-072	16-231-620	AMD-E	87-08-072
16-200-711	NEW-P	87-13-061	16-230-665	AMD-P	87-14-073	16-231-620	AMD	87-09-015
16-200-711	NEW-E	87-16-015	16-230-665	AMD-E	87-14-074	16-231-720	AMD-P	87-04-060
16-200-711	NEW	87-19-097	16-230-665	AMD	87-18-060	16-231-720	AMD-E	87-08-072
16-200-715	NEW-P	87-13-061	16-230-673	NEW-E	87-08-072	16-231-720	AMD	87-09-015
16-200-715	NEW-E	87-16-015	16-230-673	NEW-P	87-14-073	16-231-840	AMD-P	87-04-060
16-200-715	NEW	87-19-097	16-230-673	NEW-E	87-14-074	16-231-840	AMD-E	87-08-072
16-200-720	REP-P	87-13-061	16-230-673	NEW	87-18-060	16-231-840	AMD	87-09-015
16-200-720	REP-E	87-16-015	16-231-015	AMD-E	87-08-072	16-231-910	AMD-P	87-04-060
16-200-720	REP	87-19-097	16-231-015	AMD-P	87-14-073	16-231-910	AMD-E	87-08-072
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16-200-721	NEW-E	87-16-015	16-231-015	AMD	87-18-060	16-231-910	AMD-P	87-14-073
16-200-721	NEW	87-19-097	16-231-020	AMD-P	87-04-060	16-231-910	AMD-E	87-14-074
16-200-725	NEW-P	87-13-061	16-231-020	AMD-E	87-08-072	16-231-910	AMD	87-18-060
16-200-725	NEW-E	87-16-015	16-231-020	AMD	87-09-015	16-231-912	NEW-P	87-04-060
16-200-725	NEW	87-19-097	16-231-030	AMD-P	87-04-060	16-231-912	NEW-E	87-08-072
16-200-730	REP-P	87-13-061	16-231-030	AMD-E	87-08-072	16-231-912	NEW	87-09-015
16-200-730	REP-E	87-16-015	16-231-030	AMD	87-09-015	16-231-935	AMD-P	87-04-060
16-200-730	REP	87-19-097	16-231-033	NEW-E	87-08-072	16-231-935	AMD-E	87-08-072
16-200-731	NEW-P	87-13-061	16-231-033	NEW-P	87-14-073	16-231-935	AMD	87-09-015
16-200-731	NEW-E	87-16-015	16-231-033	NEW-E	87-14-074	16-231-938	NEW-E	87-08-072
16-200-731	NEW	87-19-097	16-231-033	NEW	87-18-060	16-231-938	NEW-P	87-14-073
16-200-735	NEW-P	87-13-061	16-231-115	AMD-P	87-04-060	16-231-938	NEW-E	87-14-074
16-200-735	NEW-E	87-16-015	16-231-115	AMD-E	87-08-072	16-231-938	NEW	87-18-060
16-200-735	NEW	87-19-097	16-231-115	AMD	87-09-015	16-232-010	AMD-P	87-04-060
16-200-739	NEW-P	87-13-061	16-231-115	AMD-P	87-14-073	16-232-010	AMD-E	87-08-072
16-200-739	NEW-E	87-16-015	16-231-115	AMD-E	87-14-074	16-232-010	AMD	87-09-015
16-200-739	NEW	87-19-097	16-231-115	AMD	87-18-060	16-232-035	AMD-P	87-04-060
16-200-740	REP-P	87-13-061	16-231-120	AMD-P	87-04-060	16-232-035	AMD-E	87-08-072
16-200-740	REP-E	87-16-015	16-231-120	REP-E	87-08-072	16-232-035	AMD	87-09-015
16-200-740	REP	87-19-097	16-231-120	REP-P	87-14-073	16-232-038	NEW-E	87-08-072
16-200-743	REP-P	87-13-061	16-231-120	REP-E	87-14-074	16-232-038	NEW-P	87-14-073
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16-200-743	REP	87-19-097	16-231-125	AMD-P	87-04-060	16-232-038	NEW	87-18-060
16-213-260	NEW-P	87-05-036	16-231-125	AMD-E	87-08-072	16-232-125	REP-P	87-04-060
16-213-260	NEW	87-08-030	16-231-125	AMD	87-09-015	16-232-125	REP-E	87-08-072
16-213-270	NEW-P	87-05-036	16-231-126	REP-P	87-14-073	16-232-125	REP	87-09-015
16-213-270	NEW	87-08-030	16-231-126	REP-E	87-14-074	16-232-225	AMD-P	87-04-060
16-228-400	NEW-E	87-09-001	16-231-145	AMD-P	87-04-060	16-232-225	AMD-E	87-08-072
16-228-410	NEW-E	87-09-001	16-231-145	AMD-E	87-08-072	16-232-225	AMD	87-09-015
16-228-420	NEW-E	87-09-001	16-231-145	AMD	87-09-015	16-232-315	AMD-P	87-04-060
16-228-430	NEW-E	87-09-001	16-231-145	AMD-P	87-14-073	16-232-315	AMD-E	87-08-072
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16-316-165	AMD-P	87-13-063	16-328-001	REP-P	87-09-085	16-458-080	AMD	87-24-009
16-316-165	AMD-E	87-14-011	16-328-001	REP	87-13-016	16-470-500	NEW	87-04-027
16-316-165	AMD	87-17-025	16-328-003	REP-P	87-09-085	16-470-510	NEW	87-04-027
16-316-525	AMD-P	87-08-063	16-328-003	REP	87-13-016	16-470-520	NEW	87-04-027
16-316-525	AMD-E	87-15-029	16-328-008	AMD-P	87-09-085	16-470-530	NEW	87-04-027
16-316-525	AMD	87-15-030	16-328-008	AMD	87-13-016	16-514-020	AMD-P	87-20-077
16-316-724	AMD-E	87-15-029	16-328-009	NEW-P	87-09-085	16-514-020	AMD	87-23-033
16-316-724	AMD	87-15-030	16-328-009	NEW	87-13-016	16-516-040	AMD-P	87-12-018
16-316-800	AMD-P	87-08-063	16-328-010	AMD-P	87-09-085	16-516-040	AMD-P	87-12-019
16-316-800	AMD	87-12-006	16-328-010	AMD	87-13-016	16-528-040	AMD-P	87-24-046
16-316-810	AMD-P	87-08-063	16-328-015	NEW-P	87-09-085	16-530-040	AMD-P	87-24-045
16-316-810	AMD	87-12-006	16-328-015	NEW	87-13-016	16-532-040	AMD-P	87-04-045
16-316-815	AMD-P	87-08-063	16-328-025	AMD-P	87-09-085	16-532-040	AMD	87-10-059
16-316-815	AMD	87-12-006	16-328-025	AMD	87-13-016	16-570-010	AMD-P	87-13-051
16-316-820	AMD-P	87-08-063	16-328-030	AMD-P	87-09-085	16-570-010	AMD-E	87-15-011
16-316-820	AMD	87-12-006	16-328-030	AMD	87-13-016	16-570-010	AMD	87-16-071
16-316-830	AMD-P	87-08-063	16-328-035	AMD-P	87-09-085	16-570-030	AMD-P	87-13-051
16-316-830	AMD	87-12-006	16-328-035	AMD	87-13-016	16-570-030	AMD-E	87-15-011
16-316-832	AMD-P	87-13-063	16-328-038	NEW-P	87-13-064	16-570-030	AMD	87-16-071
16-316-832	AMD-E	87-14-011	16-328-038	NEW-E	87-14-012	16-602-005	NEW-P	87-05-053
16-316-832	AMD	87-17-025	16-328-038	NEW	87-17-024	16-602-010	AMD-P	87-05-053
16-316-880	AMD-P	87-08-063	16-328-060	AMD-P	87-09-085	16-602-020	AMD-P	87-05-053
16-316-880	AMD	87-12-006	16-328-060	AMD	87-13-016	16-602-030	AMD-P	87-05-053
16-319-020	AMD-P	87-08-063	16-328-065	AMD-P	87-09-085	16-620-290	AMD-P	87-13-058
16-319-020	AMD	87-12-006	16-328-065	AMD	87-13-016	16-620-290	AMD	87-16-044
16-319-030	AMD-P	87-08-063	16-328-080	AMD-P	87-09-085	16-620-300	REP-P	87-13-058
16-319-030	AMD	87-12-006	16-328-080	AMD	87-13-016	16-620-300	REP	87-16-044
16-319-041	AMD-P	87-08-063	16-328-083	NEW-P	87-09-085	16-620-340	AMD-P	87-13-058
16-319-041	AMD	87-12-006	16-328-083	NEW	87-13-016	16-620-340	AMD	87-16-044
16-319-051	AMD-P	87-08-063	16-328-085	NEW-P	87-09-085	16-657-025	AMD-P	87-07-019
16-319-051	AMD	87-12-006	16-328-085	NEW	87-13-016	16-657-025	AMD-C	87-10-042
16-319-061	AMD-P	87-08-063	16-328-088	NEW-P	87-09-085	16-693-001	REP-P	87-14-050
16-319-061	AMD	87-12-006	16-328-088	NEW	87-13-016	16-693-001	REP	87-18-009
16-319-081	AMD-P	87-08-063	16-328-090	REP-P	87-09-085	16-693-010	REP-P	87-14-050
16-319-081	AMD	87-12-006	16-328-090	REP	87-13-016	16-693-010	REP	87-18-009
16-319-091	NEW-P	87-08-063	16-329-001	REP-P	87-09-085	16-693-020	REP-P	87-14-050
16-319-091	NEW	87-12-006	16-329-001	REP	87-13-016	16-693-020	REP	87-18-009
16-319-101	NEW-P	87-08-063	16-329-010	REP-P	87-09-085	16-694-001	NEW-P	87-14-050
16-319-101	NEW	87-12-006	16-329-010	REP	87-13-016	16-694-001	NEW	87-18-009
16-324-360	AMD-E	87-13-017	16-329-015	REP-P	87-09-085	16-750	AMD-E	87-16-030
16-324-360	AMD-P	87-15-070	16-329-015	REP	87-13-016	16-750	AMD-E	87-22-002
16-324-360	AMD	87-19-033	16-329-020	REP-P	87-09-085	16-750-010	AMD	87-05-016
16-324-380	AMD-P	87-15-070	16-329-020	REP	87-13-016	16-750-010	AMD-E	87-16-030
16-324-380	AMD	87-19-033	16-329-025	REP-P	87-09-085	16-750-010	AMD-E	87-22-002
16-324-390	AMD-P	87-15-070	16-329-025	REP	87-13-016	16-750-900	NEW-E	87-16-030
16-324-390	AMD	87-19-033	16-329-030	REP-P	87-09-085	16-750-900	NEW-E	87-22-002
16-324-430	AMD-P	87-15-070	16-329-030	REP	87-13-016	16-752-001	AMD-P	87-24-069
16-324-430	AMD	87-19-033	16-333-020	AMD-P	87-09-085	16-752-115	NEW-P	87-24-069
16-324-450	AMD-P	87-15-070	16-333-020	AMD	87-13-016	16-752-120	NEW-P	87-24-069
16-324-450	AMD	87-19-033	16-333-040	AMD-P	87-09-085	16-752-125	NEW-P	87-24-069
16-324-600	NEW-E	87-13-017	16-333-040	AMD	87-13-016	16-752-130	NEW-P	87-24-069
16-324-600	NEW-P	87-15-070	16-333-050	AMD-P	87-09-085	16-752-135	NEW-P	87-24-069
16-324-600	NEW	87-19-033	16-333-050	AMD	87-13-016	16-752-140	NEW-P	87-24-069
16-324-605	NEW-P	87-15-070	16-333-065	NEW-P	87-13-064	16-752-145	NEW-P	87-24-069
16-324-605	NEW	87-19-033	16-333-065	NEW-E	87-14-012	16-752-150	NEW-P	87-24-069
16-324-610	NEW-E	87-13-017	16-333-065	NEW	87-17-024	16-752-155	NEW-P	87-24-069
16-324-610	NEW-P	87-15-070	16-401-002	REP-P	87-13-062	16-752-160	NEW-P	87-24-069
16-324-610	NEW	87-19-033	16-401-002	REP-E	87-16-014	16-752-165	NEW-P	87-24-069
16-324-620	NEW-E	87-13-017	16-401-002	REP	87-19-098	16-752-170	NEW-P	87-24-069
16-324-620	NEW-P	87-15-070	16-401-020	AMD-P	87-13-062	16-752-200	NEW-P	87-24-069
16-324-620	NEW	87-19-033	16-401-020	AMD-E	87-16-014	16-752-200	NEW-E	87-24-091
16-324-630	NEW-E	87-13-017	16-401-020	AMD	87-19-098	16-752-201	NEW-P	87-24-069
16-324-630	NEW-P	87-15-070	16-401-025	AMD-P	87-13-062	16-752-201	NEW-E	87-24-091
16-324-630	NEW	87-19-033	16-401-025	AMD-E	87-16-014	16-752-202	NEW-P	87-24-069
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16-324-640	NEW	87-19-033	16-401-030	AMD-E	87-16-014	16-752-203	NEW-E	87-24-091
16-324-650	NEW-E	87-13-017	16-401-030	AMD	87-19-098	16-752-204	NEW-P	87-24-069
16-324-650	NEW-P	87-15-070	16-401-040	NEW-P	87-13-062	16-752-204	NEW-E	87-24-091
16-324-650	NEW	87-19-033	16-401-040	NEW-E	87-16-014	18-02-010	REP-P	87-15-122
16-324-660	NEW-E	87-13-017	16-401-040	NEW	87-19-098	18-02-010	REP	87-19-075
16-324-660	NEW-P	87-15-070	16-401-050	NEW-P	87-13-062	18-02-020	REP-P	87-15-122
16-324-660	NEW	87-19-033	16-401-050	NEW-E	87-16-014	18-02-020	REP	87-19-075
16-324-670	NEW-P	87-15-070	16-401-050	NEW	87-19-098	18-02-030	REP-P	87-15-122
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18-02-040	REP	87-19-075	18-44-050	REP-P	87-15-124	30-24-020	NEW	87-11-001
18-02-050	REP-P	87-15-122	18-44-050	REP	87-19-081	30-24-030	NEW	87-11-001
18-02-050	REP	87-19-075	18-44-060	REP-P	87-15-124	30-24-040	NEW	87-11-001
18-06-010	REP-P	87-15-117	18-44-060	REP	87-19-081	30-24-050	NEW	87-11-001
18-06-010	REP	87-19-076	18-44-990	REP-P	87-15-124	30-24-060	NEW	87-11-001
18-06-020	REP-P	87-15-117	18-44-990	REP	87-19-081	30-24-070	NEW	87-11-001
18-06-020	REP	87-19-076	18-48-080	REP-P	87-15-121	30-24-080	NEW	87-11-001
18-06-030	REP-P	87-15-117	18-48-080	REP	87-19-073	30-24-090	NEW	87-11-001
18-06-030	REP	87-19-076	18-48-090	REP-P	87-15-121	30-24-100	NEW	87-11-001
18-06-040	REP-P	87-15-117	18-48-090	REP	87-19-073	30-28-010	NEW	87-11-001
18-06-040	REP	87-19-076	18-48-100	REP-P	87-15-121	30-28-020	NEW	87-11-001
18-06-050	REP-P	87-15-117	18-48-100	REP	87-19-073	30-28-030	NEW	87-11-001
18-06-050	REP	87-19-076	18-48-110	REP-P	87-15-121	30-28-040	NEW	87-11-001
18-06-900	REP-P	87-15-117	18-48-110	REP	87-19-073	30-32-010	NEW	87-11-001
18-06-900	REP	87-19-076	18-48-120	REP-P	87-15-121	30-32-020	NEW	87-11-001
18-20-010	REP-P	87-15-118	18-48-120	REP	87-19-073	30-32-030	NEW	87-11-001
18-20-010	REP	87-19-077	18-48-130	REP-P	87-15-121	30-32-040	NEW	87-11-001
18-20-020	REP-P	87-15-118	18-48-130	REP	87-19-073	30-32-050	NEW	87-11-001
18-20-020	REP	87-19-077	18-48-140	REP-P	87-15-121	30-32-060	NEW	87-11-001
18-20-030	REP-P	87-15-118	18-48-140	REP	87-19-073	30-32-070	NEW	87-11-001
18-20-030	REP	87-19-077	18-48-150	REP-P	87-15-121	30-32-080	NEW	87-11-001
18-20-040	REP-P	87-15-118	18-48-150	REP	87-19-073	30-36-010	NEW	87-11-001
18-20-040	REP	87-19-077	18-48-900	REP-P	87-15-121	30-36-020	NEW	87-11-001
18-20-050	REP-P	87-15-118	18-48-900	REP	87-19-073	30-36-030	NEW	87-11-001
18-20-050	REP	87-19-077	18-56-010	REP-P	87-15-120	30-36-040	NEW	87-11-001
18-20-060	REP-P	87-15-118	18-56-010	REP	87-20-020	30-36-050	NEW	87-11-001
18-20-060	REP	87-19-077	18-56-020	REP-P	87-15-120	30-36-060	NEW	87-11-001
18-20-070	REP-P	87-15-118	18-56-020	REP	87-20-020	30-36-070	NEW	87-11-001
18-20-070	REP	87-19-077	18-56-030	REP-P	87-15-120	30-36-080	NEW	87-11-001
18-20-080	REP-P	87-15-118	18-56-030	REP	87-20-020	30-36-090	NEW	87-11-001
18-20-080	REP	87-19-077	18-56-040	REP-P	87-15-120	30-36-100	NEW	87-11-001
18-20-090	REP-P	87-15-118	18-56-040	REP	87-20-020	30-36-110	NEW	87-11-001
18-20-090	REP	87-19-077	18-56-050	REP-P	87-15-120	30-40-010	NEW	87-11-001
18-20-100	REP-P	87-15-118	18-56-050	REP	87-20-020	30-40-020	NEW	87-11-001
18-20-100	REP	87-19-077	18-56-060	REP-P	87-15-120	30-40-030	NEW	87-11-001
18-24-010	REP-P	87-15-116	18-56-060	REP	87-20-020	30-40-040	NEW	87-11-001
18-24-010	REP	87-19-078	18-56-990	REP-P	87-15-120	30-40-050	NEW	87-11-001
18-24-020	REP-P	87-15-116	18-56-990	REP	87-20-020	30-40-060	NEW	87-11-001
18-24-020	REP	87-19-078	25-24-010	REP-P	87-02-052	30-40-070	NEW	87-11-001
18-24-030	REP-P	87-15-116	25-24-010	REP	87-05-027	30-40-080	NEW	87-11-001
18-24-030	REP	87-19-078	25-24-020	REP-P	87-02-052	30-40-090	NEW	87-11-001
18-24-040	REP-P	87-15-116	25-24-020	REP	87-05-027	30-44-010	NEW	87-11-001
18-24-040	REP	87-19-078	25-24-030	REP-P	87-02-052	30-44-020	NEW	87-11-001
18-28-010	REP-P	87-15-123	25-24-030	REP	87-05-027	30-44-030	NEW	87-11-001
18-28-010	REP	87-19-079	25-24-040	REP-P	87-02-052	30-44-040	NEW	87-11-001
18-28-020	REP-P	87-15-123	25-24-040	REP	87-05-027	30-44-050	NEW	87-11-001
18-28-020	REP	87-19-079	25-24-050	REP-P	87-02-052	30-48-010	NEW	87-11-001
18-28-030	REP-P	87-15-123	25-24-050	REP	87-05-027	30-48-020	NEW	87-11-001
18-28-030	REP	87-19-079	25-24-060	REP-P	87-02-052	30-48-030	NEW	87-11-001
18-28-040	REP-P	87-15-123	25-24-060	REP	87-05-027	30-48-040	NEW	87-11-001
18-28-040	REP	87-19-079	25-24-070	REP-P	87-02-052	30-48-050	NEW	87-11-001
18-28-050	REP-P	87-15-123	25-24-070	REP	87-05-027	30-48-060	NEW	87-11-001
18-28-050	REP	87-19-079	30-16-010	NEW	87-11-001	30-48-070	NEW	87-11-001
18-40-010	REP-P	87-15-119	30-16-020	NEW	87-11-001	44-10-010	NEW-P	87-22-096
18-40-010	REP	87-19-080	30-16-030	NEW	87-11-001	44-10-030	NEW-P	87-22-096
18-40-020	REP-P	87-15-119	30-16-040	NEW	87-11-001	44-10-040	NEW-P	87-22-096
18-40-020	REP	87-19-080	30-16-050	NEW	87-11-001	44-10-050	NEW-P	87-22-096
18-40-030	REP-P	87-15-119	30-16-060	NEW	87-11-001	44-10-060	NEW-P	87-22-096
18-40-030	REP	87-19-080	30-16-070	NEW	87-11-001	44-10-070	NEW-P	87-22-096
18-40-040	REP-P	87-15-119	30-16-080	NEW	87-11-001	44-10-080	NEW-P	87-22-096
18-40-040	REP	87-19-080	30-16-090	NEW	87-11-001	44-10-090	NEW-E	87-20-046
18-40-050	REP-P	87-15-119	30-16-100	NEW	87-11-001	44-10-090	NEW-P	87-20-089
18-40-050	REP	87-19-080	30-16-110	NEW	87-11-001	44-10-090	NEW	87-23-030
18-40-060	REP-P	87-15-119	30-16-120	NEW	87-11-001	44-10-100	NEW-P	87-22-096
18-40-060	REP	87-19-080	30-20-010	NEW	87-11-001	44-10-110	NEW-P	87-22-096
18-40-990	REP-P	87-15-119	30-20-020	NEW	87-11-001	44-10-120	NEW-P	87-22-096
18-40-990	REP	87-19-080	30-20-030	NEW	87-11-001	44-10-130	NEW-P	87-22-096
18-40-991	REP-P	87-15-119	30-20-040	NEW	87-11-001	44-10-140	NEW-P	87-22-096
18-40-991	REP	87-19-080	30-20-050	NEW	87-11-001	44-10-150	NEW-P	87-22-096
18-44-010	REP-P	87-15-124	30-20-060	NEW	87-11-001	44-10-160	NEW-P	87-22-096
18-44-010	REP	87-19-081	30-20-070	NEW	87-11-001	44-10-170	NEW-P	87-22-096
18-44-020	REP-P	87-15-124	30-20-080	NEW	87-11-001	44-10-180	NEW-P	87-22-096
18-44-020	REP	87-19-081	30-20-090	NEW	87-11-001	44-10-200	NEW-P	87-22-096
18-44-030	REP-P	87-15-124	30-20-100	NEW	87-11-001	44-10-210	NEW-P	87-22-096
18-44-030	REP	87-19-081	30-20-110	NEW	87-11-001	50-12-110	AMD-P	87-16-109
18-44-040	REP-P	87-15-124	30-20-120	NEW	87-11-001	50-12-110	AMD	87-20-036

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
50-12-115	NEW-P	87-16-109	50-52-230	NEW	87-13-030	50-52-620	NEW-P	87-10-046
50-12-115	NEW	87-20-036	50-52-240	NEW-P	87-10-046	50-52-620	NEW	87-13-030
50-12-116	NEW-P	87-16-109	50-52-240	NEW	87-13-030	50-52-630	NEW-P	87-10-046
50-12-116	NEW	87-20-036	50-52-250	NEW-P	87-10-046	50-52-630	NEW	87-13-030
50-12-117	NEW-P	87-21-075	50-52-250	NEW	87-13-030	50-52-640	NEW-P	87-10-046
50-12-117	NEW	87-24-042	50-52-260	NEW-P	87-10-046	50-52-640	NEW	87-13-030
50-12-210	NEW-P	87-16-108	50-52-260	NEW	87-13-030	82-24-080	AMD	87-06-012
50-12-210	NEW	87-20-022	50-52-270	NEW-P	87-10-046	82-24-090	AMD	87-06-012
50-12-220	NEW-P	87-16-108	50-52-270	NEW	87-13-030	82-24-110	AMD	87-06-012
50-12-220	NEW	87-20-022	50-52-280	NEW-P	87-10-046	82-24-130	AMD	87-06-012
50-12-230	NEW-P	87-16-108	50-52-280	NEW	87-13-030	82-50-021	AMD-P	87-13-066
50-12-230	NEW	87-20-022	50-52-290	NEW-P	87-10-046	82-50-021	AMD	87-16-060
50-12-240	NEW-P	87-16-108	50-52-290	NEW	87-13-030	100-100-050	AMD-P	87-09-099
50-12-240	NEW	87-20-022	50-52-300	NEW-P	87-10-046	100-100-050	AMD-E	87-09-100
50-12-250	NEW-P	87-16-108	50-52-300	NEW	87-13-030	100-100-070	AMD-P	87-06-046
50-12-250	NEW	87-20-022	50-52-310	NEW-P	87-10-046	100-100-070	AMD-C	87-09-101
50-12-250	AMD-P	87-21-075	50-52-310	NEW	87-13-030	100-100-070	AMD-E	87-09-102
50-12-250	AMD	87-24-042	50-52-320	NEW-P	87-10-046	100-100-070	AMD	87-18-004
50-12-260	NEW-P	87-16-108	50-52-320	NEW	87-13-030	106-116-201	AMD-P	87-19-008
50-12-260	NEW	87-20-022	50-52-330	NEW-P	87-10-046	106-116-201	AMD-E	87-19-009
50-12-270	NEW-P	87-16-108	50-52-330	NEW	87-13-030	106-116-201	AMD	87-23-012
50-12-270	NEW	87-20-022	50-52-340	NEW-P	87-10-046	106-116-203	AMD-P	87-19-008
50-12-280	NEW-P	87-16-108	50-52-340	NEW	87-13-030	106-116-203	AMD-E	87-19-009
50-12-280	NEW	87-20-022	50-52-350	NEW-P	87-10-046	106-116-203	AMD	87-23-012
50-12-290	NEW-P	87-16-108	50-52-350	NEW	87-13-030	106-116-205	AMD-P	87-19-008
50-12-290	NEW	87-20-022	50-52-360	NEW-P	87-10-046	106-116-205	AMD-E	87-19-009
50-12-300	NEW-P	87-16-108	50-52-360	NEW	87-13-030	106-116-205	AMD	87-23-012
50-12-300	NEW	87-20-022	50-52-370	NEW-P	87-10-046	106-116-404	AMD-P	87-19-008
50-48-100	NEW-P	87-08-071	50-52-370	NEW	87-13-030	106-116-404	AMD-E	87-19-009
50-48-100	NEW	87-10-047	50-52-380	NEW-P	87-10-046	106-116-404	AMD	87-23-012
50-48-100	AMD-P	87-10-058	50-52-380	NEW	87-13-030	106-116-603	AMD-P	87-19-008
50-48-100	AMD	87-13-015	50-52-390	NEW-P	87-10-046	106-116-603	AMD-E	87-19-009
50-52-010	NEW-P	87-10-046	50-52-390	NEW	87-13-030	106-116-603	AMD	87-23-012
50-52-010	NEW	87-13-030	50-52-400	NEW-P	87-10-046	113-12-087	NEW	87-05-064
50-52-020	NEW-P	87-10-046	50-52-400	NEW	87-13-030	113-12-100	AMD-P	87-22-102
50-52-020	NEW	87-13-030	50-52-410	NEW-P	87-10-046	113-12-115	AMD	87-05-064
50-52-030	NEW-P	87-10-046	50-52-410	NEW	87-13-030	113-12-150	AMD-P	87-19-131
50-52-030	NEW	87-13-030	50-52-420	NEW-P	87-10-046	113-12-150	AMD	87-24-064
50-52-040	NEW-P	87-10-046	50-52-420	NEW	87-13-030	113-12-195	AMD	87-05-064
50-52-040	NEW	87-13-030	50-52-430	NEW-P	87-10-046	113-12-195	AMD-P	87-19-131
50-52-050	NEW-P	87-10-046	50-52-430	NEW	87-13-030	113-12-195	AMD	87-24-064
50-52-050	NEW	87-13-030	50-52-440	NEW-P	87-10-046	113-12-197	NEW	87-05-064
50-52-060	NEW-P	87-10-046	50-52-440	NEW	87-13-030	113-12-200	AMD-P	87-19-131
50-52-060	NEW	87-13-030	50-52-450	NEW-P	87-10-046	113-12-200	AMD	87-24-064
50-52-070	NEW-P	87-10-046	50-52-450	NEW	87-13-030	113-12-300	NEW-P	87-19-131
50-52-070	NEW	87-13-030	50-52-460	NEW-P	87-10-046	113-12-300	NEW	87-24-064
50-52-080	NEW-P	87-10-046	50-52-460	NEW	87-13-030	113-12-310	NEW-P	87-19-131
50-52-080	NEW	87-13-030	50-52-470	NEW-P	87-10-046	113-12-310	NEW	87-24-064
50-52-090	NEW-P	87-10-046	50-52-470	NEW	87-13-030	113-12-320	NEW-P	87-19-131
50-52-090	NEW	87-13-030	50-52-480	NEW-P	87-10-046	113-12-320	NEW	87-24-064
50-52-100	NEW-P	87-10-046	50-52-480	NEW	87-13-030	113-12-330	NEW-P	87-19-131
50-52-100	NEW	87-13-030	50-52-490	NEW-P	87-10-046	113-12-330	NEW	87-24-064
50-52-110	NEW-P	87-10-046	50-52-490	NEW	87-13-030	113-12-340	NEW-P	87-19-131
50-52-110	NEW	87-13-030	50-52-500	NEW-P	87-10-046	113-12-340	NEW	87-24-064
50-52-120	NEW-P	87-10-046	50-52-500	NEW	87-13-030	113-12-350	NEW-P	87-19-131
50-52-120	NEW	87-13-030	50-52-510	NEW-P	87-10-046	113-12-350	NEW	87-24-064
50-52-130	NEW-P	87-10-046	50-52-510	NEW	87-13-030	114-12-041	AMD-P	87-19-132
50-52-130	NEW	87-13-030	50-52-520	NEW-P	87-10-046	114-12-041	AMD	87-24-063
50-52-140	NEW-P	87-10-046	50-52-520	NEW	87-13-030	114-12-125	AMD-P	87-19-132
50-52-140	NEW	87-13-030	50-52-530	NEW-P	87-10-046	114-12-125	AMD	87-24-063
50-52-150	NEW-P	87-10-046	50-52-530	NEW	87-13-030	114-12-131	REP-P	87-19-132
50-52-150	NEW	87-13-030	50-52-540	NEW-P	87-10-046	114-12-131	REP	87-24-063
50-52-160	NEW-P	87-10-046	50-52-540	NEW	87-13-030	114-12-132	NEW-P	87-19-132
50-52-160	NEW	87-13-030	50-52-550	NEW-P	87-10-046	114-12-132	NEW	87-24-063
50-52-170	NEW-P	87-10-046	50-52-550	NEW	87-13-030	114-12-136	AMD-P	87-07-046
50-52-170	NEW	87-13-030	50-52-560	NEW-P	87-10-046	114-12-136	AMD	87-10-028
50-52-180	NEW-P	87-10-046	50-52-560	NEW	87-13-030	118-33-010	NEW-E	87-18-026
50-52-180	NEW	87-13-030	50-52-570	NEW-P	87-10-046	118-33-010	NEW-P	87-18-068
50-52-190	NEW-P	87-10-046	50-52-570	NEW	87-13-030	118-33-010	NEW	87-24-005
50-52-190	NEW	87-13-030	50-52-580	NEW-P	87-10-046	118-33-020	NEW-E	87-18-026
50-52-200	NEW-P	87-10-046	50-52-580	NEW	87-13-030	118-33-020	NEW-P	87-18-068
50-52-200	NEW	87-13-030	50-52-590	NEW-P	87-10-046	118-33-020	NEW	87-24-005
50-52-210	NEW-P	87-10-046	50-52-590	NEW	87-13-030	118-33-030	NEW-E	87-18-026
50-52-210	NEW	87-13-030	50-52-600	NEW-P	87-10-046	118-33-030	NEW-P	87-18-068
50-52-220	NEW-P	87-10-046	50-52-600	NEW	87-13-030	118-33-030	NEW	87-24-005
50-52-220	NEW	87-13-030	50-52-610	NEW-P	87-10-046	118-33-040	NEW-E	87-18-026
50-52-230	NEW-P	87-10-046	50-52-610	NEW	87-13-030	118-33-040	NEW-P	87-18-068

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
118-33-040	NEW	87-24-005	132L-10-090	NEW-P	87-08-017	132L-20-110	REP-E	87-14-024
118-33-050	NEW-E	87-18-026	132L-10-100	NEW-E	87-07-031	132L-20-110	REP	87-17-037
118-33-050	NEW-P	87-18-068	132L-10-100	NEW-P	87-08-017	132L-20-120	AMD-E	87-07-048
118-33-050	NEW	87-24-005	132L-10-100	NEW	87-13-026	132L-20-120	AMD-P	87-08-018
118-33-060	NEW-E	87-18-026	132L-10-110	NEW-E	87-07-031	132L-20-120	REP-P	87-14-023
118-33-060	NEW-P	87-18-068	132L-10-110	NEW-P	87-08-017	132L-20-120	REP-E	87-14-024
118-33-060	NEW	87-24-005	132L-10-110	NEW	87-13-026	132L-20-120	REP	87-17-037
118-33-070	NEW-E	87-18-026	132L-10-120	NEW-E	87-07-031	132L-20-135	NEW-P	87-14-023
118-33-070	NEW-P	87-18-068	132L-10-120	NEW-P	87-08-017	132L-20-135	NEW-E	87-14-024
118-33-070	NEW	87-24-005	132L-10-120	NEW	87-13-026	132L-20-135	NEW	87-17-037
118-33-080	NEW-E	87-18-026	132L-10-130	NEW-E	87-07-031	132L-20-140	AMD-E	87-07-048
118-33-080	NEW-P	87-18-068	132L-10-130	NEW-P	87-08-017	132L-20-140	AMD-P	87-08-018
118-33-080	NEW	87-24-005	132L-10-130	NEW	87-13-026	132L-20-140	AMD-P	87-14-023
118-33-090	NEW-E	87-18-026	132L-10-140	NEW-E	87-07-031	132L-20-140	AMD-E	87-14-024
118-33-090	NEW-P	87-18-068	132L-10-140	NEW-P	87-08-017	132L-20-140	AMD	87-17-037
118-33-090	NEW	87-24-005	132L-10-150	NEW-E	87-07-031	132L-20-150	AMD-E	87-07-048
118-33-100	NEW-E	87-18-026	132L-10-150	NEW-P	87-08-017	132L-20-150	AMD-P	87-08-018
118-33-100	NEW-P	87-18-068	132L-10-160	NEW-E	87-07-031	132L-20-150	REP-P	87-14-023
118-33-100	NEW	87-24-005	132L-10-160	NEW-P	87-08-017	132L-20-150	REP-E	87-14-024
118-33-110	NEW-E	87-18-026	132L-20	AMD-E	87-07-048	132L-20-150	REP	87-17-037
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132Q-05-110	AMD 87-16-010	132Q-20-280	REP-P 87-13-070	139-10-230	AMD-P 87-15-094
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172-52-090	REP	87-16-041	172-140-050	REP-P	87-12-022	173-17-050	NEW	87-16-101
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173-160-150	REP-P 87-20-063	173-162-180	REP-P 87-20-063	173-245-010	NEW 87-04-020
173-160-160	REP-P 87-20-063	173-162-190	AMD-P 87-20-063	173-245-015	NEW-C 87-02-050
173-160-170	REP-P 87-20-063	173-164-050	AMD-E 87-19-058	173-245-015	NEW-C 87-04-014
173-160-180	REP-P 87-20-063	173-201	AMD-P 87-13-069	173-245-015	NEW 87-04-020
173-160-190	REP-P 87-20-063	173-201	AMD-C 87-20-083	173-245-020	NEW-C 87-02-050
173-160-200	REP-P 87-20-063	173-201-010	AMD-P 87-13-069	173-245-020	NEW-C 87-04-014
173-160-205	NEW-P 87-20-063	173-201-010	AMD-C 87-20-083	173-245-020	NEW 87-04-020
173-160-210	REP-P 87-20-063	173-201-025	AMD-P 87-13-069	173-245-030	NEW-C 87-02-050
173-160-215	NEW-P 87-20-063	173-201-025	AMD-C 87-20-083	173-245-030	NEW-C 87-04-014
173-160-220	REP-P 87-20-063	173-201-035	AMD-P 87-13-069	173-245-030	NEW 87-04-020
173-160-225	NEW-P 87-20-063	173-201-035	AMD-C 87-20-083	173-245-040	NEW-C 87-02-050
173-160-230	REP-P 87-20-063	173-201-045	AMD-P 87-13-069	173-245-040	NEW-C 87-04-014
173-160-235	NEW-P 87-20-063	173-201-045	AMD-C 87-20-083	173-245-040	NEW 87-04-020
173-160-240	REP-P 87-20-063	173-201-047	NEW-P 87-13-069	173-245-050	NEW-C 87-02-050
173-160-245	NEW-P 87-20-063	173-201-047	NEW-C 87-20-083	173-245-050	NEW-C 87-04-014
173-160-250	REP-P 87-20-063	173-201-070	AMD-P 87-13-069	173-245-050	NEW 87-04-020
173-160-255	NEW-P 87-20-063	173-201-070	AMD-C 87-20-083	173-245-055	NEW-C 87-02-050
173-160-260	REP-P 87-20-063	173-201-080	AMD-P 87-13-069	173-245-055	NEW-C 87-04-014
173-160-265	NEW-P 87-20-063	173-201-080	AMD-C 87-20-083	173-245-055	NEW 87-04-020
173-160-270	REP-P 87-20-063	173-201-090	AMD-P 87-13-069	173-245-060	NEW-C 87-02-050
173-160-275	NEW-P 87-20-063	173-201-090	AMD-C 87-20-083	173-245-060	NEW-C 87-04-014
173-160-280	REP-P 87-20-063	173-201-100	AMD-P 87-13-069	173-245-060	NEW 87-04-020
173-160-285	NEW-P 87-20-063	173-201-100	AMD-C 87-20-083	173-245-070	NEW-C 87-02-050
173-160-290	REP-P 87-20-063	173-202-020	AMD-P 87-10-060	173-245-070	NEW-C 87-04-014
173-160-295	NEW-P 87-20-063	173-202-020	AMD-C 87-19-012	173-245-070	NEW 87-04-020
173-160-300	REP-P 87-20-063	173-202-020	AMD 87-23-017	173-245-075	NEW-C 87-02-050
173-160-305	NEW-P 87-20-063	173-221-010	NEW-P 87-13-068	173-245-075	NEW-C 87-04-014
173-160-310	REP-P 87-20-063	173-221-010	NEW-C 87-20-008	173-245-075	NEW 87-04-020
173-160-315	NEW-P 87-20-063	173-221-010	NEW-C 87-22-053	173-245-080	NEW-C 87-02-050
173-160-320	REP-P 87-20-063	173-221-010	NEW 87-23-020	173-245-080	NEW-C 87-04-014
173-160-325	NEW-P 87-20-063	173-221-020	NEW-P 87-13-068	173-245-080	NEW 87-04-020
173-160-330	REP-P 87-20-063	173-221-020	NEW-C 87-20-008	173-245-084	NEW-C 87-02-050



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173-245-084	NEW	87-04-020	173-303-610	AMD	87-14-029	173-326-020	NEW-P	87-11-028
173-245-090	NEW-C	87-02-050	173-303-620	AMD-P	87-09-078	173-326-020	NEW-E	87-11-029
173-245-090	NEW-C	87-04-014	173-303-620	AMD	87-14-029	173-326-020	NEW	87-14-078
173-245-090	NEW	87-04-020	173-303-650	AMD-P	87-24-099	173-326-030	NEW-E	87-05-032
173-303	AMD-C	87-20-072	173-303-660	AMD-P	87-09-078	173-326-030	NEW-P	87-11-028
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173-303-017	AMD-P	87-09-078	173-303-665	AMD-P	87-18-062	173-326-030	NEW	87-14-078
173-303-017	AMD	87-14-029	173-303-800	AMD-P	87-24-099	173-326-040	NEW-E	87-05-032
173-303-040	AMD-P	87-09-078	173-303-801	AMD-P	87-09-078	173-326-040	NEW-P	87-11-028
173-303-040	AMD	87-14-029	173-303-801	AMD	87-14-029	173-326-040	NEW-E	87-11-029
173-303-045	AMD-P	87-09-078	173-303-802	AMD-P	87-09-078	173-326-040	NEW	87-14-078
173-303-045	AMD	87-14-029	173-303-802	AMD	87-14-029	173-400-105	NEW-P	87-15-114
173-303-060	AMD-P	87-09-078	173-303-802	AMD-P	87-24-099	173-400-105	NEW	87-20-019
173-303-060	AMD	87-14-029	173-303-805	AMD-P	87-09-078	173-403-030	AMD-P	87-15-115
173-303-070	AMD-P	87-09-078	173-303-805	AMD	87-14-029	173-403-030	AMD	87-19-074
173-303-070	AMD	87-14-029	173-303-805	AMD-P	87-24-099	173-405-045	NEW-P	87-22-066
173-303-071	AMD-P	87-09-078	173-303-806	AMD-P	87-09-078	173-405-087	NEW-P	87-22-066
173-303-071	AMD	87-14-029	173-303-806	AMD	87-14-029	173-410-045	NEW-P	87-22-066
173-303-081	AMD-P	87-09-078	173-303-806	AMD-P	87-24-099	173-410-087	NEW-P	87-22-066
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173-303-084	AMD-P	87-09-078	173-303-810	AMD	87-14-029	173-421-010	NEW	87-19-078
173-303-084	AMD	87-14-029	173-303-830	AMD-P	87-09-078	173-421-020	NEW-P	87-15-116
173-303-090	AMD-P	87-09-078	173-303-830	AMD	87-14-029	173-421-020	NEW	87-19-078
173-303-090	AMD	87-14-029	173-303-901	NEW-P	87-24-099	173-421-030	NEW-P	87-15-116
173-303-101	AMD-P	87-09-078	173-303-910	AMD-P	87-18-062	173-421-030	NEW	87-19-078
173-303-101	AMD	87-14-029	173-303-9901	AMD-P	87-09-078	173-421-100	NEW-P	87-15-116
173-303-102	AMD-P	87-09-078	173-303-9901	AMD	87-14-029	173-421-100	NEW	87-19-078
173-303-102	AMD	87-14-029	173-303-9904	AMD-P	87-09-078	173-422-130	AMD	87-02-051
173-303-103	AMD-P	87-09-078	173-303-9904	AMD	87-14-029	173-433-010	NEW-P	87-21-072
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173-303-120	AMD-P	87-24-099	173-303-9906	AMD	87-14-029	173-433-110	NEW-P	87-21-072
173-303-140	AMD-P	87-18-062	173-303-9907	AMD-P	87-09-078	173-433-120	NEW-P	87-21-072
173-303-170	AMD-P	87-09-078	173-303-9907	AMD	87-14-029	173-433-150	NEW-P	87-21-072
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173-303-170	AMD-P	87-18-062	173-304-012	NEW-C	87-04-019	173-434	NEW-C	87-03-045
173-303-201	AMD-P	87-09-078	173-304-012	NEW-W	87-04-037	173-434-010	NEW	87-07-041
173-303-201	AMD	87-14-029	173-304-012	NEW-P	87-04-038	173-434-020	NEW	87-07-041
173-303-220	AMD-P	87-09-078	173-304-012	NEW-W	87-05-035	173-434-030	NEW	87-07-041
173-303-220	AMD	87-14-029	173-304-012	NEW-P	87-05-054	173-434-050	NEW	87-07-041
173-303-230	AMD-P	87-09-078	173-304-012	NEW-C	87-08-060	173-434-100	NEW	87-07-041
173-303-230	AMD	87-14-029	173-304-012	NEW-W	87-11-038	173-434-110	NEW	87-07-041
173-303-240	AMD-P	87-09-078	173-304-012	NEW-P	87-11-039	173-434-120	NEW	87-07-041
173-303-240	AMD	87-14-029	173-304-012	NEW	87-15-049	173-434-130	NEW	87-07-041
173-303-280	AMD-P	87-09-078	173-304-100	AMD-P	87-14-060	173-434-160	NEW	87-07-041
173-303-280	AMD	87-14-029	173-304-100	AMD-W	87-20-069	173-434-170	NEW	87-07-041
173-303-280	AMD-P	87-18-062	173-304-100	AMD-P	87-14-060	173-434-190	NEW	87-07-041
173-303-284	NEW-P	87-24-099	173-304-400	AMD-P	87-20-069	173-434-200	NEW	87-07-041
173-303-285	NEW-P	87-24-099	173-304-400	AMD-W	87-20-069	173-434-210	NEW	87-07-041
173-303-286	NEW-P	87-24-099	173-304-405	AMD-P	87-14-060	173-440-010	NEW-P	87-15-117
173-303-360	AMD-P	87-09-078	173-304-405	AMD-W	87-20-069	173-440-010	NEW	87-19-076
173-303-360	AMD	87-14-029	173-304-407	NEW-P	87-13-067	173-440-020	NEW-P	87-15-117
173-303-400	AMD-P	87-09-078	173-304-407	NEW-P	87-14-060	173-440-020	NEW	87-19-076
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173-303-400	AMD-P	87-18-062	173-304-430	AMD-P	87-14-060	173-440-030	NEW	87-19-076
173-303-420	AMD	87-03-014	173-304-440	AMD-P	87-04-038	173-440-040	NEW-P	87-15-117
173-303-420	AMD-P	87-09-078	173-304-440	AMD-W	87-05-035	173-440-040	NEW	87-19-076
173-303-420	AMD	87-14-029	173-304-440	AMD-P	87-05-054	173-440-100	NEW-P	87-15-117
173-303-420	AMD-P	87-24-099	173-304-440	AMD-C	87-08-060	173-440-100	NEW	87-19-076
173-303-430	AMD-P	87-24-099	173-304-440	AMD-W	87-11-038	173-440-900	NEW-P	87-15-117
173-303-440	AMD-P	87-24-099	173-304-450	AMD-P	87-14-060	173-440-900	NEW	87-19-076
173-303-510	AMD-P	87-24-099	173-304-450	AMD-W	87-20-069	173-450-010	NEW-P	87-15-118
173-303-515	AMD-P	87-09-078	173-304-460	AMD-P	87-14-060	173-450-010	NEW	87-19-077
173-303-515	AMD	87-14-029	173-304-460	AMD-W	87-20-069	173-450-020	NEW-P	87-15-118
173-303-520	AMD-P	87-24-099	173-304-467	NEW-P	87-13-067	173-450-020	NEW	87-19-077
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173-303-550	AMD	87-14-029	173-304-467	NEW-W	87-20-069	173-450-030	NEW	87-19-077
173-303-560	AMD-P	87-09-078	173-304-600	AMD-P	87-14-060	173-450-040	NEW-P	87-15-118
173-303-560	AMD	87-14-029	173-304-600	AMD-W	87-20-069	173-450-040	NEW	87-19-077
173-303-560	AMD-P	87-24-099	173-326-010	NEW-E	87-05-032	173-450-050	NEW-P	87-15-118
173-303-600	AMD-P	87-09-078	173-326-010	NEW-P	87-11-028	173-450-050	NEW	87-19-077
173-303-600	AMD	87-14-029	173-326-010	NEW-E	87-11-029	173-450-060	NEW-P	87-15-118
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173-450-070	NEW	87-19-077	174-107-170	REP-P	87-24-019	174-109-500	REP-E	87-22-003
173-450-080	NEW-P	87-15-118	174-107-180	REP-P	87-24-019	174-112-010	REP-P	87-21-071
173-450-080	NEW	87-19-077	174-107-190	REP-P	87-24-019	174-112-010	REP-E	87-22-003
173-450-090	NEW-P	87-15-118	174-107-200	REP-P	87-24-019	174-112-020	REP-P	87-21-071
173-450-090	NEW	87-19-077	174-107-210	REP-P	87-24-019	174-112-020	REP-E	87-22-003
173-450-100	NEW-P	87-15-118	174-107-220	REP-P	87-24-019	174-112-030	REP-P	87-21-071
173-450-100	NEW	87-19-077	174-107-261	NEW-E	87-03-038	174-112-030	REP-E	87-22-003
173-470-010	NEW-P	87-15-119	174-107-360	REP-P	87-24-019	174-112-070	REP-P	87-21-071
173-470-010	NEW	87-19-080	174-107-370	REP-P	87-24-019	174-112-070	REP-E	87-22-003
173-470-020	NEW-P	87-15-119	174-107-380	REP-P	87-24-019	174-112-080	REP-P	87-21-071
173-470-020	NEW	87-19-080	174-107-400	REP-P	87-24-019	174-112-080	REP-E	87-22-003
173-470-030	NEW-P	87-15-119	174-107-410	REP-P	87-24-019	174-112-090	REP-P	87-21-071
173-470-030	NEW	87-19-080	174-107-420	REP-P	87-24-019	174-112-090	REP-E	87-22-003
173-470-100	NEW-P	87-15-119	174-107-430	REP-P	87-24-019	174-116	AMD-P	87-10-054
173-470-100	NEW	87-19-080	174-107-440	REP-P	87-24-019	174-116	AMD	87-14-020
173-470-110	NEW-P	87-15-119	174-107-450	REP-P	87-24-019	174-116-010	AMD-P	87-10-054
173-470-110	NEW	87-19-080	174-107-460	REP-P	87-24-019	174-116-010	AMD-C	87-13-029
173-470-150	NEW-P	87-15-119	174-107-470	REP-P	87-24-019	174-116-010	AMD	87-14-020
173-470-150	NEW	87-19-080	174-107-500	REP-P	87-24-019	174-116-020	AMD-P	87-10-054
173-470-160	NEW-P	87-15-119	174-107-510	REP-P	87-24-019	174-116-020	AMD-C	87-13-029
173-470-160	NEW	87-19-080	174-107-520	REP-P	87-24-019	174-116-020	AMD	87-14-020
173-474-010	NEW-P	87-15-120	174-107-530	REP-P	87-24-019	174-116-030	AMD-P	87-10-054
173-474-010	NEW	87-20-020	174-107-540	REP-P	87-24-019	174-116-030	AMD-C	87-13-029
173-474-015	NEW	87-20-020	174-107-550	REP-P	87-24-019	174-116-030	AMD	87-14-020
173-474-020	NEW-P	87-15-120	174-108-010	REP-P	87-21-071	174-116-040	AMD-P	87-10-054
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173-474-030	NEW	87-20-020	174-108-020	REP-E	87-22-003	174-116-041	AMD-P	87-10-054
173-474-100	NEW-P	87-15-120	174-108-030	REP-P	87-21-071	174-116-041	AMD-C	87-13-029
173-474-100	NEW	87-20-020	174-108-030	REP-E	87-22-003	174-116-041	AMD	87-14-020
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173-474-150	NEW	87-20-020	174-108-041	REP-E	87-22-003	174-116-042	AMD-C	87-13-029
173-474-160	NEW-P	87-15-120	174-108-051	REP-P	87-21-071	174-116-042	AMD	87-14-020
173-474-160	NEW	87-20-020	174-108-051	REP-E	87-22-003	174-116-043	AMD-P	87-10-054
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173-481-010	NEW	87-19-073	174-108-06001	REP-E	87-22-003	174-116-043	AMD	87-14-020
173-481-020	NEW-P	87-15-121	174-108-06003	REP-P	87-21-071	174-116-044	AMD-P	87-10-054
173-481-020	NEW	87-19-073	174-108-06003	REP-E	87-22-003	174-116-044	AMD-C	87-13-029
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173-481-030	NEW	87-19-073	174-108-06005	REP-E	87-22-003	174-116-045	AMD-P	87-10-054
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173-481-100	NEW	87-19-073	174-108-06007	REP-E	87-22-003	174-116-045	AMD	87-14-020
173-481-110	NEW-P	87-15-121	174-108-06009	REP-P	87-21-071	174-116-050	AMD-P	87-10-054
173-481-110	NEW	87-19-073	174-108-06009	REP-E	87-22-003	174-116-050	AMD-C	87-13-029
173-481-150	NEW-P	87-15-121	174-108-06011	REP-P	87-21-071	174-116-050	AMD	87-14-020
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173-481-160	NEW-P	87-15-121	174-108-07001	REP-P	87-21-071	174-116-070	REP-C	87-13-029
173-481-160	NEW	87-19-073	174-108-07001	REP-E	87-22-003	174-116-070	REP	87-14-020
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174-12-010	REP-E	87-22-003	174-108-08001	REP-E	87-22-003	174-116-071	AMD-C	87-13-029
174-12-020	REP-P	87-21-071	174-109-010	REP-P	87-21-071	174-116-071	AMD	87-14-020
174-12-020	REP-E	87-22-003	174-109-010	REP-E	87-22-003	174-116-072	AMD-P	87-10-054
174-12-030	REP-P	87-21-071	174-109-020	REP-P	87-21-071	174-116-072	AMD-C	87-13-029
174-12-030	REP-E	87-22-003	174-109-020	REP-E	87-22-003	174-116-072	AMD	87-14-020
174-12-040	REP-P	87-21-071	174-109-030	REP-P	87-21-071	174-116-072	AMD-P	87-10-054
174-12-040	REP-E	87-22-003	174-109-030	REP-E	87-22-003	174-116-091	AMD-C	87-13-029
174-12-050	REP-P	87-21-071	174-109-040	REP-P	87-21-071	174-116-091	AMD	87-14-020
174-12-050	REP-E	87-22-003	174-109-040	REP-E	87-22-003	174-116-092	AMD-P	87-10-054
174-12-060	REP-P	87-21-071	174-109-050	REP-P	87-21-071	174-116-092	AMD-C	87-13-029
174-12-060	REP-E	87-22-003	174-109-050	REP-E	87-22-003	174-116-092	AMD	87-14-020
174-12-990	REP-P	87-21-071	174-109-060	REP-P	87-21-071	174-116-119	AMD-P	87-10-054
174-12-990	REP-E	87-22-003	174-109-060	REP-E	87-22-003	174-116-119	AMD-C	87-13-029
174-12-99001	REP-P	87-21-071	174-109-070	REP-P	87-21-071	174-116-121	AMD	87-14-020
174-12-99001	REP-E	87-22-003	174-109-070	REP-E	87-22-003	174-116-121	AMD-C	87-10-054
174-12-99002	REP-P	87-21-071	174-109-080	REP-P	87-21-071	174-116-121	AMD	87-13-029
174-12-99002	REP-E	87-22-003	174-109-080	REP-E	87-22-003	174-116-122	AMD-P	87-10-054
174-104-010	REP-P	87-21-071	174-109-090	REP-P	87-21-071	174-116-122	AMD-C	87-13-029
174-104-010	REP-E	87-22-003	174-109-090	REP-E	87-22-003	174-116-122	AMD	87-14-020
174-104-020	REP-P	87-21-071	174-109-100	REP-P	87-21-071	174-116-123	AMD-P	87-10-054
174-104-020	REP-E	87-22-003	174-109-100	REP-E	87-22-003	174-116-123	AMD-C	87-13-029
174-107-100	REP-P	87-24-019	174-109-200	REP-P	87-21-071	174-116-123	AMD	87-14-020
174-107-110	REP-P	87-24-019	174-109-200	REP-E	87-22-003	174-116-126	AMD-P	87-10-054
174-107-120	REP-P	87-24-019	174-109-300	REP-P	87-21-071	174-116-126	AMD-C	87-13-029
174-107-130	REP-P	87-24-019	174-109-300	REP-E	87-22-003	174-116-126	AMD	87-14-020
174-107-140	REP-P	87-24-019	174-109-400	REP-P	87-21-071	174-116-127	AMD-P	87-10-054
174-107-150	REP-P	87-24-019	174-109-400	REP-E	87-22-003			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
174-116-127	AMD-C	87-13-029	180-24-140	NEW	87-04-059	180-75-085	AMD	87-09-010
174-116-127	AMD	87-14-020	180-24-200	AMD	87-04-059	180-75-085	AMD-P	87-22-106
174-116-190	REP-P	87-10-054	180-24-300	NEW	87-04-059	180-75-086	NEW-P	87-05-048
174-116-190	REP	87-14-020	180-24-305	NEW	87-04-059	180-75-086	NEW	87-09-010
174-116-260	REP-P	87-10-054	180-24-310	NEW	87-04-059	180-75-087	AMD-P	87-05-048
174-116-260	REP	87-14-020	180-24-312	NEW	87-04-059	180-75-087	AMD	87-09-010
174-120-010	NEW-P	87-24-019	180-24-315	NEW	87-04-059	180-75-090	AMD-P	87-22-106
174-120-020	NEW-P	87-24-019	180-24-320	NEW	87-04-059	180-75-091	NEW-P	87-22-106
174-120-030	NEW-P	87-24-019	180-24-325	NEW	87-04-059	180-75-092	NEW-P	87-22-106
174-120-040	NEW-P	87-24-019	180-24-327	NEW	87-04-059	180-75-199	NEW-P	87-05-048
174-120-050	NEW-P	87-24-019	180-24-330	NEW	87-04-059	180-75-199	NEW	87-09-010
174-120-060	NEW-P	87-24-019	180-24-335	NEW	87-04-059	180-78	AMD-P	87-05-049
174-120-070	NEW-P	87-24-019	180-24-340	NEW	87-04-059	180-78	AMD	87-09-011
174-120-080	NEW-P	87-24-019	180-24-345	NEW	87-04-059	180-78	AMD-P	87-22-107
174-124-020	REP-P	87-21-071	180-24-350	NEW	87-04-059	180-78-003	NEW-P	87-05-049
174-124-020	REP-E	87-22-003	180-24-355	NEW	87-04-059	180-78-003	NEW	87-09-011
174-124-030	REP-P	87-21-071	180-24-360	NEW	87-04-059	180-78-005	AMD-P	87-05-049
174-124-030	REP-E	87-22-003	180-24-365	NEW	87-04-059	180-78-005	AMD	87-09-011
174-124-040	REP-P	87-21-071	180-24-370	NEW	87-04-059	180-78-007	NEW-P	87-22-107
174-124-040	REP-E	87-22-003	180-24-375	NEW	87-04-059	180-78-008	NEW-P	87-22-107
174-124-050	REP-P	87-21-071	180-24-380	NEW	87-04-059	180-78-010	AMD-P	87-05-049
174-124-050	REP-E	87-22-003	180-40-235	AMD-P	87-05-047	180-78-010	AMD	87-09-011
174-124-120	REP-P	87-21-071	180-40-235	AMD	87-09-040	180-78-010	AMD-P	87-22-107
174-124-120	REP-E	87-22-003	180-50-310	AMD-P	87-22-104	180-78-025	AMD-P	87-05-049
174-148-010	REP-P	87-21-071	180-51-060	AMD-P	87-22-105	180-78-025	AMD	87-09-011
174-148-010	REP-E	87-22-003	180-51-062	REP-P	87-22-105	180-78-026	NEW-P	87-22-107
174-148-015	REP-P	87-21-071	180-75-005	AMD-P	87-09-052	180-78-027	REP-P	87-22-107
174-148-015	REP-E	87-22-003	180-75-005	AMD	87-12-042	180-78-028	NEW-P	87-22-107
174-148-030	REP-P	87-21-071	180-75-015	AMD-P	87-05-048	180-78-029	NEW-P	87-22-107
174-148-030	REP-E	87-22-003	180-75-015	AMD	87-09-010	180-78-030	REP-P	87-22-107
174-148-040	REP-P	87-21-071	180-75-015	REP-P	87-22-106	180-78-033	NEW-P	87-22-107
174-148-040	REP-E	87-22-003	180-75-018	NEW-P	87-05-048	180-78-035	REP-P	87-22-107
174-148-050	REP-P	87-21-071	180-75-018	NEW	87-09-010	180-78-036	NEW-P	87-22-107
174-148-050	REP-E	87-22-003	180-75-019	NEW-P	87-05-048	180-78-037	NEW-P	87-22-107
174-148-060	REP-P	87-21-071	180-75-019	NEW	87-09-010	180-78-040	REP-P	87-22-107
174-148-060	REP-E	87-22-003	180-75-025	AMD-P	87-05-048	180-78-047	NEW-P	87-22-107
174-148-070	REP-P	87-21-071	180-75-025	AMD	87-09-010	180-78-050	REP-P	87-22-107
174-148-070	REP-E	87-22-003	180-75-026	NEW-P	87-05-048	180-78-055	REP-P	87-22-107
174-148-080	REP-P	87-21-071	180-75-026	NEW	87-09-010	180-78-057	AMD-P	87-22-107
174-148-080	REP-E	87-22-003	180-75-034	NEW-P	87-05-048	180-78-060	AMD-P	87-22-107
174-148-085	REP-P	87-21-071	180-75-034	NEW	87-09-010	180-78-063	NEW-P	87-22-107
174-148-085	REP-E	87-22-003	180-75-035	AMD-P	87-05-048	180-78-065	NEW-P	87-22-107
174-148-090	REP-P	87-21-071	180-75-035	AMD	87-09-010	180-78-068	NEW-P	87-22-107
174-148-090	REP-E	87-22-003	180-75-037	NEW-P	87-05-048	180-78-070	NEW-P	87-22-107
174-148-100	REP-P	87-21-071	180-75-037	NEW	87-09-010	180-78-073	NEW-P	87-22-107
174-148-100	REP-E	87-22-003	180-75-038	NEW-P	87-05-048	180-78-074	NEW-P	87-22-107
174-148-110	REP-P	87-21-071	180-75-038	NEW	87-09-010	180-78-075	NEW-P	87-22-107
174-148-110	REP-E	87-22-003	180-75-039	NEW-P	87-05-048	180-78-080	NEW-P	87-22-107
174-148-120	REP-P	87-21-071	180-75-039	NEW	87-09-010	180-78-085	NEW-P	87-22-107
174-148-120	REP-E	87-22-003	180-75-040	AMD-P	87-05-048	180-78-090	NEW-P	87-22-107
180-16-210	AMD-P	87-09-051	180-75-040	AMD	87-09-010	180-78-095	NEW-P	87-22-107
180-16-210	AMD	87-12-043	180-75-042	NEW-P	87-05-048	180-78-100	NEW-P	87-22-107
180-16-221	AMD-P	87-09-092	180-75-042	NEW	87-09-010	180-78-105	NEW-P	87-22-107
180-16-221	AMD	87-12-040	180-75-043	NEW-P	87-05-048	180-78-110	NEW-P	87-22-107
180-24-003	NEW	87-04-059	180-75-043	NEW	87-09-010	180-78-115	NEW-P	87-22-107
180-24-005	REP	87-04-059	180-75-044	NEW-P	87-05-048	180-78-120	NEW-P	87-22-107
180-24-007	NEW	87-04-059	180-75-044	NEW	87-09-010	180-78-125	NEW-P	87-22-107
180-24-008	NEW	87-04-059	180-75-044	AMD-P	87-22-106	180-78-130	NEW-P	87-22-107
180-24-010	REP	87-04-059	180-75-045	AMD-P	87-22-106	180-78-140	NEW-P	87-22-107
180-24-013	NEW	87-04-059	180-75-065	AMD-P	87-05-048	180-78-145	NEW-P	87-22-107
180-24-015	REP	87-04-059	180-75-065	AMD	87-09-010	180-78-150	NEW-P	87-22-107
180-24-016	NEW	87-04-059	180-75-070	AMD-P	87-05-048	180-78-155	NEW-P	87-22-107
180-24-017	NEW	87-04-059	180-75-070	AMD	87-09-010	180-78-160	NEW-P	87-22-107
180-24-020	REP	87-04-059	180-75-075	AMD-P	87-05-048	180-78-165	NEW-P	87-22-107
180-24-021	NEW	87-04-059	180-75-075	AMD	87-09-010	180-78-170	NEW-P	87-22-107
180-24-025	REP	87-04-059	180-75-075	REP-P	87-22-106	180-78-175	NEW-P	87-22-107
180-24-030	REP	87-04-059	180-75-080	AMD-P	87-05-048	180-78-180	NEW-P	87-22-107
180-24-080	NEW	87-04-059	180-75-080	AMD	87-09-010	180-78-185	NEW-P	87-22-107
180-24-100	REP	87-04-059	180-75-081	NEW-P	87-05-048	180-78-190	NEW-P	87-22-107
180-24-101	NEW	87-04-059	180-75-081	NEW	87-09-010	180-78-191	NEW-P	87-05-049
180-24-102	NEW	87-04-059	180-75-082	NEW-P	87-05-048	180-78-191	NEW	87-09-011
180-24-110	NEW	87-04-059	180-75-082	NEW	87-09-010	180-78-192	NEW-P	87-05-049
180-24-112	NEW	87-04-059	180-75-083	NEW-P	87-05-048	180-78-192	NEW	87-09-011
180-24-115	NEW	87-04-059	180-75-083	NEW	87-09-010	180-78-193	NEW-P	87-05-049
180-24-120	NEW	87-04-059	180-75-084	NEW-P	87-05-048	180-78-193	NEW	87-09-011
180-24-125	NEW	87-04-059	180-75-084	NEW	87-09-010	180-78-193	AMD-P	87-22-107
180-24-130	NEW	87-04-059	180-75-085	AMD-P	87-05-048	180-78-194	NEW-P	87-05-049

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
180-78-194	NEW	87-09-011	180-79-122	NEW-P	87-22-108	180-79-360	NEW-P	87-05-050
180-78-194	AMD-P	87-22-107	180-79-125	AMD-P	87-22-108	180-79-360	NEW	87-09-012
180-78-195	NEW-P	87-05-049	180-79-127	NEW-P	87-22-108	180-79-362	NEW-P	87-05-050
180-78-195	NEW	87-09-011	180-79-130	REP-P	87-22-108	180-79-362	NEW	87-09-012
180-78-197	NEW-P	87-05-049	180-79-131	NEW-P	87-22-108	180-79-364	NEW-P	87-05-050
180-78-197	NEW	87-09-011	180-79-135	REP-P	87-22-108	180-79-364	NEW	87-09-012
180-78-198	NEW-P	87-05-049	180-79-136	NEW-P	87-22-108	180-79-366	NEW-P	87-05-050
180-78-198	NEW	87-09-011	180-79-140	NEW-P	87-22-108	180-79-366	NEW	87-09-012
180-78-199	NEW-P	87-05-049	180-79-150	REP-P	87-22-108	180-79-368	NEW-P	87-05-050
180-78-199	NEW	87-09-011	180-79-155	REP-P	87-22-108	180-79-368	NEW	87-09-012
180-78-199	AMD-P	87-22-107	180-79-160	REP-P	87-22-108	180-79-370	NEW-P	87-05-050
180-78-205	NEW-P	87-22-107	180-79-170	REP-P	87-22-108	180-79-370	NEW	87-09-012
180-78-210	NEW-P	87-22-107	180-79-175	REP-P	87-22-108	180-79-372	NEW-P	87-05-050
180-78-215	NEW-P	87-22-107	180-79-185	REP-P	87-22-108	180-79-372	NEW	87-09-012
180-78-220	NEW-P	87-22-107	180-79-190	REP-P	87-22-108	180-79-374	NEW-P	87-05-050
180-78-225	NEW-P	87-22-107	180-79-195	REP-P	87-22-108	180-79-374	NEW	87-09-012
180-78-230	NEW-P	87-22-107	180-79-200	REP-P	87-22-108	180-79-376	NEW-P	87-05-050
180-78-235	NEW-P	87-22-107	180-79-205	REP-P	87-22-108	180-79-376	NEW	87-09-012
180-78-240	NEW-P	87-22-107	180-79-210	REP-P	87-22-108	180-79-378	NEW-P	87-05-050
180-78-245	NEW-P	87-22-107	180-79-215	REP-P	87-22-108	180-79-378	NEW	87-09-012
180-78-250	NEW-P	87-22-107	180-79-230	AMD-P	87-05-050	180-79-380	NEW-P	87-05-050
180-78-255	NEW-P	87-22-107	180-79-230	AMD	87-09-012	180-79-380	NEW	87-09-012
180-78-260	NEW-P	87-22-107	180-79-230	AMD-P	87-22-108	180-79-382	NEW-P	87-05-050
180-78-265	NEW-P	87-22-107	180-79-245	AMD-P	87-22-108	180-79-382	NEW	87-09-012
180-78-270	NEW-P	87-22-107	180-79-250	REP-P	87-22-108	180-79-384	NEW-P	87-05-050
180-78-275	NEW-P	87-22-107	180-79-300	NEW-P	87-05-050	180-79-384	NEW	87-09-012
180-78-280	NEW-P	87-22-107	180-79-300	NEW	87-09-012	180-79-386	NEW-P	87-05-050
180-78-285	NEW-P	87-22-107	180-79-305	NEW-P	87-05-050	180-79-386	NEW	87-09-012
180-78-290	NEW-P	87-22-107	180-79-305	NEW	87-09-012	180-79-388	NEW-P	87-05-050
180-78-295	NEW-P	87-22-107	180-79-310	NEW-P	87-05-050	180-79-388	NEW	87-09-012
180-78-300	NEW-P	87-22-107	180-79-310	NEW	87-09-012	180-79-390	NEW-P	87-05-050
180-78-305	NEW-P	87-22-107	180-79-312	NEW-P	87-05-050	180-79-390	NEW	87-09-012
180-78-310	NEW-P	87-22-107	180-79-312	NEW	87-09-012	180-79-392	NEW-P	87-05-050
180-78-315	NEW-P	87-22-107	180-79-315	NEW-P	87-05-050	180-79-392	NEW	87-09-012
180-78-320	NEW-P	87-22-107	180-79-315	NEW	87-09-012	180-79-394	NEW-P	87-05-050
180-78-325	NEW-P	87-22-107	180-79-317	NEW-P	87-05-050	180-79-394	NEW	87-09-012
180-79	AMD-P	87-05-050	180-79-317	NEW	87-09-012	180-79-396	NEW-P	87-05-050
180-79	AMD	87-09-012	180-79-320	NEW-P	87-05-050	180-79-396	NEW	87-09-012
180-79-003	NEW-P	87-05-050	180-79-320	NEW	87-09-012	180-79-398	NEW-P	87-05-050
180-79-003	NEW	87-09-012	180-79-322	NEW-P	87-05-050	180-79-398	NEW	87-09-012
180-79-007	NEW-P	87-09-053	180-79-322	NEW	87-09-012	180-80-205	REP-P	87-22-109
180-79-007	NEW	87-12-039	180-79-324	NEW-P	87-05-050	180-80-210	REP-P	87-22-109
180-79-010	AMD-P	87-05-050	180-79-324	NEW	87-09-012	180-80-215	REP-P	87-22-109
180-79-010	AMD	87-09-012	180-79-326	NEW-P	87-05-050	180-80-280	REP-P	87-22-109
180-79-010	AMD-P	87-22-108	180-79-326	NEW	87-09-012	180-80-285	REP-P	87-22-109
180-79-013	REP-P	87-22-108	180-79-328	NEW-P	87-05-050	180-80-290	REP-P	87-22-109
180-79-014	REP-P	87-22-108	180-79-328	NEW	87-09-012	180-80-295	REP-P	87-22-109
180-79-045	AMD-P	87-05-050	180-79-330	NEW-P	87-05-050	180-80-300	REP-P	87-22-109
180-79-045	AMD	87-09-012	180-79-330	NEW	87-09-012	180-80-301	REP-P	87-22-109
180-79-045	AMD-P	87-22-108	180-79-332	NEW-P	87-05-050	180-80-302	REP-P	87-22-109
180-79-049	NEW-P	87-22-108	180-79-332	NEW	87-09-012	180-80-303	REP-P	87-22-109
180-79-060	AMD-P	87-05-050	180-79-334	NEW-P	87-05-050	180-80-312	REP-P	87-22-109
180-79-060	AMD	87-09-012	180-79-334	NEW	87-09-012	180-80-530	REP-P	87-22-109
180-79-060	AMD-P	87-22-108	180-79-336	NEW-P	87-05-050	180-80-705	REP-P	87-22-109
180-79-062	NEW-P	87-22-108	180-79-336	NEW	87-09-012	180-84-015	REP-P	87-22-110
180-79-063	NEW-P	87-22-108	180-79-338	NEW-P	87-05-050	180-84-020	REP-P	87-22-110
180-79-065	AMD-P	87-05-050	180-79-338	NEW	87-09-012	180-84-025	REP-P	87-22-110
180-79-065	AMD	87-09-012	180-79-340	NEW-P	87-05-050	180-84-050	REP-P	87-22-110
180-79-065	AMD-P	87-09-093	180-79-340	NEW	87-09-012	180-84-055	REP-P	87-22-110
180-79-065	AMD	87-13-044	180-79-342	NEW-P	87-05-050	180-84-060	REP-P	87-22-110
180-79-065	AMD-P	87-22-108	180-79-342	NEW	87-09-012	180-84-075	REP-P	87-22-110
180-79-075	AMD-P	87-05-050	180-79-344	NEW-P	87-05-050	180-84-080	REP-P	87-22-110
180-79-075	AMD	87-09-012	180-79-344	NEW	87-09-012	180-84-090	REP-P	87-22-110
180-79-075	AMD-P	87-09-093	180-79-346	NEW-P	87-05-050	180-85-020	AMD-P	87-09-094
180-79-075	AMD	87-13-044	180-79-346	NEW	87-09-012	180-85-020	AMD	87-12-041
180-79-080	AMD-P	87-05-050	180-79-348	NEW-P	87-05-050	180-85-030	AMD-P	87-22-111
180-79-080	AMD	87-09-012	180-79-348	NEW	87-09-012	180-85-045	AMD-P	87-05-051
180-79-080	AMD-P	87-22-108	180-79-350	NEW-P	87-05-050	180-85-045	AMD	87-09-013
180-79-086	AMD-P	87-05-050	180-79-350	NEW	87-09-012	180-85-045	AMD-P	87-22-111
180-79-086	AMD	87-09-012	180-79-352	NEW-P	87-05-050	180-85-085	NEW-P	87-22-111
180-79-086	AMD-P	87-22-108	180-79-352	NEW	87-09-012	180-85-200	AMD-P	87-22-111
180-79-100	REP-P	87-22-108	180-79-354	NEW-P	87-05-050	180-85-202	NEW-P	87-22-111
180-79-115	AMD-P	87-05-050	180-79-354	NEW	87-09-012	180-85-205	AMD-P	87-22-111
180-79-115	AMD	87-09-012	180-79-356	NEW-P	87-05-050	180-85-220	AMD-P	87-05-051
180-79-115	AMD-P	87-22-108	180-79-356	NEW	87-09-012	180-85-220	AMD	87-09-013
180-79-117	NEW-P	87-22-108	180-79-358	NEW-P	87-05-050	180-85-225	AMD-P	87-05-051
180-79-120	AMD-P	87-22-108	180-79-358	NEW	87-09-012	180-85-225	AMD	87-09-013

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-90-125	NEW-P	87-05-052	196-24-070	REP-P	87-08-052	212-51-050	NEW	87-06-044
180-90-125	NEW	87-09-039	196-24-070	REP	87-13-005	220-12-020	AMD-P	87-17-070
180-90-141	NEW-P	87-05-052	196-24-085	AMD-P	87-08-052	220-12-020	AMD	87-23-006
180-90-141	NEW	87-09-039	196-24-085	AMD	87-13-005	220-16-075	AMD-P	87-09-082
180-90-160	AMD-P	87-05-052	196-24-100	NEW-P	87-08-052	220-16-075	AMD-C	87-12-086
180-90-160	AMD	87-09-039	196-24-100	NEW	87-13-005	220-16-075	AMD	87-15-059
182-08-060	AMD-E	87-11-003	196-24-105	NEW-P	87-08-052	220-16-385	REP-P	87-17-070
182-08-060	AMD-E	87-14-004	196-24-105	NEW	87-13-005	220-16-385	REP	87-23-006
182-08-060	AMD-P	87-15-025	196-24-110	NEW-P	87-08-052	220-16-38500A	NEW-E	87-08-034
182-08-060	AMD-E	87-19-013	196-24-110	NEW	87-13-005	220-16-390	REP-P	87-17-070
182-08-060	AMD-C	87-19-031	196-26-010	REP-P	87-07-046	220-16-390	REP	87-23-006
182-08-060	AMD	87-21-069	196-26-010	REP-P	87-13-057	220-16-395	NEW-P	87-03-056
182-12-126	REP-E	87-11-003	196-26-010	REP-E	87-14-088	220-16-395	NEW	87-09-066
182-12-126	REP-E	87-14-004	196-26-010	REP	87-18-031	220-16-40000A	NEW-E	87-19-015
182-12-126	REP-P	87-15-025	196-26-020	NEW-P	87-07-046	220-20-018	NEW-P	87-13-010
182-12-126	REP-E	87-19-013	196-26-020	NEW-P	87-13-057	220-20-018	NEW-W	87-14-032
182-12-126	REP-C	87-19-031	196-26-020	NEW-E	87-14-088	220-20-02000U	REP-E	87-15-015
182-12-126	REP	87-21-069	196-26-020	NEW	87-18-031	220-20-02000V	NEW-E	87-15-015
182-12-127	NEW-E	87-11-003	196-27-020	AMD-P	87-08-052	220-20-02000V	REP-E	87-15-060
182-12-127	NEW-E	87-14-004	196-27-020	AMD	87-13-005	220-20-050	NEW-P	87-13-010
182-12-127	NEW-P	87-15-025	204-08-010	AMD-P	87-13-034	220-20-050	NEW-P	87-17-069
182-12-127	NEW-E	87-19-013	204-08-010	AMD	87-16-032	220-20-050	NEW	87-21-018
182-12-127	NEW-C	87-19-031	204-08-020	AMD-P	87-24-095	220-20-055	NEW-P	87-13-010
182-12-127	NEW	87-21-069	204-08-030	AMD-P	87-24-095	220-20-055	NEW-P	87-17-069
182-12-210	AMD-E	87-04-016	204-08-040	AMD-P	87-24-095	220-20-055	NEW	87-21-018
182-12-210	AMD-P	87-04-039	204-08-050	AMD-P	87-24-095	220-22-030	AMD-P	87-09-082
182-12-210	AMD	87-07-034	204-41-035	NEW-P	87-18-021	220-22-030	AMD-C	87-12-086
192-09-064	NEW-E	87-15-026	204-41-035	NEW-W	87-20-055	220-22-030	AMD	87-15-059
192-12-005	NEW-P	87-08-049	204-50-010	NEW-P	87-22-058	220-24-02000A	NEW-E	87-18-045
192-12-005	NEW	87-12-021	204-50-020	NEW-P	87-22-058	220-24-02000S	NEW-E	87-10-003
192-12-011	NEW-P	87-08-049	204-50-030	NEW-P	87-22-058	220-24-02000S	REP-E	87-11-006
192-12-011	NEW	87-12-021	204-50-040	NEW-P	87-22-058	220-24-02000T	NEW-E	87-11-006
192-12-012	NEW-P	87-08-049	204-50-050	NEW-P	87-22-058	220-24-02000T	REP-E	87-11-023
192-12-012	NEW	87-12-021	204-50-060	NEW-P	87-22-058	220-24-02000U	NEW-E	87-11-023
192-12-042	AMD-P	87-16-052	204-50-070	NEW-P	87-22-058	220-24-02000U	REP-E	87-15-060
192-12-042	AMD	87-21-002	204-50-080	NEW-P	87-22-058	220-24-02000V	NEW-E	87-15-060
192-12-115	AMD-P	87-19-144	204-50-090	NEW-P	87-22-058	220-24-02000V	REP-E	87-15-097
192-12-115	AMD-E	87-19-145	204-50-110	NEW-P	87-22-058	220-24-02000W	NEW-E	87-15-097
192-12-115	AMD	87-23-002	204-50-120	NEW-P	87-22-058	220-24-02000W	REP-E	87-16-017
192-12-141	AMD-P	87-08-049	204-50-130	NEW-P	87-22-058	220-24-02000X	NEW-E	87-16-017
192-12-141	AMD	87-12-021	204-65-010	NEW	87-04-065	220-24-02000X	REP-E	87-16-049
192-12-158	NEW	87-03-006	204-65-020	NEW	87-04-065	220-24-02000Y	NEW-E	87-16-049
192-23	AMD-P	87-08-049	204-65-030	NEW	87-04-065	220-24-02000Y	REP-E	87-17-005
192-23	AMD	87-12-021	204-65-040	NEW	87-04-065	220-24-02000Z	NEW-E	87-17-005
192-23-011	AMD-P	87-08-049	204-65-050	NEW	87-04-065	220-24-02000Z	REP-E	87-18-045
192-23-011	AMD	87-12-021	204-65-060	NEW	87-04-065	220-28-01000B	NEW-E	87-20-032
192-23-012	AMD-P	87-08-049	204-76-99001	AMD-P	87-15-078	220-28-01000B	REP-E	87-22-039
192-23-012	AMD	87-12-021	204-76-99002	AMD-P	87-15-078	220-28-01000C	NEW-E	87-21-060
192-23-014	AMD-P	87-08-049	204-76-99005	NEW-P	87-15-078	220-28-01000C	REP-E	87-22-039
192-23-014	AMD	87-12-021	204-90-030	AMD-P	87-15-077	220-28-01000D	NEW-E	87-22-039
192-23-015	AMD-W	87-08-049	204-91-050	AMD-P	87-13-048	220-28-624	REP-E	87-03-008
192-23-016	AMD-P	87-08-049	204-91-050	AMD	87-16-033	220-28-625	NEW-E	87-03-008
192-23-016	AMD	87-12-021	204-91-060	AMD-P	87-13-048	220-28-625	REP-E	87-05-002
192-23-018	NEW-P	87-08-049	204-91-060	AMD	87-16-033	220-28-700	NEW-E	87-20-018
192-23-018	NEW	87-12-021	212-32-015	AMD-P	87-14-075	220-28-700	REP-E	87-21-059
192-23-051	AMD-P	87-08-049	212-32-015	AMD	87-18-067	220-28-701	NEW-E	87-21-059
192-23-051	AMD	87-12-021	212-51-001	NEW-P	87-03-053	220-28-701	REP-E	87-21-067
192-23-800	AMD-P	87-08-049	212-51-001	NEW	87-06-044	220-28-702	NEW-E	87-21-067
192-23-800	AMD	87-12-021	212-51-005	NEW-P	87-03-053	220-28-702	REP-E	87-22-038
192-23-810	AMD-P	87-08-049	212-51-005	NEW	87-06-044	220-28-703	NEW-E	87-22-038
192-23-810	AMD	87-12-021	212-51-010	NEW-P	87-03-053	220-32-02000C	NEW-E	87-14-005
196-08-085	REP-P	87-08-052	212-51-010	NEW	87-06-044	220-32-02200S	NEW-E	87-04-013
196-08-085	REP	87-13-005	212-51-015	NEW-P	87-03-053	220-32-03000E	NEW-E	87-05-037
196-12-010	AMD-P	87-08-052	212-51-015	NEW	87-06-044	220-32-03000E	REP-E	87-06-037
196-12-010	AMD	87-13-005	212-51-020	NEW-P	87-03-053	220-32-03000F	NEW-E	87-14-005
196-12-020	AMD-P	87-08-052	212-51-020	NEW	87-06-044	220-32-03000F	REP-E	87-14-018
196-12-020	AMD	87-13-005	212-51-025	NEW-P	87-03-053	220-32-03000G	NEW-E	87-14-018
196-16-007	AMD-P	87-08-052	212-51-025	NEW	87-06-044	220-32-03000G	REP-E	87-14-033
196-16-007	AMD	87-13-005	212-51-030	NEW-P	87-03-053	220-32-03000H	NEW-E	87-14-033
196-16-010	AMD-P	87-08-052	212-51-030	NEW	87-06-044	220-32-03000H	REP-E	87-17-011
196-16-010	AMD	87-13-005	212-51-035	NEW-P	87-03-053	220-32-03000I	NEW-E	87-17-011
196-20-020	AMD-P	87-08-052	212-51-035	NEW	87-06-044	220-32-03000I	REP-E	87-19-040
196-20-020	AMD	87-13-005	212-51-040	NEW-P	87-03-053	220-32-03000J	NEW-E	87-19-040
196-20-030	AMD-P	87-08-052	212-51-040	NEW	87-06-044	220-32-03000J	REP-E	87-19-116
196-20-030	AMD	87-13-005	212-51-045	NEW-P	87-03-053	220-32-03000K	NEW-E	87-19-116
196-24-050	AMD-P	87-08-052	212-51-045	NEW	87-06-044	220-32-03000K	REP-E	87-21-020
196-24-050	AMD	87-13-005	212-51-050	NEW-P	87-03-053	220-32-03000L	NEW-E	87-21-020

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-32-03000L	REP-E	87-21-061	220-40-02100D	REP-E	87-22-008	220-47-50101	REP	87-15-059
220-32-03000M	NEW-E	87-21-061	220-40-02100E	NEW-E	87-22-040	220-47-50201	REP-P	87-09-082
220-32-04100J	NEW-E	87-11-059	220-40-02100F	REP-E	87-22-062	220-47-50201	REP-C	87-12-086
220-32-05100H	NEW-E	87-05-037	220-40-02100G	NEW-E	87-15-005	220-47-50201	REP	87-15-059
220-32-05100I	NEW-E	87-14-008	220-40-02100H	REP-E	87-17-007	220-47-503	REP-P	87-09-082
220-32-05100J	REP-E	87-14-025	220-40-02100I	NEW-E	87-19-039	220-47-503	REP-C	87-12-086
220-32-05100J	NEW-E	87-14-025	220-40-02100J	REP-E	87-19-114	220-47-503	REP	87-15-059
220-32-05100K	REP-E	87-14-033	220-40-02100K	NEW-E	87-17-007	220-47-800	NEW-E	87-16-006
220-32-05100K	NEW-E	87-14-033	220-40-02100L	REP-E	87-17-029	220-47-800	REP-E	87-16-056
220-32-05100K	REP-E	87-15-007	220-40-02100M	NEW-E	87-17-029	220-47-801	NEW-E	87-16-056
220-32-05100L	NEW-E	87-15-007	220-40-02100N	REP-E	87-19-114	220-47-801	REP-E	87-17-010
220-32-05100L	REP-E	87-15-071	220-40-02100O	NEW-E	87-19-114	220-47-802	NEW-E	87-17-010
220-32-05100M	NEW-E	87-15-071	220-40-02100P	REP-E	87-19-136	220-47-802	REP-E	87-17-038
220-32-05100M	REP-E	87-17-011	220-40-02100Q	NEW-E	87-19-136	220-47-803	NEW-E	87-17-038
220-32-05100N	NEW-E	87-17-011	220-40-02100R	REP-E	87-20-006	220-47-803	REP-E	87-18-008
220-32-05100N	REP-E	87-17-030	220-40-022	AMD-P	87-15-131	220-47-804	NEW-E	87-18-008
220-32-05100P	NEW-E	87-17-030	220-40-022	AMD	87-21-041	220-47-804	REP-E	87-18-044
220-32-05100P	REP-E	87-19-004	220-40-024	AMD-P	87-15-131	220-47-805	NEW-E	87-18-044
220-32-05100Q	NEW-E	87-19-004	220-40-024	AMD	87-21-041	220-47-805	REP-E	87-18-058
220-32-05100Q	REP-E	87-19-040	220-44-050	AMD-P	87-04-070	220-47-806	NEW-E	87-18-058
220-32-05100R	NEW-E	87-19-040	220-44-050	AMD	87-07-042	220-47-806	REP-E	87-19-006
220-32-05100R	REP-E	87-19-061	220-44-05000D	NEW-E	87-09-016	220-47-807	NEW-E	87-19-006
220-32-05100S	NEW-E	87-19-061	220-44-05000E	REP-E	87-09-030	220-47-807	REP-E	87-19-016
220-32-05100S	REP-E	87-21-019	220-44-05000F	NEW-E	87-09-030	220-47-808	NEW-E	87-19-016
220-32-05100T	NEW-E	87-19-119	220-44-05000G	REP-E	87-09-083	220-47-808	REP-E	87-19-028
220-32-05100T	REP-E	87-20-017	220-44-05000H	NEW-E	87-09-083	220-47-809	NEW-E	87-19-028
220-32-05100U	NEW-E	87-20-017	220-44-05000I	REP-E	87-15-096	220-47-809	REP-E	87-19-038
220-32-05100U	REP-E	87-21-019	220-44-05000J	NEW-E	87-15-096	220-47-810	NEW-E	87-19-038
220-32-05100V	NEW-E	87-20-059	220-44-05000K	REP-E	87-20-010	220-47-810	REP-E	87-19-115
220-32-05100V	REP-E	87-22-008	220-44-05000L	NEW-E	87-20-010	220-47-811	NEW-E	87-19-115
220-32-05100W	NEW-E	87-21-019	220-44-05000M	REP-E	87-21-043	220-47-811	REP-E	87-19-137
220-32-05100W	REP-E	87-21-030	220-44-05000N	NEW-E	87-21-043	220-47-812	NEW-E	87-19-137
220-32-05100X	NEW-E	87-21-021	220-44-05000O	REP-E	87-22-061	220-47-812	REP-E	87-20-007
220-32-05100Y	NEW-E	87-21-030	220-44-05000P	NEW-E	87-22-061	220-47-813	NEW-E	87-20-007
220-32-05500T	NEW-E	87-11-033	220-44-05000Q	REP-E	87-24-033	220-47-813	REP-E	87-20-058
220-32-05900K	NEW-E	87-09-065	220-44-05000R	NEW-E	87-24-033	220-47-814	NEW-E	87-20-058
220-32-05900L	NEW-E	87-09-084	220-44-060	REP	87-04-003	220-47-814	REP-E	87-20-073
220-32-05900M	NEW-E	87-13-011	220-44-070	REP	87-04-003	220-47-815	NEW-E	87-20-073
220-32-05900N	NEW-E	87-15-071	220-44-09000A	NEW-E	87-14-048	220-47-815	REP-E	87-21-003
220-36-021	AMD-P	87-15-131	220-44-09000B	NEW-E	87-15-046	220-47-816	NEW-E	87-21-003
220-36-021	AMD	87-21-041	220-44-09000C	REP-E	87-20-030	220-47-816	REP-E	87-21-024
220-36-02100J	NEW-E	87-15-005	220-44-09000C	NEW-E	87-20-030	220-47-817	NEW-E	87-21-024
220-36-02100J	REP-E	87-15-062	220-47-301	AMD-P	87-09-082	220-47-817	REP-E	87-21-045
220-36-02100K	NEW-E	87-15-062	220-47-301	AMD-C	87-12-086	220-47-818	NEW-E	87-21-045
220-36-02100K	REP-E	87-15-130	220-47-301	AMD	87-15-059	220-47-818	REP-E	87-21-058
220-36-02100L	NEW-E	87-15-130	220-47-311	AMD-P	87-09-082	220-47-819	NEW-E	87-21-058
220-36-02100L	REP-E	87-16-051	220-47-311	AMD-C	87-12-086	220-47-819	REP-E	87-22-007
220-36-02100M	NEW-E	87-16-051	220-47-311	AMD	87-15-059	220-47-820	NEW-E	87-22-007
220-36-02100M	REP-E	87-17-007	220-47-312	AMD-P	87-09-082	220-47-820	REP-E	87-22-037
220-36-02100N	NEW-E	87-17-007	220-47-312	AMD-C	87-12-086	220-47-821	NEW-E	87-22-037
220-36-02100N	REP-E	87-21-025	220-47-312	AMD	87-15-059	220-47-821	REP-E	87-23-009
220-36-02100P	NEW-E	87-21-025	220-47-313	AMD-P	87-09-082	220-47-822	NEW-E	87-23-009
220-36-02100P	REP-E	87-21-033	220-47-313	AMD-C	87-12-086	220-47-822	REP-E	87-23-021
220-36-02100Q	NEW-E	87-21-033	220-47-313	AMD	87-15-059	220-47-823	NEW-E	87-23-021
220-36-02100Q	REP-E	87-22-008	220-47-401	AMD-P	87-09-082	220-47-823	REP-E	87-23-035
220-36-02100R	NEW-E	87-22-008	220-47-401	AMD-C	87-12-086	220-47-824	NEW-E	87-23-035
220-36-02100R	REP-E	87-22-051	220-47-401	AMD	87-15-059	220-47-824	REP-E	87-23-047
220-36-02100S	NEW-E	87-22-051	220-47-402	AMD-P	87-09-082	220-47-825	NEW-E	87-23-047
220-36-022	AMD-P	87-15-131	220-47-402	AMD-C	87-12-086	220-47-825	REP-E	87-24-012
220-36-022	AMD	87-21-041	220-47-402	AMD	87-15-059	220-47-826	NEW-E	87-24-012
220-36-024	AMD-P	87-15-131	220-47-403	AMD-P	87-09-082	220-47-826	REP-E	87-24-043
220-36-024	AMD	87-21-041	220-47-403	AMD-C	87-12-086	220-47-827	NEW-E	87-24-043
220-36-02500A	NEW-E	87-13-035	220-47-403	AMD	87-15-059	220-47-827	REP-E	87-24-102
220-36-02500B	NEW-E	87-24-003	220-47-411	AMD-P	87-09-082	220-47-828	NEW-E	87-24-102
220-36-02500Y	NEW-E	87-10-031	220-47-411	AMD-C	87-12-086	220-48-011	AMD	87-04-003
220-36-02500Y	REP-E	87-12-004	220-47-411	AMD	87-15-059	220-48-015	AMD	87-04-003
220-36-02500Z	NEW-E	87-12-004	220-47-412	AMD-P	87-09-082	220-48-01500W	NEW-E	87-04-028
220-36-02500Z	REP-E	87-12-062	220-47-412	AMD-C	87-12-086	220-48-01500X	NEW-E	87-05-002
220-40-021	AMD-P	87-15-131	220-47-412	AMD	87-15-059	220-48-01500Y	REP-E	87-07-007
220-40-021	AMD	87-21-041	220-47-413	AMD-P	87-09-082	220-48-01500Y	NEW-E	87-07-007
220-40-02100A	NEW-E	87-20-006	220-47-413	AMD-C	87-12-086	220-48-01500Z	REP-E	87-08-010
220-40-02100A	REP-E	87-20-011	220-47-413	AMD	87-15-059	220-48-01500Z	NEW-E	87-08-010
220-40-02100B	NEW-E	87-20-011	220-47-414	AMD-P	87-09-082	220-48-017	AMD	87-04-003
220-40-02100B	REP-E	87-20-034	220-47-414	AMD-C	87-12-086	220-48-01700A	NEW-E	87-20-047
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220-40-02100C	REP-E	87-21-042	220-47-50101	REP-P	87-09-082	220-48-026	AMD	87-04-003
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222-34-030	AMD-P 87-10-018	230-40-401	NEW-C 87-17-053	232-28-61614	NEW-E 87-23-046
222-34-030	AMD 87-23-034	232-12-014	AMD-P 87-24-092	232-28-61615	NEW-E 87-24-053
222-34-040	AMD-P 87-10-018	232-12-024	AMD-P 87-08-066	232-28-61616	NEW-E 87-24-054
222-34-040	AMD 87-23-034	232-12-024	AMD-W 87-12-072	232-28-617	NEW-P 87-18-078
222-38-020	AMD-P 87-10-018	232-12-027	NEW-P 87-14-083	232-28-708	REP 87-06-027
222-38-020	AMD 87-23-036	232-12-067	NEW 87-18-017	232-28-709	NEW 87-06-027
230-02-240	NEW-P 87-06-013	232-12-131	AMD-P 87-08-067	232-28-709	REP-P 87-24-094
230-02-245	NEW-P 87-06-013	232-12-131	AMD 87-12-034	232-28-710	NEW-P 87-24-094
230-02-350	AMD-P 87-03-024	232-12-136	NEW-P 87-08-068	232-28-70901	NEW-E 87-06-029
230-02-350	AMD 87-07-038	232-12-136	NEW-W 87-12-073	232-28-808	REP-P 87-05-031
230-04-020	AMD-P 87-06-008	232-12-141	AMD-P 87-12-074	232-28-808	REP 87-12-080
230-04-020	AMD 87-09-043	232-12-141	AMD 87-15-082	232-28-809	NEW-P 87-05-031
230-04-020	AMD 87-10-017	232-12-154	AMD-P 87-18-078	232-28-809	NEW 87-12-080
230-04-020	AMD-P 87-15-050	232-12-169	NEW-P 87-05-030	240-10-030	AMD-P 87-13-052
230-04-020	AMD-E 87-15-053	232-12-169	NEW 87-09-026	240-10-030	AMD 87-18-003
230-04-020	AMD 87-21-015	232-12-181	AMD-P 87-12-075	240-10-040	AMD-P 87-13-052
230-04-123	AMD-P 87-06-008	232-12-181	AMD-W 87-15-080	240-10-040	AMD 87-18-003
230-04-123	AMD 87-09-043	232-12-182	NEW-P 87-18-075	240-10-057	NEW-P 87-13-052
230-04-140	AMD-P 87-06-008	232-12-182	NEW 87-21-028	240-10-057	NEW 87-18-003
230-04-140	AMD 87-09-043	232-12-274	REP-P 87-14-081	248-14-080	AMD 87-03-018
230-04-145	AMD-P 87-03-024	232-12-274	REP-P 87-24-093	248-14-090	AMD 87-03-018
230-04-145	AMD-P 87-06-008	232-12-275	NEW-P 87-14-084	248-15-020	AMD-P 87-16-085
230-04-145	AMD 87-07-038	232-12-275	NEW-W 87-17-032	248-15-020	AMD 87-19-025
230-04-145	AMD 87-09-043	232-12-276	NEW-P 87-14-081	248-15-025	NEW-P 87-16-085
230-04-145	AMD-P 87-11-016	232-12-276	NEW-W 87-17-031	248-15-025	NEW 87-19-025
230-04-145	AMD 87-15-052	232-12-276	NEW-P 87-24-093	248-18-031	AMD 87-03-020
230-04-190	AMD-P 87-15-050	232-14-010	AMD-P 87-08-070	248-18-300	AMD-P 87-20-078
230-04-190	AMD-E 87-15-053	232-14-010	AMD 87-15-085	248-18-300	AMD 87-23-056
230-04-190	AMD 87-21-015	232-28-109	REP-P 87-12-076	248-18-312	NEW 87-03-030
230-04-201	AMD-P 87-03-024	232-28-109	REP 87-15-083	248-18-320	REP 87-03-030
230-04-201	AMD-C 87-07-037	232-28-110	NEW-P 87-12-076	248-18-321	NEW 87-03-030
230-04-201	AMD-P 87-15-050	232-28-110	NEW 87-15-083	248-18-660	AMD-P 87-20-078
230-04-201	AMD-E 87-15-053	232-28-212	REP-P 87-08-069	248-18-660	AMD 87-23-056
230-04-201	AMD 87-21-015	232-28-212	REP 87-14-031	248-18-662	NEW 87-03-030
230-04-900	REP-P 87-15-050	232-28-213	NEW-P 87-08-069	248-18-663	NEW 87-03-030
230-04-900	REP 87-21-015	232-28-213	NEW 87-14-031	248-18-99902	AMD 87-04-061
230-08-010	AMD-P 87-13-047	232-28-21301	NEW-E 87-17-033	248-18-99910	NEW-P 87-20-078
230-08-010	AMD 87-17-052	232-28-21301	NEW-P 87-18-077	248-18-99910	NEW 87-24-038
230-08-170	AMD-P 87-11-011	232-28-21301	NEW 87-21-066	248-19-230	AMD-P 87-06-048
230-08-170	AMD-P 87-13-047	232-28-21302	NEW-E 87-17-034	248-19-270	AMD 87-10-023
230-08-170	AMD 87-17-052	232-28-21303	NEW-E 87-21-097	248-19-270	AMD-P 87-06-048
230-12-200	AMD-P 87-15-050	232-28-214	NEW-P 87-12-077	248-19-270	AMD 87-10-023
230-12-305	NEW-P 87-06-008	232-28-214	NEW-E 87-13-050	248-19-327	AMD-P 87-06-048
230-12-305	NEW 87-09-043	232-28-214	NEW 87-15-081	248-19-327	AMD 87-10-023
230-20-064	AMD-P 87-03-024	232-28-215	NEW-P 87-12-078	248-19-328	NEW-P 87-06-048
230-20-064	AMD-C 87-07-037	232-28-215	NEW-W 87-14-079	248-19-328	NEW 87-10-023
230-20-064	AMD-P 87-09-041	232-28-215	NEW-P 87-14-080	248-19-328	AMD-P 87-24-080
230-20-064	AMD-E 87-09-042	232-28-215	NEW 87-21-095	248-19-373	AMD-P 87-24-080
230-20-064	AMD 87-13-045	232-28-216	NEW-P 87-18-076	248-54-005	AMD-P 87-24-037
230-20-380	AMD-P 87-03-024	232-28-216	NEW 87-21-096	248-54-015	AMD-P 87-24-037
230-20-380	AMD 87-07-038	232-28-410	REP-P 87-14-082	248-54-025	AMD-P 87-24-037
230-20-380	AMD-P 87-11-011	232-28-410	REP 87-18-024	248-54-035	AMD-P 87-24-037
230-20-380	AMD-C 87-15-051	232-28-411	NEW-P 87-14-082	248-54-045	AMD-P 87-24-037
230-20-380	AMD-C 87-21-035	232-28-411	NEW 87-18-024	248-54-055	AMD-P 87-24-037
230-20-380	AMD-C 87-24-017	232-28-509	REP-P 87-12-079	248-54-056	NEW-P 87-24-037
230-30-050	AMD-P 87-11-011	232-28-509	REP 87-18-016	248-54-065	AMD-P 87-24-037
230-30-050	AMD-P 87-13-047	232-28-510	NEW-P 87-12-079	248-54-085	REP-P 87-24-037
230-30-055	NEW-P 87-19-055	232-28-510	NEW 87-18-016	248-54-086	NEW-P 87-24-037
230-30-055	NEW 87-24-016	232-28-61519	NEW-E 87-03-042	248-54-095	REP-P 87-24-037
230-30-060	AMD 87-03-023	232-28-616	REP-P 87-18-078	248-54-096	NEW-P 87-24-037
230-30-070	AMD 87-03-023	232-28-61601	NEW-E 87-02-046	248-54-097	NEW-P 87-24-037
230-30-070	AMD-P 87-11-011	232-28-61602	NEW-E 87-06-028	248-54-105	AMD-P 87-24-037
230-30-070	AMD-P 87-13-047	232-28-61603	NEW-E 87-08-039	248-54-115	REP-P 87-24-037
230-30-070	AMD 87-17-052	232-28-61604	NEW-E 87-13-049	248-54-125	AMD-P 87-24-037
230-30-075	AMD-P 87-11-011	232-28-61605	NEW-E 87-16-062	248-54-131	NEW-P 87-24-037
230-30-075	AMD-P 87-13-047	232-28-61605	REP-E 87-20-012	248-54-135	AMD-P 87-24-037
230-30-075	AMD-C 87-17-053	232-28-61606	NEW-E 87-18-049	248-54-145	AMD-P 87-24-037



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-54-155	AMD-P	87-24-037	248-100-060	REP-P	87-07-039	248-100-225	REP	87-11-047
248-54-165	AMD-P	87-24-037	248-100-060	REP	87-11-047	248-100-226	NEW-P	87-07-039
248-54-175	AMD-P	87-24-037	248-100-065	REP-P	87-07-039	248-100-226	NEW	87-11-047
248-54-185	AMD-P	87-24-037	248-100-065	REP	87-11-047	248-100-230	REP-P	87-07-039
248-54-194	NEW-P	87-24-037	248-100-070	REP-P	87-07-039	248-100-230	REP	87-11-047
248-54-195	REP-P	87-24-037	248-100-070	REP	87-11-047	248-100-231	NEW-P	87-07-039
248-54-196	NEW-P	87-24-037	248-100-071	NEW-P	87-07-039	248-100-231	NEW	87-11-047
248-54-201	NEW-P	87-24-037	248-100-071	NEW	87-11-047	248-100-235	REP-P	87-07-039
248-54-205	AMD-P	87-24-037	248-100-075	REP-P	87-07-039	248-100-235	REP	87-11-047
248-54-215	AMD-P	87-24-037	248-100-075	REP	87-11-047	248-100-236	NEW-P	87-07-039
248-54-225	AMD-P	87-24-037	248-100-076	NEW-P	87-07-039	248-100-236	NEW	87-11-047
248-54-235	AMD-P	87-24-037	248-100-076	NEW	87-11-047	248-100-240	REP-P	87-07-039
248-54-255	AMD-P	87-24-037	248-100-080	REP-P	87-07-039	248-100-240	REP	87-11-047
248-54-265	AMD-P	87-24-037	248-100-080	REP	87-11-047	248-100-241	NEW-P	87-07-039
248-54-275	REP-P	87-24-037	248-100-081	NEW-P	87-07-039	248-100-241	NEW	87-11-047
248-54-285	AMD-P	87-24-037	248-100-081	NEW	87-11-047	248-100-246	REP-P	87-07-039
248-54-291	NEW-P	87-24-037	248-100-085	REP-P	87-07-039	248-100-246	REP	87-11-047
248-86-010	AMD-P	87-16-087	248-100-085	REP	87-11-047	248-100-249	REP-P	87-07-039
248-86-010	AMD	87-19-069	248-100-086	NEW-P	87-07-039	248-100-249	REP	87-11-047
248-97-010	NEW-P	87-12-088	248-100-086	NEW	87-11-047	248-100-250	REP-P	87-07-039
248-97-020	NEW-P	87-12-088	248-100-090	REP-P	87-07-039	248-100-250	REP	87-11-047
248-97-030	NEW-P	87-12-088	248-100-090	REP	87-11-047	248-100-255	REP-P	87-07-039
248-97-040	NEW-P	87-12-088	248-100-091	NEW-P	87-07-039	248-100-255	REP	87-11-047
248-97-050	NEW-P	87-12-088	248-100-091	NEW	87-11-047	248-100-260	REP-P	87-07-039
248-97-060	NEW-P	87-12-088	248-100-095	REP-P	87-07-039	248-100-260	REP	87-11-047
248-97-070	NEW-P	87-12-088	248-100-095	REP	87-11-047	248-100-265	REP-P	87-07-039
248-97-080	NEW-P	87-12-088	248-100-100	REP-P	87-07-039	248-100-265	REP	87-11-047
248-97-090	NEW-P	87-12-088	248-100-100	REP	87-11-047	248-100-270	REP-P	87-07-039
248-97-100	NEW-P	87-12-088	248-100-105	REP-P	87-07-039	248-100-270	REP	87-11-047
248-97-110	NEW-P	87-12-088	248-100-105	REP	87-11-047	248-100-275	REP-P	87-07-039
248-97-120	NEW-P	87-12-088	248-100-110	REP-P	87-07-039	248-100-275	REP	87-11-047
248-97-130	NEW-P	87-12-088	248-100-110	REP	87-11-047	248-100-280	REP-P	87-07-039
248-97-140	NEW-P	87-12-088	248-100-115	REP-P	87-07-039	248-100-280	REP	87-11-047
248-97-150	NEW-P	87-12-088	248-100-115	REP	87-11-047	248-100-285	REP-P	87-07-039
248-97-160	NEW-P	87-12-088	248-100-120	REP-P	87-07-039	248-100-285	REP	87-11-047
248-97-170	NEW-P	87-12-088	248-100-120	REP	87-11-047	248-100-290	REP-P	87-07-039
248-97-180	NEW-P	87-12-088	248-100-125	REP-P	87-07-039	248-100-290	REP	87-11-047
248-100-001	REP-P	87-07-039	248-100-125	REP	87-11-047	248-100-295	REP-P	87-07-039
248-100-001	REP	87-11-047	248-100-130	REP-P	87-07-039	248-100-295	REP	87-11-047
248-100-002	REP-P	87-07-039	248-100-130	REP	87-11-047	248-100-300	REP-P	87-07-039
248-100-002	REP	87-11-047	248-100-135	REP-P	87-07-039	248-100-300	REP	87-11-047
248-100-003	REP-P	87-07-039	248-100-135	REP	87-11-047	248-100-305	REP-P	87-07-039
248-100-003	REP	87-11-047	248-100-140	REP-P	87-07-039	248-100-305	REP	87-11-047
248-100-006	NEW-P	87-07-039	248-100-140	REP	87-11-047	248-100-310	REP-P	87-07-039
248-100-006	NEW	87-11-047	248-100-145	REP-P	87-07-039	248-100-310	REP	87-11-047
248-100-010	REP-P	87-07-039	248-100-145	REP	87-11-047	248-100-315	REP-P	87-07-039
248-100-010	REP	87-11-047	248-100-150	REP-P	87-07-039	248-100-315	REP	87-11-047
248-100-011	NEW-P	87-07-039	248-100-150	REP	87-11-047	248-100-320	REP-P	87-07-039
248-100-011	NEW	87-11-047	248-100-155	REP-P	87-07-039	248-100-320	REP	87-11-047
248-100-015	REP-P	87-07-039	248-100-155	REP	87-11-047	248-100-325	REP-P	87-07-039
248-100-015	REP	87-11-047	248-100-160	REP-P	87-07-039	248-100-325	REP	87-11-047
248-100-016	NEW-P	87-07-039	248-100-160	REP	87-11-047	248-100-330	REP-P	87-07-039
248-100-016	NEW	87-11-047	248-100-170	REP-P	87-07-039	248-100-330	REP	87-11-047
248-100-020	REP-P	87-07-039	248-100-170	REP	87-11-047	248-100-335	REP-P	87-07-039
248-100-020	REP	87-11-047	248-100-180	REP-P	87-07-039	248-100-335	REP	87-11-047
248-100-021	NEW-P	87-07-039	248-100-180	REP	87-11-047	248-100-340	REP-P	87-07-039
248-100-021	NEW	87-11-047	248-100-195	REP-P	87-07-039	248-100-340	REP	87-11-047
248-100-025	AMD-P	87-07-039	248-100-195	REP	87-11-047	248-100-345	REP-P	87-07-039
248-100-025	AMD	87-11-047	248-100-200	REP-P	87-07-039	248-100-345	REP	87-11-047
248-100-030	REP-P	87-07-039	248-100-200	REP	87-11-047	248-100-350	REP-P	87-07-039
248-100-030	REP	87-11-047	248-100-205	REP-P	87-07-039	248-100-350	REP	87-11-047
248-100-031	NEW-P	87-07-039	248-100-205	REP	87-11-047	248-100-355	REP-P	87-07-039
248-100-031	NEW	87-11-047	248-100-206	NEW-P	87-07-039	248-100-355	REP	87-11-047
248-100-035	REP-P	87-07-039	248-100-206	NEW	87-11-047	248-100-360	REP-P	87-07-039
248-100-035	REP	87-11-047	248-100-210	REP-P	87-07-039	248-100-360	REP	87-11-047
248-100-040	REP-P	87-07-039	248-100-210	REP	87-11-047	248-100-365	REP-P	87-07-039
248-100-040	REP	87-11-047	248-100-211	NEW-P	87-07-039	248-100-365	REP	87-11-047
248-100-041	NEW-P	87-07-039	248-100-211	NEW	87-11-047	248-100-370	REP-P	87-07-039
248-100-041	NEW	87-11-047	248-100-215	REP-P	87-07-039	248-100-370	REP	87-11-047
248-100-045	REP-P	87-07-039	248-100-215	REP	87-11-047	248-100-375	REP-P	87-07-039
248-100-045	REP	87-11-047	248-100-216	NEW-P	87-07-039	248-100-375	REP	87-11-047
248-100-046	NEW-P	87-07-039	248-100-216	NEW	87-11-047	248-100-380	REP-P	87-07-039
248-100-046	NEW	87-11-047	248-100-220	REP-P	87-07-039	248-100-380	REP	87-11-047
248-100-050	AMD-P	87-07-039	248-100-220	REP	87-11-047	248-100-385	REP-P	87-07-039
248-100-050	AMD	87-11-047	248-100-221	NEW-P	87-07-039	248-100-385	REP	87-11-047
248-100-055	REP-P	87-07-039	248-100-221	NEW	87-11-047	248-100-390	REP-P	87-07-039
248-100-055	REP	87-11-047	248-100-225	REP-P	87-07-039	248-100-390	REP	87-11-047

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248-100-395	REP-P	87-07-039	248-102-040	REP-P	87-07-040	248-148-131	NEW-P	87-16-086
248-100-395	REP	87-11-047	248-102-040	REP	87-11-040	248-148-131	NEW-E	87-19-068
248-100-400	REP-P	87-07-039	248-102-070	REP-E	87-07-033	248-148-131	NEW	87-22-010
248-100-400	REP	87-11-047	248-102-070	REP-P	87-07-040	248-148-140	REP-P	87-16-086
248-100-405	REP-P	87-07-039	248-102-070	REP	87-11-040	248-148-140	REP-E	87-19-068
248-100-405	REP	87-11-047	248-102-999	REP-E	87-07-033	248-148-140	REP	87-22-010
248-100-410	REP-P	87-07-039	248-102-999	REP-P	87-07-040	248-168-010	NEW-P	87-18-037
248-100-410	REP	87-11-047	248-102-999	REP	87-11-040	248-168-010	NEW-E	87-18-039
248-100-415	REP-P	87-07-039	248-103-001	NEW-E	87-07-033	248-168-010	NEW	87-22-012
248-100-415	REP	87-11-047	248-103-001	NEW-P	87-07-040	248-168-020	NEW-P	87-18-037
248-100-420	REP-P	87-07-039	248-103-001	NEW	87-11-040	248-168-020	NEW-E	87-18-039
248-100-420	REP	87-11-047	248-103-010	NEW-E	87-07-033	248-168-020	NEW	87-22-012
248-100-425	REP-P	87-07-039	248-103-010	NEW-P	87-07-040	248-168-030	NEW-P	87-18-037
248-100-425	REP	87-11-047	248-103-010	NEW	87-11-040	248-168-030	NEW-E	87-18-039
248-100-430	REP-P	87-07-039	248-103-020	NEW-E	87-07-033	248-168-030	NEW	87-22-012
248-100-430	REP	87-11-047	248-103-020	NEW-P	87-07-040	248-168-040	NEW-P	87-18-037
248-100-435	REP-P	87-07-039	248-103-020	NEW	87-11-040	248-168-040	NEW-E	87-18-039
248-100-435	REP	87-11-047	248-103-030	NEW-E	87-07-033	248-168-040	NEW	87-22-012
248-100-445	REP-P	87-07-039	248-103-030	NEW-P	87-07-040	248-168-050	NEW-P	87-18-037
248-100-445	REP	87-11-047	248-103-030	NEW	87-11-040	248-168-050	NEW-E	87-18-039
248-100-451	REP-P	87-07-039	248-148-020	REP-P	87-16-086	248-168-050	NEW	87-22-012
248-100-451	REP	87-11-047	248-148-020	REP-E	87-19-068	248-168-060	NEW-P	87-18-037
248-100-455	REP-P	87-07-039	248-148-020	REP	87-22-010	248-168-060	NEW-E	87-18-039
248-100-455	REP	87-11-047	248-148-021	NEW-P	87-16-086	248-168-060	NEW	87-22-012
248-100-460	REP-P	87-07-039	248-148-021	NEW-E	87-19-068	250-18-020	AMD-P	87-12-060
248-100-460	REP	87-11-047	248-148-021	NEW	87-22-010	250-18-020	AMD	87-16-048
248-100-465	REP-P	87-07-039	248-148-030	REP-P	87-16-086	250-18-020	AMD-P	87-18-054
248-100-465	REP	87-11-047	248-148-030	REP-E	87-19-068	250-18-020	AMD	87-21-079
248-100-470	REP-P	87-07-039	248-148-030	REP	87-22-010	250-18-060	AMD-P	87-12-060
248-100-470	REP	87-11-047	248-148-031	NEW-P	87-16-086	250-18-060	AMD	87-16-048
248-100-475	REP-P	87-07-039	248-148-031	NEW-E	87-19-068	250-18-060	AMD-P	87-18-054
248-100-475	REP	87-11-047	248-148-031	NEW	87-22-010	250-18-060	AMD	87-21-079
248-100-480	REP-P	87-07-039	248-148-035	NEW-P	87-16-086	250-20-011	AMD-P	87-12-046
248-100-480	REP	87-11-047	248-148-035	NEW-E	87-19-068	250-20-011	AMD	87-16-046
248-100-485	REP-P	87-07-039	248-148-035	NEW	87-22-010	250-20-011	AMD	87-12-046
248-100-485	REP	87-11-047	248-148-040	REP-P	87-16-086	250-20-015	AMD-P	87-12-046
248-100-490	REP-P	87-07-039	248-148-040	REP-E	87-19-068	250-20-015	AMD	87-16-046
248-100-490	REP	87-11-047	248-148-040	REP	87-22-010	250-20-021	AMD-P	87-04-076
248-100-490	REP	87-11-047	248-148-040	REP	87-22-010	250-20-021	AMD-P	87-12-046
248-100-495	REP-P	87-07-039	248-148-050	REP-P	87-16-086	250-20-021	AMD	87-16-046
248-100-495	REP	87-11-047	248-148-050	REP-E	87-19-068	250-20-021	AMD	87-12-046
248-100-500	REP-P	87-07-039	248-148-050	REP	87-22-010	250-20-031	AMD-P	87-12-046
248-100-500	REP	87-11-047	248-148-050	REP	87-22-010	250-20-031	AMD	87-16-046
248-100-505	REP-P	87-07-039	248-148-060	REP-P	87-16-086	250-20-041	AMD-P	87-12-046
248-100-505	REP	87-11-047	248-148-060	REP-E	87-19-068	250-20-041	AMD	87-16-046
248-100-510	REP-P	87-07-039	248-148-060	REP	87-22-010	250-20-041	AMD	87-12-046
248-100-510	REP	87-11-047	248-148-070	REP-P	87-16-086	250-20-051	AMD-P	87-12-046
248-100-515	REP-P	87-07-039	248-148-070	REP-E	87-19-068	250-20-051	AMD	87-16-046
248-100-515	REP	87-11-047	248-148-070	REP	87-22-010	250-20-061	AMD-P	87-12-046
248-100-515	REP	87-11-047	248-148-080	REP-P	87-16-086	250-20-061	AMD	87-16-046
248-100-520	REP-P	87-07-039	248-148-080	REP-E	87-19-068	250-20-071	AMD-P	87-12-046
248-100-520	REP	87-11-047	248-148-080	REP	87-22-010	250-20-071	AMD	87-16-046
248-100-525	REP-P	87-07-039	248-148-090	REP-P	87-16-086	250-20-081	AMD-P	87-12-046
248-100-525	REP	87-11-047	248-148-090	REP-E	87-19-068	250-20-081	AMD	87-16-046
248-100-530	REP-P	87-07-039	248-148-090	REP	87-22-010	250-40-030	AMD-P	87-12-047
248-100-530	REP	87-11-047	248-148-090	REP	87-22-010	250-40-030	AMD	87-16-047
248-100-532	REP-P	87-07-039	248-148-091	NEW-P	87-16-086	250-40-040	AMD-P	87-12-047
248-100-532	REP	87-11-047	248-148-091	NEW-E	87-19-068	250-40-040	AMD	87-16-047
248-100-535	REP-P	87-07-039	248-148-091	NEW	87-22-010	250-40-050	AMD-P	87-04-077
248-100-535	REP	87-11-047	248-148-100	REP-P	87-16-086	250-40-050	AMD-P	87-12-047
248-100-540	REP-P	87-07-039	248-148-100	REP-E	87-19-068	250-40-050	AMD	87-16-047
248-100-540	REP	87-11-047	248-148-100	REP	87-22-010	250-40-060	AMD-P	87-12-047
248-100-545	REP-P	87-07-039	248-148-101	NEW-P	87-16-086	250-40-060	AMD	87-16-047
248-100-545	REP	87-11-047	248-148-101	NEW-E	87-19-068	250-40-070	AMD-P	87-12-047
248-100-545	REP	87-11-047	248-148-101	NEW	87-22-010	250-40-070	AMD	87-16-047
248-100-550	REP-P	87-07-039	248-148-110	REP-P	87-16-086	250-44-010	AMD-P	87-12-066
248-100-550	REP	87-11-047	248-148-110	REP-E	87-19-068	250-44-010	AMD	87-16-061
248-100-555	REP-P	87-07-039	248-148-110	REP	87-22-010	250-44-020	AMD-P	87-12-066
248-100-555	REP	87-11-047	248-148-120	REP-P	87-16-086	250-44-020	AMD	87-16-061
248-100-560	REP-P	87-07-039	248-148-120	REP-E	87-19-068	250-44-030	AMD-P	87-12-066
248-100-560	REP	87-11-047	248-148-120	REP	87-22-010	250-44-030	AMD	87-16-061
248-100-565	REP-P	87-07-039	248-148-121	NEW-P	87-16-086	250-44-040	AMD-P	87-12-066
248-100-565	REP	87-11-047	248-148-121	NEW-E	87-19-068	250-44-040	AMD	87-16-061
248-102-010	REP-E	87-07-033	248-148-121	NEW	87-22-010	250-44-050	AMD-P	87-12-066
248-102-010	REP-P	87-07-040	248-148-123	NEW-P	87-16-086	250-44-050	AMD	87-16-061
248-102-010	REP	87-11-040	248-148-123	NEW-E	87-19-068	250-44-060	AMD-P	87-12-066
248-102-020	REP-E	87-07-033	248-148-123	NEW	87-22-010	250-44-060	AMD	87-16-061
248-102-020	REP-P	87-07-040	248-148-130	REP-P	87-16-086	250-44-080	AMD-P	87-12-066
248-102-020	REP	87-11-040	248-148-130	REP-E	87-19-068	250-44-080	AMD	87-16-061
248-102-040	REP-E	87-07-033	248-148-130	REP	87-22-010	250-44-090	AMD-P	87-12-066

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250-44-100	AMD-P	87-12-066	251-08-005	AMD-P	87-04-056	251-17-090	NEW-P	87-21-090
250-44-100	AMD	87-16-061	251-08-005	AMD	87-08-056	251-17-100	NEW-P	87-21-090
250-44-110	AMD-P	87-12-066	251-08-021	AMD-P	87-04-056	251-17-110	NEW-P	87-21-090
250-44-110	AMD	87-16-061	251-08-021	AMD	87-08-056	251-17-120	NEW-P	87-21-090
250-44-120	AMD-P	87-12-066	251-08-040	AMD-P	87-04-056	251-17-130	NEW-P	87-21-090
250-44-120	AMD	87-16-061	251-08-040	AMD	87-08-056	251-17-140	NEW-P	87-21-090
250-44-130	AMD-P	87-12-066	251-08-100	AMD-P	87-04-056	251-17-150	NEW-P	87-21-090
250-44-130	AMD	87-16-061	251-08-100	AMD-P	87-10-051	251-17-160	NEW-P	87-21-090
250-44-140	AMD-P	87-12-066	251-08-100	AMD	87-14-051	251-17-170	NEW-P	87-21-090
250-44-140	AMD	87-16-061	251-08-100	AMD-P	87-21-091	251-17-180	NEW-P	87-21-090
250-44-150	AMD-P	87-12-066	251-08-110	AMD-E	87-14-052	251-17-190	NEW-P	87-21-090
250-44-150	AMD	87-16-061	251-08-110	AMD-P	87-16-092	251-17-200	NEW-P	87-21-090
250-44-160	AMD-P	87-12-066	251-08-110	AMD-E	87-19-147	251-18	AMD-P	87-21-090
250-44-160	AMD	87-16-061	251-08-110	AMD	87-20-024	251-18-010	REP-P	87-21-090
250-44-170	AMD-P	87-12-066	251-08-112	AMD-E	87-14-052	251-18-011	REP-P	87-21-090
250-44-170	AMD	87-16-061	251-08-112	AMD-P	87-16-092	251-18-012	REP-P	87-21-090
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250-44-180	AMD	87-16-061	251-08-112	AMD	87-20-024	251-18-020	REP-P	87-21-090
250-44-190	AMD-P	87-12-066	251-08-112	AMD-P	87-21-092	251-18-035	REP-P	87-21-090
250-44-190	AMD	87-16-061	251-08-150	AMD-P	87-21-091	251-18-041	REP-P	87-21-090
250-44-200	AMD-P	87-12-066	251-09-020	AMD-P	87-18-069	251-18-050	REP-P	87-21-090
250-44-200	AMD	87-16-061	251-09-030	AMD-P	87-18-069	251-18-060	REP-P	87-21-090
250-44-210	AMD-P	87-12-066	251-09-090	AMD-P	87-04-056	251-18-070	REP-P	87-21-090
250-44-210	AMD	87-16-061	251-10-020	AMD-P	87-08-054	251-18-075	REP-P	87-21-090
250-65-010	NEW-P	87-20-093	251-10-020	AMD-P	87-08-055	251-18-095	REP-P	87-21-090
250-65-020	NEW-P	87-20-093	251-10-020	AMD-P	87-12-082	251-18-110	REP-P	87-21-090
250-65-030	NEW-P	87-20-093	251-10-020	AMD-P	87-12-083	251-18-120	REP-P	87-21-090
250-65-040	NEW-P	87-20-093	251-10-020	AMD	87-16-045	251-18-130	REP-P	87-21-090
250-65-050	NEW-P	87-20-093	251-10-030	AMD	87-02-036	251-18-140	REP-P	87-21-090
250-65-060	NEW-P	87-20-093	251-10-030	AMD-P	87-21-091	251-18-145	REP-P	87-21-090
251-01-040	AMD-P	87-06-053	251-10-035	AMD-P	87-21-091	251-18-160	REP-P	87-21-090
251-01-040	AMD-P	87-10-050	251-10-055	AMD	87-02-036	251-18-165	REP-P	87-21-090
251-01-040	AMD-P	87-12-081	251-10-055	AMD-P	87-21-091	251-18-176	AMD	87-02-036
251-01-040	AMD	87-16-045	251-10-108	NEW-P	87-02-054	251-18-176	REP-P	87-21-090
251-01-057	NEW-P	87-10-053	251-10-108	NEW-P	87-04-057	251-18-180	AMD-P	87-21-090
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251-01-072	NEW-E	87-14-052	251-10-108	NEW	87-08-056	251-18-255	AMD-P	87-21-090
251-01-072	NEW-P	87-16-092	251-10-115	NEW-W	87-02-055	251-18-290	REP-P	87-21-090
251-01-072	NEW-E	87-19-147	251-10-120	AMD-P	87-04-057	251-18-291	REP-P	87-21-090
251-01-072	NEW	87-20-024	251-10-120	AMD	87-08-056	251-18-300	REP-P	87-21-090
251-01-077	NEW-P	87-12-085	251-10-140	AMD-P	87-04-057	251-18-310	REP-P	87-21-090
251-01-110	AMD-P	87-16-093	251-10-140	AMD	87-08-056	251-18-320	REP-P	87-21-090
251-01-110	AMD-P	87-18-069	251-10-195	AMD	87-02-036	251-18-330	REP-P	87-21-090
251-01-110	AMD	87-21-089	251-10-195	AMD-P	87-21-091	251-18-335	REP-P	87-21-090
251-01-172	NEW	87-14-051	251-12-072	AMD-P	87-21-091	251-18-340	REP-P	87-21-090
251-01-175	AMD-P	87-21-091	251-12-076	NEW-P	87-16-094	251-18-345	REP-P	87-21-090
251-01-190	AMD	87-02-036	251-12-076	NEW	87-20-025	251-18-346	REP-P	87-21-090
251-01-208	NEW-P	87-10-053	251-12-085	AMD-P	87-16-094	251-18-347	AMD-P	87-16-093
251-01-300	AMD	87-02-036	251-12-085	AMD	87-20-025	251-18-347	AMD	87-20-023
251-01-335	AMD-P	87-21-091	251-12-096	NEW-P	87-12-084	251-18-347	REP-P	87-21-090
251-01-382	NEW-E	87-14-052	251-12-096	NEW	87-16-045	251-18-350	AMD	87-02-036
251-01-382	NEW-P	87-16-092	251-12-097	NEW-P	87-12-084	251-18-350	REP-P	87-21-090
251-01-382	NEW-E	87-19-147	251-12-097	NEW	87-16-045	251-18-381	REP-P	87-21-090
251-01-382	NEW	87-20-024	251-12-240	AMD	87-02-036	251-18-400	REP-P	87-21-090
251-01-392	NEW-E	87-14-052	251-12-240	AMD-P	87-21-091	251-18-410	REP-P	87-21-090
251-01-392	NEW-P	87-16-092	251-12-500	AMD-P	87-21-091	251-18-420	REP-P	87-21-090
251-01-392	NEW-E	87-19-147	251-14-030	AMD-P	87-12-084	251-19-010	NEW-P	87-21-090
251-01-392	NEW	87-20-024	251-14-030	AMD-P	87-12-085	251-19-020	NEW-P	87-21-090
251-01-400	AMD	87-02-036	251-14-030	AMD	87-16-045	251-19-030	NEW-P	87-21-090
251-01-415	AMD-P	87-21-091	251-14-035	AMD-P	87-12-085	251-19-040	NEW-P	87-21-090
251-01-435	AMD-P	87-21-091	251-14-035	AMD-C	87-19-146	251-19-050	NEW-P	87-21-090
251-04-040	AMD	87-02-036	251-14-050	AMD	87-02-036	251-19-060	NEW-P	87-21-090
251-04-040	AMD-P	87-21-091	251-14-070	AMD-P	87-16-093	251-19-070	NEW-P	87-21-090
251-05-060	AMD	87-02-036	251-14-070	AMD	87-21-089	251-19-080	NEW-P	87-21-090
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251-07-010	NEW-P	87-04-055	251-14-100	AMD-P	87-16-093	251-19-100	NEW-P	87-21-090
251-07-010	NEW	87-08-056	251-14-100	AMD	87-20-023	251-19-110	NEW-P	87-21-090
251-07-020	NEW-P	87-04-055	251-14-110	AMD-P	87-16-093	251-19-120	NEW-P	87-21-090
251-07-020	NEW	87-08-056	251-14-110	AMD	87-20-023	251-19-130	NEW-P	87-21-090
251-07-030	NEW-P	87-04-055	251-17-010	NEW-P	87-21-090	251-19-140	NEW-P	87-21-090
251-07-030	NEW	87-08-056	251-17-020	NEW-P	87-21-090	251-19-150	NEW-P	87-21-090
251-07-040	NEW-P	87-04-055	251-17-030	NEW-P	87-21-090	251-19-160	NEW-P	87-21-090
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251-07-050	NEW	87-08-056	251-17-060	NEW-P	87-21-090	251-22-060	AMD-P	87-21-091
251-07-060	NEW-P	87-04-055	251-17-070	NEW-P	87-21-090	251-22-070	AMD-P	87-10-052

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251-22-110	AMD-P	87-10-052	261-06	AMD-C	87-16-012	275-19-585	NEW-P	87-15-134
251-22-110	AMD-P	87-10-053	261-06-070	AMD-P	87-13-073	275-19-585	NEW-E	87-16-027
251-22-110	AMD	87-14-051	261-06-070	AMD	87-22-005	275-19-585	NEW	87-19-072
251-22-112	AMD-P	87-10-053	261-06-080	AMD-P	87-13-073	275-19-590	NEW-P	87-15-134
251-22-112	AMD	87-14-051	261-06-080	AMD	87-22-005	275-19-590	NEW-E	87-16-027
251-22-115	REP-P	87-16-094	261-06-090	AMD-P	87-13-073	275-19-590	NEW	87-19-072
251-22-117	NEW-P	87-10-052	261-06-090	AMD	87-22-005	275-19-595	NEW-P	87-15-134
251-22-117	NEW-P	87-10-053	261-06-110	AMD-P	87-13-073	275-19-595	NEW-E	87-16-027
251-22-117	NEW	87-14-051	261-06-110	AMD	87-22-005	275-19-595	NEW	87-19-072
251-22-167	NEW-P	87-16-094	261-40-150	AMD-P	87-16-076	275-19-650	AMD-P	87-15-134
251-22-167	NEW-P	87-16-095	261-40-150	AMD-C	87-19-030	275-19-650	AMD-E	87-16-027
251-22-167	NEW-P	87-16-096	261-40-150	AMD-C	87-20-048	275-19-650	AMD	87-19-072
251-22-167	NEW	87-20-025	261-40-150	AMD-P	87-20-100	275-19-660	AMD-P	87-15-134
251-22-170	AMD-P	87-16-093	261-40-150	AMD-C	87-22-004	275-19-660	AMD-E	87-16-027
251-22-170	AMD	87-20-025	261-40-150	AMD-E	87-24-010	275-19-660	AMD	87-19-072
251-22-195	NEW-P	87-16-094	261-40-150	AMD	87-24-011	275-19-675	NEW-P	87-15-134
251-22-195	NEW-P	87-16-095	261-50-030	AMD	87-04-008	275-19-675	NEW-E	87-16-027
251-22-195	NEW-P	87-16-096	261-50-030	AMD-P	87-05-007	275-19-675	NEW	87-19-072
251-22-195	NEW	87-20-025	261-50-030	AMD	87-08-037	275-19-680	NEW-P	87-15-134
251-22-200	AMD-P	87-10-053	261-50-035	NEW-P	87-05-007	275-19-680	NEW-E	87-16-027
251-22-200	AMD	87-14-051	261-50-040	AMD	87-04-008	275-19-680	NEW	87-19-072
251-22-200	AMD-P	87-16-094	261-50-040	AMD-P	87-05-007	275-19-680	NEW	87-19-072
251-22-200	AMD	87-20-025	261-50-045	REP	87-04-008	275-19-940	AMD-P	87-15-134
251-23-015	NEW-P	87-06-053	261-50-050	AMD	87-04-008	275-19-940	AMD-E	87-16-027
251-23-015	NEW-C	87-10-049	261-50-050	AMD-P	87-05-007	275-19-940	AMD	87-19-072
251-23-015	NEW-C	87-14-006	261-50-060	AMD	87-04-008	275-19-950	AMD-P	87-15-134
251-23-015	NEW	87-16-045	261-50-060	AMD-P	87-05-007	275-19-950	AMD-E	87-16-027
251-23-040	AMD	87-02-036	261-50-070	NEW-P	87-05-007	275-19-950	AMD	87-19-072
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251-23-060	AMD	87-02-036	261-50-090	AMD	87-04-008	275-19-960	AMD-E	87-16-027
251-24-050	AMD-P	87-21-091	261-50-090	AMD-P	87-05-007	275-19-960	AMD	87-19-072
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260-24-280	AMD-E	87-09-031	275-16-030	AMD-P	87-15-133	275-19-970	AMD	87-19-072
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260-36-040	AMD-E	87-09-031	275-19-020	AMD-E	87-16-027	275-19-980	AMD	87-19-072
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296-17-689	AMD	87-12-032	296-18A-490	AMD-E	87-08-044	296-21-075	AMD-P	87-23-052
296-17-691	AMD-P	87-07-047	296-18A-510	AMD	87-10-072	296-22-010	AMD-E	87-02-042
296-17-691	AMD	87-12-032	296-18A-510	AMD-P	87-05-059	296-22-010	AMD	87-03-005
296-17-692	AMD-P	87-07-047	296-20-010	AMD	87-10-073	296-22-021	AMD-P	87-11-050
296-17-692	AMD	87-12-032	296-20-010	AMD-P	87-18-071	296-22-021	AMD-E	87-12-044
296-17-695	AMD-P	87-07-047	296-20-01002	AMD	87-24-050	296-22-021	AMD	87-16-004
296-17-695	AMD	87-12-032	296-20-01002	AMD-P	87-18-071	296-22-022	AMD-P	87-11-050
296-17-704	AMD-P	87-07-047	296-20-022	NEW	87-03-004	296-22-022	AMD-E	87-12-044
296-17-704	AMD	87-12-032	296-20-022	AMD-P	87-18-071	296-22-022	AMD	87-16-004
296-17-724	AMD-P	87-07-047	296-20-022	AMD	87-24-050	296-22-023	AMD-P	87-11-050
296-17-724	AMD	87-12-032	296-20-024	NEW-P	87-18-071	296-22-023	AMD-E	87-12-044
296-17-736	AMD-P	87-20-084	296-20-024	NEW	87-24-050	296-22-023	AMD	87-16-004
296-17-736	AMD	87-24-060	296-20-03001	AMD-P	87-18-071	296-22-024	AMD-P	87-11-050
296-17-739	AMD-P	87-20-084	296-20-03001	AMD-C	87-24-048	296-22-024	AMD-E	87-12-044
296-17-739	AMD	87-24-060	296-20-035	AMD-P	87-02-057	296-22-024	AMD	87-16-004
296-17-741	AMD-P	87-20-084	296-20-035	AMD	87-08-004	296-22-025	AMD-P	87-11-050
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296-17-743	AMD-P	87-20-084	296-20-075	AMD	87-18-071	296-22-025	AMD	87-16-004
296-17-743	AMD	87-24-060	296-20-075	AMD-P	87-24-050	296-22-031	AMD-P	87-11-050
296-17-754	AMD-P	87-20-084	296-20-1102	AMD-P	87-18-072	296-22-031	AMD-E	87-12-044
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296-17-755	AMD	87-24-060	296-20-12050	NEW	87-24-050	296-22-036	AMD-E	87-12-044





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296-23-07908	AMD-P	87-11-050	296-23-980	AMD-P	87-02-057	296-23A-246	AMD	87-16-004
296-23-07908	AMD-E	87-12-044	296-23-980	AMD	87-08-004	296-23A-248	NEW-E	87-02-042
296-23-07908	AMD	87-16-004	296-23A-100	NEW-E	87-02-042	296-23A-248	NEW	87-03-005
296-23-080	AMD-P	87-11-050	296-23A-100	NEW	87-03-005	296-23A-250	NEW-E	87-02-042
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296-23-080	AMD	87-16-004	296-23A-100	AMD-E	87-12-044	296-23A-252	NEW-E	87-02-042
296-23-115	REP-P	87-11-050	296-23A-100	AMD	87-16-004	296-23A-252	NEW	87-03-005
296-23-115	REP-E	87-12-044	296-23A-105	NEW-E	87-02-042	296-23A-252	AMD-P	87-11-050
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296-23-125	AMD-E	87-12-044	296-23A-105	AMD	87-24-050	296-23A-254	NEW-E	87-02-042
296-23-125	AMD	87-16-004	296-23A-110	NEW-E	87-02-042	296-23A-254	NEW	87-03-005
296-23-20102	AMD-E	87-02-042	296-23A-110	NEW	87-03-005	296-23A-254	AMD-P	87-11-050
296-23-20102	AMD	87-03-005	296-23A-115	NEW-E	87-02-042	296-23A-254	AMD-E	87-12-044
296-23-204	AMD-P	87-11-050	296-23A-115	NEW	87-03-005	296-23A-254	AMD	87-16-004
296-23-204	AMD-E	87-12-044	296-23A-120	NEW-E	87-02-042	296-23A-256	NEW-E	87-02-042
296-23-204	AMD	87-16-004	296-23A-120	NEW	87-03-005	296-23A-256	NEW	87-03-005
296-23-212	AMD-E	87-02-042	296-23A-125	NEW-E	87-02-042	296-23A-256	AMD-P	87-11-050
296-23-212	AMD	87-03-005	296-23A-125	NEW	87-03-005	296-23A-256	AMD-E	87-12-044
296-23-212	AMD-P	87-11-050	296-23A-130	NEW-E	87-02-042	296-23A-256	AMD	87-16-004
296-23-212	AMD-E	87-12-044	296-23A-130	NEW	87-03-005	296-23A-258	NEW-E	87-02-042
296-23-212	AMD	87-16-004	296-23A-135	NEW-E	87-02-042	296-23A-258	NEW	87-03-005
296-23-216	AMD-P	87-11-050	296-23A-135	NEW	87-03-005	296-23A-258	AMD-P	87-11-050
296-23-216	AMD-E	87-12-044	296-23A-140	NEW-E	87-02-042	296-23A-258	AMD-E	87-12-044
296-23-216	AMD	87-16-004	296-23A-140	NEW	87-03-005	296-23A-258	AMD	87-16-004
296-23-221	AMD-P	87-11-050	296-23A-145	NEW-E	87-02-042	296-23A-260	NEW-E	87-02-042
296-23-221	AMD-E	87-12-044	296-23A-145	NEW	87-03-005	296-23A-260	NEW	87-03-005
296-23-221	AMD	87-16-004	296-23A-150	NEW-E	87-02-042	296-23A-260	AMD-P	87-11-050
296-23-224	AMD-P	87-11-050	296-23A-150	NEW	87-03-005	296-23A-260	AMD-E	87-12-044
296-23-224	AMD-E	87-12-044	296-23A-150	AMD-P	87-11-050	296-23A-260	AMD	87-16-004
296-23-224	AMD	87-16-004	296-23A-150	AMD-E	87-12-044	296-23A-262	NEW-E	87-02-042
296-23-228	AMD-P	87-11-050	296-23A-150	AMD	87-16-004	296-23A-262	NEW	87-03-005
296-23-228	AMD-E	87-12-044	296-23A-155	NEW-P	87-18-071	296-23A-262	AMD-P	87-11-050
296-23-228	AMD	87-16-004	296-23A-155	NEW	87-24-050	296-23A-262	AMD-E	87-12-044
296-23-232	AMD-P	87-11-050	296-23A-160	NEW-P	87-18-071	296-23A-262	AMD	87-16-004
296-23-232	AMD-E	87-12-044	296-23A-160	NEW	87-24-050	296-23A-264	NEW-E	87-02-042
296-23-232	AMD	87-16-004	296-23A-165	NEW-P	87-18-071	296-23A-264	NEW	87-03-005
296-23-300	REP-E	87-02-042	296-23A-165	NEW	87-24-050	296-23A-266	NEW-E	87-02-042
296-23-300	REP	87-03-005	296-23A-170	NEW-P	87-18-071	296-23A-266	NEW	87-03-005
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296-23-301	REP	87-03-005	296-23A-175	NEW-P	87-18-071	296-23A-266	AMD-E	87-12-044
296-23-305	REP-E	87-02-042	296-23A-175	NEW	87-24-050	296-23A-266	AMD	87-16-004
296-23-305	REP	87-03-005	296-23A-180	NEW-P	87-18-071	296-23A-268	NEW-E	87-02-042
296-23-310	REP-E	87-02-042	296-23A-180	NEW	87-24-050	296-23A-268	NEW	87-03-005
296-23-310	REP	87-03-005	296-23A-185	NEW-P	87-18-071	296-23A-300	NEW-E	87-02-042
296-23-315	REP-E	87-02-042	296-23A-185	NEW	87-24-050	296-23A-300	NEW	87-03-005
296-23-315	REP	87-03-005	296-23A-190	NEW-P	87-18-071	296-23A-310	NEW-E	87-02-042
296-23-330	REP-E	87-02-042	296-23A-190	NEW	87-24-050	296-23A-310	NEW	87-03-005
296-23-330	REP	87-03-005	296-23A-200	NEW-E	87-02-042	296-23A-315	NEW-E	87-02-042
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296-23-356	REP-E	87-02-042	296-23A-210	NEW	87-03-005	296-23A-325	NEW	87-03-005
296-23-356	REP	87-03-005	296-23A-215	NEW-E	87-02-042	296-23A-325	AMD-P	87-11-050
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296-23-500	AMD-P	87-18-072	296-23A-220	NEW	87-03-005	296-23A-330	NEW-E	87-02-042
296-23-500	AMD	87-22-052	296-23A-225	NEW-E	87-02-042	296-23A-330	NEW	87-03-005
296-23-50014	AMD-P	87-18-072	296-23A-225	NEW	87-03-005	296-23A-335	NEW-E	87-02-042
296-23-50014	AMD	87-22-052	296-23A-230	NEW-E	87-02-042	296-23A-335	NEW	87-03-005
296-23-615	AMD-P	87-11-050	296-23A-230	NEW	87-03-005	296-23A-335	AMD-P	87-11-050
296-23-615	AMD-E	87-11-051	296-23A-235	NEW-E	87-02-042	296-23A-335	AMD-E	87-12-044
296-23-615	AMD	87-16-004	296-23A-235	NEW	87-03-005	296-23A-335	AMD	87-16-004
296-23-615	AMD-E	87-16-007	296-23A-240	NEW-E	87-02-042	296-23A-340	NEW-E	87-02-042
296-23-620	REP-P	87-23-052	296-23A-240	NEW	87-03-005	296-23A-340	NEW	87-03-005
296-23-715	AMD-P	87-11-050	296-23A-242	NEW-E	87-02-042	296-23A-340	AMD-P	87-11-050
296-23-715	AMD-E	87-12-044	296-23A-242	NEW	87-03-005	296-23A-340	AMD-E	87-12-044
296-23-715	AMD	87-16-004	296-23A-244	NEW-E	87-02-042	296-23A-340	AMD	87-16-004
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296-23A-355	NEW	87-03-005	296-24-63399	AMD-P	87-19-135	296-54-505	AMD	87-24-051
296-23A-355	AMD-P	87-11-050	296-24-63399	AMD	87-24-051	296-62-05403	AMD-P	87-19-135
296-23A-355	AMD-E	87-12-044	296-24-63599	AMD-P	87-19-135	296-62-05403	AMD	87-24-051
296-23A-355	AMD	87-16-004	296-24-63599	AMD	87-24-051	296-62-05405	AMD-P	87-05-055
296-23A-360	NEW-E	87-02-042	296-24-95601	AMD-P	87-19-135	296-62-05405	AMD	87-10-008
296-23A-360	NEW	87-03-005	296-24-95601	AMD	87-24-051	296-62-05405	AMD-P	87-19-135
296-23A-360	AMD-P	87-11-050	296-24-95603	AMD-P	87-19-135	296-62-05405	AMD	87-24-051
296-23A-360	AMD	87-16-004	296-24-95603	AMD	87-24-051	296-62-05427	AMD-P	87-05-055
296-23A-360	AMD-E	87-12-044	296-24-95605	AMD-P	87-19-135	296-62-05427	AMD	87-10-008
296-23A-400	NEW-E	87-02-042	296-24-95605	AMD	87-24-051	296-62-073	AMD-P	87-19-135
296-23A-400	NEW	87-03-005	296-24-95607	AMD-P	87-19-135	296-62-073	AMD	87-24-051
296-23A-410	NEW-E	87-02-042	296-24-95607	AMD	87-24-051	296-62-07304	AMD-P	87-19-135
296-23A-410	NEW	87-03-005	296-24-95609	AMD-P	87-19-135	296-62-07304	AMD	87-24-051
296-23A-415	NEW-E	87-02-042	296-24-95609	AMD	87-24-051	296-62-07310	AMD-P	87-19-135
296-23A-415	NEW	87-03-005	296-24-95611	AMD-P	87-19-135	296-62-07310	AMD	87-24-051
296-23A-420	NEW-E	87-02-042	296-24-95611	AMD	87-24-051	296-62-07353	AMD-P	87-02-058
296-23A-420	NEW	87-03-005	296-24-95613	AMD-P	87-19-135	296-62-07353	AMD	87-07-022
296-23A-425	NEW-E	87-02-042	296-24-95613	AMD	87-24-051	296-62-07353	REP-P	87-19-135
296-23A-425	NEW	87-03-005	296-27-160	AMD	87-03-011	296-62-07353	REP	87-24-051
296-23A-425	AMD-P	87-11-050	296-27-16001	AMD	87-03-011	296-62-07355	NEW-P	87-19-135
296-23A-425	AMD-E	87-11-051	296-27-16002	NEW	87-03-011	296-62-07355	NEW	87-24-051
296-23A-425	AMD	87-16-004	296-27-16003	AMD	87-03-011	296-62-07357	NEW-P	87-19-135
296-23A-425	AMD-E	87-16-007	296-27-16004	NEW	87-03-011	296-62-07357	NEW	87-24-051
296-24-12007	AMD-P	87-19-135	296-27-16005	REP	87-03-011	296-62-07359	NEW-P	87-19-135
296-24-12007	AMD	87-24-051	296-27-16007	AMD	87-03-011	296-62-07359	NEW	87-24-051
296-24-14011	AMD-P	87-02-058	296-27-16009	REP	87-03-011	296-62-07361	NEW-P	87-19-135
296-24-14011	AMD	87-07-022	296-27-16011	AMD	87-03-011	296-62-07361	NEW	87-24-051
296-24-58503	AMD-P	87-19-135	296-27-16013	REP	87-03-011	296-62-07363	NEW-P	87-19-135
296-24-58503	AMD	87-24-051	296-27-16015	REP	87-03-011	296-62-07363	NEW	87-24-051
296-24-58513	AMD-P	87-19-135	296-27-16017	REP	87-03-011	296-62-07365	NEW-P	87-19-135
296-24-58513	AMD	87-24-051	296-27-16018	NEW	87-03-011	296-62-07365	NEW	87-24-051
296-24-59001	REP-P	87-19-135	296-27-16019	REP	87-03-011	296-62-07367	NEW-P	87-19-135
296-24-59001	REP	87-24-051	296-27-16020	NEW	87-03-011	296-62-07367	NEW	87-24-051
296-24-59003	REP-P	87-19-135	296-27-16021	REP	87-03-011	296-62-07369	NEW-P	87-19-135
296-24-59003	REP	87-24-051	296-27-16022	NEW	87-03-011	296-62-07369	NEW	87-24-051
296-24-59005	REP-P	87-19-135	296-27-16023	REP	87-03-011	296-62-07371	NEW-P	87-19-135
296-24-59005	REP	87-24-051	296-27-16026	NEW	87-03-011	296-62-07371	NEW	87-24-051
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296-24-59007	REP	87-24-051	296-46-110	AMD	87-10-030	296-62-07373	NEW	87-24-051
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296-24-59211	AMD	87-24-051	296-46-130	AMD	87-10-030	296-62-07375	NEW	87-24-051
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296-24-600	REP	87-24-051	296-46-140	AMD	87-10-030	296-62-07377	NEW	87-24-051
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296-24-60001	REP	87-24-051	296-46-150	AMD	87-10-030	296-62-07379	NEW	87-24-051
296-24-60001	REP-P	87-19-135	296-46-160	AMD-P	87-06-047	296-62-07381	NEW-P	87-19-135
296-24-60003	REP	87-24-051	296-46-160	AMD	87-10-030	296-62-07381	NEW	87-24-051
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296-24-60007	REP-P	87-19-135	296-46-200	AMD-P	87-06-047	296-62-07385	NEW-P	87-19-135
296-24-60007	REP	87-24-051	296-46-200	AMD	87-10-030	296-62-07385	NEW	87-24-051
296-24-60501	REP-P	87-19-135	296-46-220	AMD-P	87-06-047	296-62-07387	NEW-P	87-19-135
296-24-60501	REP	87-24-051	296-46-220	AMD	87-10-030	296-62-07387	NEW	87-24-051
296-24-60503	REP-P	87-19-135	296-46-240	AMD-P	87-06-047	296-62-07389	NEW-P	87-19-135
296-24-60503	REP	87-24-051	296-46-240	AMD	87-10-030	296-62-07389	NEW	87-24-051
296-24-60505	REP-P	87-19-135	296-46-316	NEW-P	87-06-047	296-62-07515	AMD-P	87-19-135
296-24-60505	REP	87-24-051	296-46-316	NEW	87-10-030	296-62-07515	AMD	87-24-051
296-24-60507	REP-P	87-19-135	296-46-350	AMD-P	87-06-047	296-62-07517	AMD-P	87-05-055
296-24-60507	REP	87-24-051	296-46-350	AMD	87-10-030	296-62-07517	AMD	87-10-008
296-24-60509	REP-P	87-19-135	296-46-370	AMD-P	87-06-047	296-62-07517	AMD-P	87-19-135
296-24-60509	REP	87-24-051	296-46-370	AMD	87-10-030	296-62-07517	AMD	87-24-051
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296-24-615	REP	87-24-051	296-46-420	AMD	87-10-030	296-62-077	NEW	87-10-008
296-24-61501	REP-P	87-19-135	296-46-422	NEW-P	87-06-047	296-62-07701	NEW-P	87-05-055
296-24-61501	REP	87-24-051	296-46-422	NEW	87-10-030	296-62-07701	NEW	87-10-008
296-24-61503	REP-P	87-19-135	296-46-495	AMD-P	87-06-047	296-62-07701	AMD-P	87-19-135
296-24-61503	REP	87-24-051	296-46-495	AMD	87-10-030	296-62-07701	AMD	87-24-051
296-24-61505	REP-P	87-19-135	296-46-514	NEW-P	87-06-047	296-62-07703	NEW-P	87-05-055
296-24-61505	REP	87-24-051	296-46-514	NEW	87-10-030	296-62-07703	NEW	87-10-008
296-24-620	REP-P	87-19-135	296-46-680	AMD-P	87-06-047	296-62-07703	AMD-P	87-19-135
296-24-620	REP	87-24-051	296-46-680	AMD	87-10-030	296-62-07703	AMD	87-24-051
296-24-62001	REP-P	87-19-135	296-46-910	AMD-P	87-06-047	296-62-07705	NEW-P	87-05-055
296-24-62001	REP	87-24-051	296-46-910	AMD	87-10-030	296-62-07705	NEW	87-10-008
296-24-62003	REP-P	87-19-135	296-46-920	AMD-P	87-06-047	296-62-07705	AMD-P	87-19-135
296-24-62003	REP	87-24-051	296-46-920	AMD	87-10-030	296-62-07705	AMD	87-24-051

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296-62-07707	NEW-P 87-05-055	296-62-07743	AMD 87-24-051	296-116-175	NEW 87-19-100
296-62-07707	NEW 87-10-008	296-62-07745	NEW-P 87-05-055	296-116-185	AMD-P 87-22-079
296-62-07707	AMD-P 87-19-135	296-62-07745	NEW 87-10-008	296-116-300	AMD-P 87-22-060
296-62-07707	AMD 87-24-051	296-62-07745	AMD-P 87-19-135	296-116-360	NEW-P 87-24-086
296-62-07709	NEW-P 87-05-055	296-62-07745	AMD 87-24-051	296-116-400	NEW-P 87-24-087
296-62-07709	NEW 87-10-008	296-62-07747	NEW-P 87-05-055	296-116-410	NEW-P 87-24-088
296-62-07709	AMD-P 87-19-135	296-62-07747	NEW 87-10-008	296-150B-030	AMD-P 87-15-031
296-62-07709	AMD 87-24-051	296-62-07747	AMD-P 87-19-135	296-150B-035	AMD-P 87-15-031
296-62-07711	NEW-P 87-05-055	296-62-07747	AMD 87-24-051	296-150B-035	AMD 87-21-040
296-62-07711	NEW 87-10-008	296-62-07749	NEW-P 87-05-055	296-150B-050	AMD-P 87-15-031
296-62-07711	AMD-P 87-19-135	296-62-07749	NEW 87-10-008	296-150B-050	AMD 87-21-040
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296-62-07712	NEW-P 87-19-135	296-62-07749	AMD 87-24-051	296-150B-060	AMD 87-21-040
296-62-07712	NEW 87-24-051	296-62-07751	NEW-P 87-19-135	296-150B-122	NEW-P 87-15-031
296-62-07713	NEW-P 87-05-055	296-62-07751	NEW 87-24-051	296-150B-122	NEW 87-21-040
296-62-07713	NEW 87-10-008	296-62-07753	NEW-P 87-19-135	296-150B-125	AMD-P 87-15-031
296-62-07713	AMD-P 87-19-135	296-62-07753	NEW 87-24-051	296-150B-125	AMD 87-21-040
296-62-07713	AMD 87-24-051	296-62-07761	NEW-P 87-19-135	296-150B-185	AMD-P 87-15-031
296-62-07715	NEW-P 87-05-055	296-62-07761	NEW 87-24-051	296-150B-185	AMD 87-21-040
296-62-07715	NEW 87-10-008	296-62-14531	REP-P 87-19-135	296-150B-200	AMD-P 87-15-031
296-62-07715	AMD-P 87-19-135	296-62-14531	REP 87-24-051	296-150B-200	AMD 87-21-040
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296-62-07717	NEW-P 87-05-055	296-62-14533	AMD 87-24-051	296-150B-320	NEW-P 87-15-017
296-62-07717	NEW 87-10-008	296-62-14537	NEW-P 87-19-135	296-150B-320	NEW-E 87-17-064
296-62-07717	AMD-P 87-19-135	296-62-14537	NEW 87-24-051	296-150B-513	AMD-P 87-15-031
296-62-07717	AMD 87-24-051	296-62-14539	NEW-P 87-19-135	296-150B-513	AMD 87-21-040
296-62-07719	NEW-P 87-05-055	296-62-14541	NEW 87-24-051	296-150B-515	NEW-P 87-15-031
296-62-07719	NEW 87-10-008	296-62-14541	NEW-P 87-19-135	296-155-160	NEW 87-21-040
296-62-07719	AMD-P 87-19-135	296-62-146	NEW 87-24-051	296-155-160	AMD-P 87-05-055
296-62-07719	AMD 87-24-051	296-62-146	REP-P 87-19-135	296-155-160	AMD 87-10-008
296-62-07721	NEW-P 87-05-055	296-62-1463	REP 87-24-051	296-155-160	AMD-P 87-19-135
296-62-07721	NEW 87-10-008	296-62-14603	REP-P 87-19-135	296-155-160	AMD 87-24-051
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296-62-07723	AMD-P 87-19-135	296-65-005	AMD 87-10-008	296-155-17505	NEW-P 87-05-055
296-62-07723	AMD 87-24-051	296-65-005	AMD-P 87-19-135	296-155-17505	NEW 87-10-008
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296-62-07725	AMD 87-24-051	296-65-015	AMD-P 87-19-135	296-155-17510	NEW 87-10-008
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296-62-07727	NEW 87-10-008	296-65-020	AMD-P 87-05-055	296-155-17510	REP 87-24-051
296-62-07727	AMD-P 87-19-135	296-65-020	AMD 87-10-008	296-155-17515	NEW-P 87-05-055
296-62-07727	AMD 87-24-051	296-65-020	AMD-P 87-19-135	296-155-17515	NEW 87-10-008
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296-62-07731	AMD 87-24-051	296-65-040	REP-P 87-19-135	296-155-17525	NEW 87-10-008
296-62-07733	NEW-P 87-05-055	296-65-040	REP 87-24-051	296-155-17525	REP-P 87-19-135
296-62-07733	NEW 87-10-008	296-65-045	REP-P 87-19-135	296-155-17525	REP 87-24-051
296-62-07733	AMD-P 87-19-135	296-65-045	REP 87-24-051	296-155-17530	NEW-P 87-05-055
296-62-07733	AMD 87-24-051	296-81-007	AMD-P 87-14-077	296-155-17530	NEW 87-10-008
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296-62-07735	NEW 87-10-008	296-81-008	AMD-P 87-14-077	296-155-17530	REP 87-24-051
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296-62-07735	AMD 87-24-051	296-104-010	AMD-P 87-20-097	296-155-17532	NEW 87-10-008
296-62-07737	NEW-P 87-05-055	296-104-220	AMD-P 87-20-097	296-155-17532	REP-P 87-19-135
296-62-07737	NEW 87-10-008	296-104-265	AMD-P 87-20-097	296-155-17532	REP 87-24-051
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296-62-07737	AMD 87-24-051	296-104-701	NEW-E 87-07-024	296-155-17535	NEW 87-10-008
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296-62-07739	AMD 87-24-051	296-116-030	AMD-P 87-24-082	296-155-17540	NEW 87-10-008
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296-62-07741	NEW 87-10-008	296-116-080	AMD-P 87-24-083	296-155-17540	REP 87-24-051
296-62-07741	AMD-P 87-19-135	296-116-082	AMD-E 87-23-032	296-155-17545	NEW-P 87-05-055
296-62-07741	AMD 87-24-051	296-116-082	AMD-P 87-24-084	296-155-17545	NEW 87-10-008
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296-155-17550	NEW	87-10-008	296-155-429	NEW-P	87-02-058	296-306-025	AMD-C	87-05-023
296-155-17550	REP-P	87-19-135	296-155-429	NEW-C	87-07-021	296-306-025	AMD	87-09-079
296-155-17550	REP	87-24-051	296-155-429	NEW-W	87-13-008	296-306-057	NEW-C	87-02-056
296-155-17555	NEW-P	87-05-055	296-155-430	REP-P	87-02-058	296-306-057	NEW-C	87-05-023
296-155-17555	NEW	87-10-008	296-155-430	REP-C	87-07-021	296-306-057	NEW	87-09-079
296-155-17555	REP-P	87-19-135	296-155-430	REP-W	87-13-008	296-306-27095	AMD-P	87-19-135
296-155-17555	REP	87-24-051	296-155-432	NEW-P	87-02-058	296-306-27095	AMD	87-24-051
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296-155-17560	NEW	87-10-008	296-155-432	NEW-W	87-13-008	296-306-300	NEW-C	87-05-023
296-155-17560	REP-P	87-19-135	296-155-434	NEW-P	87-02-058	296-306-300	NEW	87-09-079
296-155-17560	REP	87-24-051	296-155-434	NEW-C	87-07-021	296-306-310	NEW-C	87-02-056
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296-155-17565	NEW	87-10-008	296-155-435	REP-P	87-02-058	296-306-310	NEW	87-09-079
296-155-17565	REP-P	87-19-135	296-155-435	REP-C	87-07-021	296-306-320	NEW-C	87-02-056
296-155-17565	REP	87-24-051	296-155-435	REP-W	87-13-008	296-306-320	NEW-C	87-05-023
296-155-17570	NEW-P	87-05-055	296-155-437	NEW-P	87-02-058	296-306-320	NEW	87-09-079
296-155-17570	NEW	87-10-008	296-155-437	NEW-C	87-07-021	296-350-500	AMD-P	87-19-135
296-155-17570	REP-P	87-19-135	296-155-437	NEW-W	87-13-008	296-350-500	AMD	87-24-051
296-155-17570	REP	87-24-051	296-155-440	REP-P	87-02-058	296-350-990	AMD-P	87-19-135
296-155-17575	NEW-P	87-05-055	296-155-440	REP-C	87-07-021	296-350-990	AMD	87-24-051
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296-155-17575	REP-P	87-19-135	296-155-441	NEW-P	87-02-058	300-12-010	AMD	87-20-071
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296-155-177	NEW-P	87-05-055	296-155-441	NEW-W	87-13-008	300-12-015	AMD	87-20-071
296-155-177	NEW	87-10-008	296-155-444	NEW-P	87-02-058	300-12-020	AMD-P	87-16-100
296-155-177	REP-P	87-19-135	296-155-444	NEW-C	87-07-021	300-12-020	AMD	87-20-071
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296-155-179	REP-P	87-19-135	296-155-447	NEW-W	87-13-008	304-12-035	NEW	87-20-070
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296-155-183	NEW	87-10-008	296-155-452	NEW-P	87-02-058	308-11-030	AMD-P	87-07-046
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308-26-025	NEW-E	87-15-018	308-42-075	AMD	87-10-028	308-53-020	AMD	87-10-028
308-26-025	NEW-E	87-21-065	308-42-210	NEW-P	87-14-086	308-53-084	AMD-C	87-02-060
308-26-025	NEW	87-22-019	308-42-210	NEW	87-18-040	308-53-084	AMD	87-09-046
308-26-040	REP-P	87-07-046	308-42-220	NEW-P	87-14-086	308-53-085	AMD-C	87-02-060
308-26-040	REP	87-10-028	308-42-220	NEW	87-18-040	308-53-085	AMD	87-09-046
308-26-045	NEW-P	87-07-046	308-42-230	NEW-P	87-14-086	308-53-320	NEW-P	87-09-074
308-26-045	NEW	87-10-028	308-42-230	NEW	87-18-040	308-53-320	NEW	87-17-020
308-29-030	AMD-P	87-07-025	308-42-240	NEW-P	87-14-086	308-53-330	NEW-P	87-09-075
308-29-030	AMD	87-11-064	308-42-240	NEW	87-18-040	308-54-315	AMD-P	87-07-046
308-29-045	AMD-P	87-07-046	308-42-250	NEW-P	87-14-086	308-54-315	AMD-P	87-13-057
308-29-045	AMD	87-10-028	308-42-250	NEW	87-18-040	308-54-315	AMD-E	87-14-088
308-29-060	AMD-P	87-07-025	308-42-260	NEW-P	87-14-086	308-54-315	AMD	87-18-031
308-29-060	AMD	87-11-064	308-42-260	NEW	87-18-040	308-55-025	AMD-P	87-07-046
308-29-070	AMD-P	87-07-025	308-42-270	NEW-P	87-14-086	308-55-025	AMD-P	87-13-057
308-29-070	AMD	87-11-064	308-42-270	NEW	87-18-040	308-55-025	AMD-E	87-14-088
308-29-080	AMD-P	87-07-025	308-42-280	NEW-P	87-14-086	308-55-025	AMD	87-18-031
308-29-080	AMD	87-11-064	308-42-280	NEW	87-18-040	308-56A-006	NEW-P	87-04-069
308-31-015	AMD	87-04-050	308-48-075	NEW-P	87-08-051	308-56A-021	NEW-P	87-17-050
308-31-025	NEW	87-04-050	308-48-075	NEW	87-11-063	308-56A-021	NEW	87-21-012
308-31-025	AMD-P	87-04-054	308-48-200	AMD-P	87-21-063	308-56A-022	NEW-P	87-17-050
308-31-025	AMD	87-09-045	308-48-210	NEW-P	87-08-051	308-56A-022	NEW	87-21-012
308-31-055	AMD-P	87-07-046	308-48-210	NEW	87-11-063	308-56A-023	NEW-P	87-17-050
308-31-055	AMD-P	87-13-057	308-48-250	REP-P	87-07-046	308-56A-023	NEW	87-21-012
308-31-055	AMD-E	87-14-088	308-48-250	REP	87-10-028	308-56A-115	AMD-P	87-04-069
308-31-055	AMD	87-18-031	308-48-550	AMD-P	87-21-063	308-56A-125	AMD-P	87-04-069
308-31-100	AMD	87-04-050	308-48-590	AMD-P	87-21-063	308-56A-155	NEW-P	87-04-069
308-31-120	AMD	87-04-050	308-48-800	NEW-P	87-07-046	308-56A-156	NEW-P	87-04-069
308-31-500	AMD	87-04-050	308-48-800	NEW	87-10-028	308-56A-160	NEW-P	87-04-069
308-31-500	AMD-P	87-04-054	308-49-140	AMD-P	87-15-105	308-56A-195	AMD-P	87-04-069
308-31-500	AMD	87-09-045	308-49-140	AMD	87-18-053	308-56A-300	AMD-P	87-17-050
308-32-080	AMD-P	87-16-106	308-49-170	AMD-P	87-15-105	308-56A-300	AMD	87-21-012
308-32-080	AMD	87-21-011	308-49-170	AMD	87-18-053	308-61-026	AMD-E	87-16-053
308-32-090	REP-P	87-07-046	308-49-180	REP-P	87-15-105	308-61-026	AMD-P	87-22-029
308-32-100	NEW-P	87-07-046	308-49-180	REP	87-18-053	308-61-026	AMD-E	87-22-030
308-33-011	AMD-P	87-11-061	308-50-010	AMD-P	87-10-066	308-61-050	AMD-E	87-16-053
308-33-011	AMD	87-21-088	308-50-010	AMD	87-14-030	308-61-050	REP-P	87-22-029
308-33-020	AMD-P	87-11-061	308-50-020	AMD-P	87-10-066	308-61-050	REP-E	87-22-030
308-33-020	AMD	87-21-088	308-50-020	AMD	87-14-030	308-61-108	AMD-E	87-16-053
308-33-030	AMD-P	87-11-061	308-50-035	NEW-P	87-10-066	308-61-108	AMD-P	87-22-029
308-33-030	AMD	87-21-088	308-50-035	NEW	87-14-030	308-61-108	AMD-E	87-22-030
308-33-040	REP-P	87-11-061	308-50-375	REP-P	87-07-046	308-61-135	AMD-E	87-16-053
308-33-040	REP	87-21-088	308-50-375	REP-P	87-13-057	308-61-135	AMD-P	87-22-029
308-33-050	REP-P	87-11-061	308-50-375	REP-E	87-14-088	308-61-135	AMD-E	87-22-030
308-33-050	REP	87-21-088	308-50-375	REP	87-18-031	308-61-158	AMD-E	87-16-053
308-33-060	AMD-P	87-11-061	308-50-440	NEW-P	87-07-046	308-61-158	AMD-P	87-22-029
308-33-060	AMD	87-21-088	308-50-440	NEW-P	87-13-057	308-61-158	AMD-E	87-22-030
308-33-080	AMD-P	87-11-061	308-50-440	NEW-E	87-14-088	308-61-175	AMD-E	87-16-053
308-33-080	AMD	87-21-088	308-50-440	NEW	87-18-031	308-61-175	AMD-P	87-22-029
308-33-095	AMD-P	87-11-061	308-51-125	NEW-P	87-18-052	308-61-175	AMD-E	87-22-030
308-33-095	AMD	87-21-088	308-51-125	NEW-E	87-19-001	308-61-210	AMD-E	87-16-053
308-33-105	AMD-P	87-07-046	308-51-125	NEW	87-21-049	308-61-210	AMD-P	87-22-029
308-33-105	AMD	87-10-028	308-51-200	REP-P	87-07-046	308-61-210	AMD-E	87-22-030
308-34-080	AMD-P	87-16-106	308-51-200	REP-P	87-13-057	308-61-240	AMD-E	87-16-053
308-34-080	AMD	87-21-011	308-51-200	REP-E	87-14-088	308-61-240	AMD-P	87-22-029
308-34-090	NEW-P	87-07-046	308-51-200	REP	87-18-031	308-61-240	AMD-E	87-22-030
308-34-090	NEW-P	87-13-057	308-51-210	NEW-P	87-07-046	308-61-260	AMD-E	87-16-053
308-34-090	NEW-E	87-14-088	308-51-210	NEW-P	87-13-057	308-61-260	AMD-P	87-22-029
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308-37-130	AMD-P	87-20-090	308-51-210	NEW	87-18-031	308-61-330	AMD-E	87-16-053
308-37-190	AMD-P	87-07-045	308-52-138	AMD-P	87-24-097	308-61-330	AMD-P	87-22-029
308-37-190	AMD-W	87-09-095	308-52-139	AMD-P	87-13-054	308-61-330	AMD-E	87-22-030
308-37-190	AMD-P	87-09-096	308-52-139	AMD-P	87-24-097	308-61-430	AMD-E	87-16-053
308-37-190	AMD-W	87-11-026	308-52-140	AMD-P	87-13-054	308-61-430	AMD-P	87-22-029
308-37-190	REP-P	87-18-063	308-52-140	AMD-P	87-24-097	308-61-430	AMD-E	87-22-030
308-37-190	REP-C	87-21-086	308-52-140	NEW-P	87-24-097	308-79-050	REP-P	87-13-083
308-40-102	AMD-P	87-06-051	308-52-140	NEW-P	87-24-097	308-79-050	REP	87-16-058
308-40-102	AMD	87-09-097	308-52-140	NEW-P	87-13-054	308-90-010	REP-E	87-14-072
308-40-105	AMD-P	87-06-051	308-52-147	NEW-P	87-13-054	308-90-010	REP-E	87-21-009
308-40-105	AMD	87-09-097	308-52-147	NEW-P	87-24-097	308-90-010	REP-P	87-23-023
308-40-125	AMD-P	87-07-046	308-52-148	NEW-P	87-13-054	308-90-020	REP-E	87-14-072
308-40-125	AMD-P	87-13-057	308-52-315	REP-P	87-07-046	308-90-020	REP-E	87-21-009
308-40-125	AMD-E	87-14-088	308-52-315	REP	87-10-028	308-90-020	REP-P	87-23-023
308-40-125	AMD	87-18-031	308-52-590	NEW-P	87-07-046	308-90-030	AMD-E	87-14-072
308-41-025	REP-P	87-07-046	308-52-590	NEW	87-10-028	308-90-030	AMD-E	87-21-009
308-42-040	AMD-P	87-05-061	308-52-590	AMD-P	87-16-107	308-90-030	AMD-P	87-23-023
308-42-040	AMD	87-08-065	308-52-590	AMD	87-19-130	308-90-040	AMD-E	87-14-072
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308-90-050	REP-E	87-14-072	308-96A-100	AMD-P	87-04-067	308-120-275	AMD-P	87-07-046
308-90-050	REP-E	87-21-009	308-96A-100	AMD	87-12-023	308-120-275	AMD	87-10-028
308-90-050	REP-P	87-23-023	308-96A-136	NEW-P	87-04-067	308-120-511	AMD-P	87-15-103
308-90-060	AMD-E	87-14-072	308-96A-136	NEW	87-12-023	308-120-511	AMD	87-23-050
308-90-060	AMD-E	87-21-009	308-96A-175	NEW-P	87-21-064	308-120-700	NEW-P	87-15-103
308-90-060	AMD-P	87-23-023	308-96A-205	AMD-P	87-04-067	308-120-700	NEW	87-23-050
308-90-070	AMD-E	87-14-072	308-96A-205	AMD	87-12-023	308-120-710	NEW-P	87-15-103
308-90-070	AMD-E	87-21-009	308-96A-220	AMD-P	87-04-067	308-120-710	NEW	87-23-050
308-90-070	AMD-P	87-23-023	308-96A-220	AMD	87-12-023	308-120-720	NEW-P	87-15-103
308-90-080	AMD-E	87-14-072	308-96A-300	AMD-P	87-04-067	308-120-720	NEW	87-23-050
308-90-080	AMD-E	87-21-009	308-96A-300	AMD	87-12-023	308-120-730	NEW-P	87-15-103
308-90-080	AMD-P	87-23-023	308-96A-306	NEW-P	87-04-067	308-120-730	NEW	87-23-050
308-90-090	AMD-E	87-14-072	308-96A-306	NEW	87-12-023	308-120-740	NEW-P	87-15-103
308-90-090	AMD-E	87-21-009	308-96A-310	AMD-P	87-04-067	308-120-740	NEW	87-23-050
308-90-090	AMD-P	87-23-023	308-96A-310	AMD-P	87-21-064	308-122-200	AMD-P	87-15-104
308-90-110	AMD-E	87-14-072	308-96A-325	AMD-P	87-04-067	308-122-200	AMD	87-19-096
308-90-110	AMD-E	87-21-009	308-96A-325	AMD	87-12-023	308-122-275	AMD-P	87-07-046
308-90-110	AMD-P	87-23-023	308-96A-325	AMD-P	87-21-064	308-122-275	AMD	87-10-028
308-90-120	NEW-E	87-14-072	308-96A-330	AMD-P	87-04-067	308-124-001	AMD-P	87-17-068
308-90-120	NEW-E	87-21-009	308-96A-330	AMD	87-12-023	308-124-001	AMD	87-20-091
308-90-120	NEW-P	87-23-023	308-96A-335	AMD-P	87-04-067	308-124-005	AMD-P	87-17-068
308-90-130	NEW-E	87-14-072	308-96A-335	AMD	87-12-023	308-124-005	AMD	87-20-091
308-90-130	NEW-E	87-21-009	308-96A-400	AMD-P	87-04-067	308-124-007	AMD-P	87-17-068
308-90-130	NEW-P	87-23-023	308-96A-400	AMD	87-12-023	308-124-007	AMD	87-20-091
308-90-140	NEW-E	87-14-072	308-96A-410	NEW-P	87-04-067	308-124-021	AMD-P	87-17-068
308-90-140	NEW-E	87-21-009	308-96A-410	NEW	87-12-023	308-124-021	AMD	87-20-091
308-90-140	NEW-P	87-23-023	308-96A-415	NEW-P	87-04-067	308-124A-010	AMD-P	87-17-068
308-90-150	NEW-E	87-14-072	308-96A-415	NEW	87-12-023	308-124A-010	AMD	87-20-091
308-90-150	NEW-E	87-21-009	308-96A-420	NEW-P	87-04-067	308-124A-020	AMD-P	87-17-068
308-90-150	NEW-P	87-23-023	308-96A-420	NEW	87-12-023	308-124A-020	AMD	87-20-091
308-90-160	NEW-E	87-14-072	308-99-010	AMD-P	87-14-087	308-124A-025	AMD-P	87-17-068
308-90-160	NEW-E	87-21-009	308-99-010	AMD-E	87-16-022	308-124A-025	AMD	87-20-091
308-90-160	NEW-P	87-23-023	308-99-010	AMD	87-21-013	308-124A-030	AMD-P	87-17-068
308-93-010	AMD-P	87-04-068	308-99-020	AMD-P	87-14-087	308-124A-030	AMD	87-20-091
308-93-010	AMD	87-09-073	308-99-020	AMD-E	87-16-022	308-124A-040	AMD-P	87-17-068
308-93-074	AMD-P	87-04-068	308-99-020	AMD	87-21-013	308-124A-040	AMD	87-20-091
308-93-074	AMD	87-09-073	308-99-021	AMD-P	87-14-087	308-124A-110	AMD-P	87-17-068
308-93-295	NEW-P	87-21-048	308-99-021	AMD-E	87-16-022	308-124A-110	AMD	87-20-091
308-94	AMD	87-03-041	308-99-021	AMD	87-21-013	308-124A-115	NEW-P	87-14-054
308-94-010	AMD	87-03-041	308-99-025	AMD-P	87-14-087	308-124A-115	NEW-E	87-16-020
308-94-020	REP	87-03-041	308-99-025	AMD-E	87-16-022	308-124A-115	NEW	87-17-051
308-94-030	AMD	87-03-041	308-99-025	AMD	87-21-013	308-124A-120	AMD-P	87-17-068
308-94-035	NEW-P	87-20-092	308-99-040	AMD-P	87-14-087	308-124A-120	AMD	87-20-091
308-94-035	NEW	87-24-032	308-99-040	AMD-E	87-16-022	308-124A-130	AMD-P	87-17-068
308-94-040	AMD	87-03-041	308-99-040	AMD	87-21-013	308-124A-130	AMD	87-20-091
308-94-050	AMD	87-03-041	308-100-010	AMD-E	87-12-024	308-124A-200	AMD-P	87-14-054
308-94-060	REP	87-03-041	308-100-010	AMD-P	87-15-139	308-124A-200	AMD-E	87-16-020
308-94-070	AMD	87-03-041	308-100-010	AMD	87-19-129	308-124A-200	AMD	87-17-051
308-94-080	AMD	87-03-041	308-104-004	NEW-P	87-15-139	308-124A-205	NEW-P	87-17-068
308-94-100	AMD	87-03-041	308-104-004	NEW	87-19-129	308-124A-205	NEW	87-20-091
308-94-110	AMD	87-03-041	308-104-006	NEW-P	87-15-139	308-124A-210	REP-P	87-17-068
308-94-160	AMD	87-03-041	308-104-006	NEW	87-19-129	308-124A-210	REP	87-20-091
308-94-170	AMD	87-03-041	308-104-008	NEW-P	87-15-139	308-124A-410	AMD-P	87-17-068
308-94-180	REP	87-03-041	308-104-008	NEW	87-19-129	308-124A-410	AMD	87-20-091
308-94-181	NEW	87-03-041	308-104-050	AMD-P	87-15-139	308-124A-420	AMD-P	87-17-068
308-94-190	REP	87-03-041	308-104-050	AMD	87-19-129	308-124A-420	AMD	87-20-091
308-94-191	NEW	87-03-041	308-115-140	AMD-P	87-16-106	308-124A-450	AMD-P	87-17-068
308-94-200	AMD	87-03-041	308-115-140	AMD	87-21-011	308-124A-450	AMD	87-20-091
308-94-210	AMD	87-03-041	308-115-405	AMD-P	87-07-046	308-124A-460	NEW-P	87-14-054
308-94-220	AMD	87-03-041	308-115-405	AMD-P	87-13-057	308-124A-460	NEW	87-17-051
308-94-230	REP	87-03-041	308-115-405	AMD-E	87-14-088	308-124A-470	NEW-E	87-16-020
308-94-240	AMD	87-03-041	308-115-405	AMD	87-18-031	308-124B-040	REP-P	87-17-068
308-94-250	AMD	87-03-041	308-116-325	REP-P	87-07-046	308-124B-040	REP	87-20-091
308-94-260	REP	87-03-041	308-116-325	REP	87-10-028	308-124B-100	AMD-P	87-17-068
308-94-261	NEW	87-03-041	308-117-130	AMD-P	87-10-067	308-124B-100	AMD	87-20-091
308-94-265	NEW	87-03-041	308-117-130	AMD	87-17-021	308-124B-120	AMD-P	87-17-068
308-94-270	NEW	87-03-041	308-117-200	AMD-P	87-10-067	308-124B-120	AMD	87-20-091
308-96A-005	AMD-P	87-04-067	308-117-200	AMD	87-17-021	308-124B-130	AMD-P	87-17-068
308-96A-005	AMD	87-12-023	308-117-300	AMD-P	87-10-067	308-124B-130	AMD	87-20-091
308-96A-021	NEW-P	87-04-067	308-117-300	AMD	87-17-021	308-124B-150	NEW-E	87-20-064
308-96A-021	NEW	87-12-023	308-117-500	NEW-P	87-07-046	308-124C-010	AMD-P	87-17-068
308-96A-046	AMD-P	87-21-064	308-117-500	NEW	87-10-028	308-124C-010	AMD	87-20-091
308-96A-056	NEW-P	87-21-064	308-120-162	AMD-P	87-15-103	308-124C-030	AMD-P	87-17-068
308-96A-061	NEW-P	87-21-064	308-120-162	AMD	87-23-050	308-124C-030	AMD	87-20-091
308-96A-062	NEW-P	87-21-064	308-120-165	AMD-P	87-15-103	308-124C-040	AMD-P	87-17-068
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308-124D-050	NEW-P	87-17-068	308-175-065	NEW	87-23-022	308-400-110	NEW-E	87-16-057
308-124D-050	NEW	87-20-091	308-175-075	NEW-P	87-17-067	308-400-110	NEW	87-16-059
308-124E-011	AMD-P	87-17-068	308-175-075	NEW	87-23-022	308-410-010	NEW-P	87-24-098
308-124E-011	AMD	87-20-091	308-175-085	NEW-P	87-17-067	308-410-020	NEW-P	87-24-098
308-124F-010	AMD-P	87-17-068	308-175-085	NEW	87-23-022	308-410-030	NEW-P	87-24-098
308-124F-010	AMD	87-20-091	308-175-090	AMD-P	87-17-067	308-410-040	NEW-P	87-24-098
308-124H-010	AMD-P	87-17-068	308-175-090	AMD	87-23-022	308-410-050	NEW-P	87-24-098
308-124H-010	AMD	87-20-091	308-175-095	NEW-P	87-17-067	308-410-060	NEW-P	87-24-098
308-124H-030	AMD-P	87-17-068	308-175-095	NEW	87-23-022	308-410-070	NEW-P	87-24-098
308-124H-030	AMD	87-20-091	308-175-100	NEW-P	87-17-067	314-12-025	NEW-P	87-13-060
308-124H-038	NEW-P	87-17-068	308-175-100	NEW	87-23-022	314-12-025	NEW	87-16-002
308-124H-038	NEW	87-20-091	308-175-105	NEW-P	87-17-067	314-12-070	AMD-P	87-13-060
308-124H-040	AMD-P	87-17-068	308-175-105	NEW	87-23-022	314-12-070	AMD	87-16-002
308-124H-040	AMD	87-20-091	308-175-110	NEW-P	87-17-067	314-12-140	AMD	87-04-018
308-124H-070	AMD-P	87-17-068	308-175-110	NEW	87-23-022	314-12-145	NEW-E	87-11-043
308-124H-070	AMD	87-20-091	308-175-115	NEW-P	87-17-067	314-12-145	NEW-P	87-11-044
308-127-150	REP-P	87-19-153	308-175-115	NEW	87-23-022	314-12-145	NEW	87-14-009
308-127-150	REP-E	87-20-001	308-175-120	NEW-P	87-17-067	314-12-150	AMD-P	87-11-019
308-127-155	NEW-P	87-19-153	308-175-120	NEW	87-23-022	314-12-150	AMD	87-14-010
308-127-155	NEW-E	87-20-001	308-175-125	NEW-P	87-17-067	314-16-020	AMD-P	87-19-108
308-128B-080	NEW-P	87-13-056	308-175-125	NEW	87-23-022	314-16-020	AMD	87-22-018
308-128B-080	NEW	87-18-032	308-175-130	NEW-P	87-17-067	314-16-040	AMD-P	87-17-023
308-138-080	AMD-P	87-07-046	308-175-130	NEW	87-23-022	314-16-040	AMD	87-20-014
308-138-080	AMD	87-10-028	308-175-135	NEW-P	87-17-067	314-16-070	AMD-P	87-22-073
308-138-321	NEW-P	87-04-048	308-175-135	NEW	87-23-022	314-16-115	AMD-P	87-19-107
308-138-321	NEW	87-11-062	308-175-140	NEW-P	87-17-067	314-16-115	AMD	87-22-017
308-138-322	NEW-P	87-04-048	308-175-140	NEW	87-23-022	314-16-155	REP-P	87-18-046
308-138-322	NEW	87-11-062	308-180-100	AMD-E	87-03-013	314-16-155	REP	87-21-037
308-138-323	NEW-P	87-04-048	308-180-100	AMD	87-06-050	314-16-160	AMD-C	87-03-025
308-138-323	NEW	87-11-062	308-180-100	REP-P	87-07-046	314-16-160	AMD	87-04-017
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308-138-324	NEW	87-11-062	308-180-100	REP-E	87-14-088	314-16-205	AMD	87-15-110
308-138-325	NEW-P	87-04-048	308-180-100	REP	87-18-031	314-16-240	NEW-P	87-12-027
308-138-325	NEW-P	87-14-017	308-180-130	NEW-E	87-03-013	314-16-240	NEW-E	87-15-112
308-138-325	NEW-P	87-20-098	308-180-130	NEW	87-06-050	314-16-240	NEW	87-15-113
308-138-326	NEW-P	87-04-048	308-180-140	NEW-E	87-03-013	314-20-020	AMD-P	87-05-045
308-138-326	NEW	87-11-062	308-180-140	NEW	87-06-050	314-20-020	AMD	87-08-015
308-138-327	NEW-P	87-04-048	308-180-150	NEW-E	87-03-013	314-20-020	AMD-P	87-18-047
308-138-327	NEW	87-11-062	308-180-150	NEW	87-06-050	314-20-020	AMD	87-21-036
308-138-328	NEW-P	87-04-048	308-180-160	NEW-E	87-03-013	314-20-050	AMD-P	87-17-062
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308-138-328	NEW-P	87-20-098	308-180-170	NEW-E	87-03-013	314-24-090	AMD-P	87-05-044
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308-138-330	AMD	87-11-062	308-180-190	NEW-E	87-03-013	314-24-090	AMD-P	87-18-047
308-138A-020	AMD-P	87-04-048	308-180-190	NEW	87-06-050	314-24-090	AMD	87-21-036
308-138A-020	AMD	87-13-004	308-180-200	NEW-E	87-03-013	314-24-095	NEW-E	87-12-020
308-138A-020	AMD-P	87-14-046	308-180-200	NEW	87-06-050	314-24-095	NEW-P	87-12-028
308-138A-020	AMD	87-20-099	308-180-210	NEW-E	87-03-013	314-24-095	NEW	87-15-016
308-138A-025	AMD-P	87-14-046	308-180-210	NEW	87-06-050	314-24-110	AMD-P	87-13-013
308-138A-025	AMD	87-20-099	308-180-220	NEW-E	87-03-013	314-24-110	AMD	87-15-111
308-138B-170	AMD-P	87-14-046	308-180-220	NEW	87-06-050	314-24-150	AMD-P	87-17-062
308-138B-170	AMD	87-20-099	308-180-230	NEW-E	87-03-013	314-24-150	AMD	87-20-013
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308-152-015	REP	87-10-028	308-180-240	NEW-E	87-03-013	314-24-190	AMD	87-15-111
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308-152-030	NEW	87-10-028	308-180-250	NEW-E	87-03-013	314-24-200	AMD	87-15-111
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308-171-001	AMD	87-09-044	308-180-260	NEW-P	87-07-046	314-24-210	AMD	87-16-003
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308-171-002	AMD	87-09-044	308-180-260	NEW-E	87-14-088	314-27-010	REVIEW	87-03-034
308-171-003	NEW-P	87-05-062	308-180-260	NEW	87-18-031	314-36-020	AMD-P	87-04-063
308-171-003	NEW	87-09-044	308-185-010	NEW-P	87-24-062	314-36-020	AMD	87-07-008
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308-171-010	AMD	87-09-044	308-190-010	NEW	87-18-033	314-36-100	AMD	87-07-008
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308-171-020	AMD	87-09-044	308-190-020	NEW	87-21-011	314-36-110	AMD	87-07-008
308-171-030	AMD	87-04-015	308-195-010	NEW-P	87-24-062	314-36-150	AMD-P	87-04-063
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308-171-310	NEW	87-10-028	308-400-100	NEW-P	87-13-055	315-04-070	AMD-P	87-07-051
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315-06-020	AMD-P	87-14-057	320-08-001	NEW-P	87-10-068	320-12-050	AMD	87-14-047
315-06-020	AMD	87-17-012	320-08-001	NEW	87-14-053	320-12-060	AMD-P	87-10-069
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315-10-060	AMD-P	87-14-057	320-08-030	AMD-P	87-10-068	320-12-070	AMD	87-14-047
315-10-060	AMD	87-17-012	320-08-030	AMD	87-14-053	320-16-001	REP-P	87-10-069
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315-11-202	REP-P	87-21-094	320-08-050	AMD-P	87-10-068	320-16-010	REP	87-14-047
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315-11-221	REP-P	87-21-094	320-08-070	AMD	87-14-053	320-20-010	AMD	87-14-047
315-11-222	REP-P	87-21-094	320-08-080	AMD-P	87-10-068	320-20-010	AMD-P	87-10-069
315-11-230	REP-P	87-21-094	320-08-080	AMD	87-14-053	320-20-020	AMD	87-14-047
315-11-231	REP-P	87-21-094	320-08-080	AMD	87-14-053	320-20-020	AMD	87-14-047
315-11-232	REP-P	87-21-094	320-08-090	AMD-P	87-10-068	320-20-030	AMD-P	87-10-069
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315-11-241	NEW	87-05-005	320-08-100	AMD	87-14-053	320-20-060	REP	87-14-047
315-11-241	REP-P	87-21-094	320-08-140	AMD-P	87-10-068	322-12-010	AMD	87-04-035
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315-11-250	NEW-E	87-07-052	320-08-180	AMD-P	87-10-068	323-12-040	NEW	87-05-014
315-11-250	NEW	87-10-043	320-08-180	AMD	87-14-053	323-12-050	NEW	87-05-014
315-11-250	REP-P	87-21-094	320-08-190	AMD-P	87-10-068	323-12-060	NEW	87-05-014
315-11-251	NEW-P	87-07-050	320-08-190	AMD	87-14-053	323-12-070	NEW	87-05-014
315-11-251	NEW-E	87-07-052	320-08-200	AMD-P	87-10-068	323-12-080	NEW	87-05-014
315-11-251	NEW	87-10-043	320-08-200	AMD	87-14-053	323-12-090	NEW	87-05-014
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315-11-251	REP-P	87-21-094	320-08-210	AMD	87-14-053	323-12-110	NEW	87-05-014
315-11-252	NEW-P	87-07-050	320-08-260	AMD-P	87-10-068	323-12-120	NEW	87-05-014
315-11-252	NEW-E	87-07-052	320-08-260	AMD	87-14-053	326-02-030	AMD-P	87-15-143
315-11-252	NEW-P	87-07-050	320-08-270	AMD-P	87-10-068	326-02-030	AMD	87-18-030
315-11-252	REP-P	87-21-094	320-08-270	AMD	87-14-053	326-02-030	AMD-P	87-20-088
315-11-260	NEW-P	87-07-050	320-08-300	AMD-P	87-10-068	326-20-010	AMD-P	87-15-143
315-11-260	NEW	87-10-043	320-08-300	AMD	87-14-053	326-20-010	AMD	87-18-030
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315-11-261	NEW-P	87-07-050	320-08-310	AMD	87-14-053	326-20-050	AMD	87-18-030
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315-11-262	NEW-P	87-07-050	320-08-350	AMD-P	87-10-068	326-20-080	AMD-P	87-15-143
315-11-262	NEW	87-10-043	320-08-350	AMD	87-14-053	326-20-080	AMD	87-18-030
315-11-270	NEW-P	87-07-050	320-08-370	AMD-P	87-10-068	326-20-090	REP-E	87-16-066
315-11-270	NEW	87-10-043	320-08-370	AMD	87-14-053	326-20-090	REP-P	87-20-088
315-11-271	NEW-P	87-07-050	320-08-380	AMD-P	87-10-068	326-20-300	NEW-E	87-16-065
315-11-271	NEW	87-10-043	320-08-380	AMD	87-14-053	326-20-300	NEW-P	87-20-088
315-11-272	NEW-P	87-07-050	320-08-390	AMD-P	87-10-068	326-30-039	NEW-E	87-13-037
315-11-272	NEW	87-10-043	320-08-390	AMD	87-14-053	326-30-039	NEW-P	87-15-143
315-11-280	NEW-P	87-14-058	320-08-400	AMD-P	87-10-068	326-30-039	NEW-E	87-18-028
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315-11-281	NEW	87-17-047	320-08-410	AMD	87-14-053	332-10-180	AMD-C	87-20-066
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315-11-290	NEW-P	87-14-058	320-08-430	AMD-P	87-10-068	332-16-010	REP-P	87-15-102
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315-11-291	NEW-P	87-14-058	320-08-440	AMD-P	87-10-068	332-16-010	REP-E	87-21-006
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315-11-292	NEW-P	87-14-058	320-08-445	NEW-P	87-10-068	332-16-020	REP-P	87-15-102
315-11-292	NEW	87-17-047	320-08-445	NEW	87-14-053	332-16-020	REP-C	87-20-067
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315-11-301	NEW-P	87-21-093	320-08-450	AMD	87-14-053	332-16-020	REP	87-21-007
315-11-302	NEW-P	87-21-093	320-08-460	AMD-P	87-10-068	332-16-030	REP-P	87-15-102
315-14-010	NEW-P	87-14-058	320-08-460	AMD	87-14-053	332-16-030	REP-C	87-20-067
315-14-010	NEW	87-17-047	320-08-470	AMD-P	87-10-068	332-16-030	REP-E	87-21-006
315-30-090	AMD-P	87-14-057	320-08-470	AMD	87-14-053	332-16-030	REP	87-21-007
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315-32-040	AMD-C	87-20-002	320-08-520	AMD-P	87-10-068	332-16-035	NEW-C	87-20-066
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315-32-050	AMD-P	87-17-066	320-08-530	AMD-P	87-10-068	332-16-035	NEW	87-21-005
315-32-050	AMD-C	87-20-002	320-08-530	AMD	87-14-053	332-16-040	AMD-E	87-15-100
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332-16-045	NEW-C	87-20-066	332-16-140	REP-P	87-15-102	332-16-235	NEW-P	87-15-102
332-16-045	NEW-E	87-21-004	332-16-140	REP-C	87-20-067	332-16-235	NEW-C	87-20-067
332-16-045	NEW	87-21-005	332-16-140	REP-E	87-21-006	332-16-235	NEW-E	87-21-006
332-16-050	REP-P	87-15-102	332-16-140	REP	87-21-007	332-16-235	NEW	87-21-007
332-16-050	REP-C	87-20-067	332-16-145	NEW-P	87-15-102	332-16-240	REP-P	87-15-102
332-16-050	REP-E	87-21-006	332-16-145	NEW-C	87-20-067	332-16-240	REP-C	87-20-067
332-16-050	REP	87-21-007	332-16-145	NEW-E	87-21-006	332-16-240	REP-E	87-21-006
332-16-055	NEW-P	87-15-102	332-16-145	NEW	87-21-007	332-16-240	REP	87-21-007
332-16-055	NEW-C	87-20-067	332-16-150	AMD-E	87-15-100	332-16-245	NEW-P	87-15-102
332-16-055	NEW-E	87-21-006	332-16-150	REP-P	87-15-102	332-16-245	NEW-C	87-20-067
332-16-055	NEW	87-21-007	332-16-150	REP-C	87-20-067	332-16-245	NEW-E	87-21-006
332-16-060	REP-P	87-15-102	332-16-150	REP-E	87-21-006	332-16-245	NEW	87-21-007
332-16-060	REP-C	87-20-067	332-16-150	REP	87-21-007	332-16-250	REP-P	87-15-102
332-16-060	REP-E	87-21-006	332-16-155	NEW-P	87-15-102	332-16-250	REP-C	87-20-067
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332-16-065	NEW-P	87-15-102	332-16-155	NEW-E	87-21-006	332-16-250	REP	87-21-007
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332-16-065	NEW-E	87-21-006	332-16-160	REP-P	87-15-102	332-16-255	NEW-C	87-20-067
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332-16-070	AMD-E	87-15-100	332-16-160	REP-E	87-21-006	332-16-255	NEW	87-21-007
332-16-070	REP-P	87-15-102	332-16-160	REP	87-21-007	332-16-260	REP-P	87-15-102
332-16-070	REP-C	87-20-067	332-16-165	NEW-P	87-15-102	332-16-260	REP-C	87-20-067
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332-16-075	NEW-P	87-15-102	332-16-165	NEW	87-21-007	332-16-270	REP-P	87-15-102
332-16-075	NEW-C	87-20-067	332-16-170	REP-P	87-15-102	332-16-270	REP-C	87-20-067
332-16-075	NEW-E	87-21-006	332-16-170	REP-C	87-20-067	332-16-270	REP-E	87-21-006
332-16-075	NEW	87-21-007	332-16-170	REP-E	87-21-006	332-16-270	REP	87-21-007
332-16-080	REP-P	87-15-102	332-16-170	REP	87-21-007	332-16-290	REP-P	87-15-102
332-16-080	REP-C	87-20-067	332-16-175	NEW-P	87-15-102	332-16-290	REP-C	87-20-067
332-16-080	REP-E	87-21-006	332-16-175	NEW-C	87-20-067	332-16-290	REP-E	87-21-006
332-16-080	REP	87-21-007	332-16-175	NEW-E	87-21-006	332-16-290	REP	87-21-007
332-16-085	NEW-P	87-15-102	332-16-175	NEW	87-21-007	332-16-300	REP-P	87-15-102
332-16-085	NEW-C	87-20-067	332-16-180	REP-P	87-15-102	332-16-300	REP-C	87-20-067
332-16-085	NEW-E	87-21-006	332-16-180	REP-C	87-20-067	332-16-300	REP-E	87-21-006
332-16-085	NEW	87-21-007	332-16-180	REP-E	87-21-006	332-16-300	REP	87-21-007
332-16-090	REP-P	87-15-102	332-16-180	REP	87-21-007	332-16-310	REP-P	87-15-102
332-16-090	REP-C	87-20-067	332-16-185	NEW-P	87-15-102	332-16-310	REP-C	87-20-067
332-16-090	REP-E	87-21-006	332-16-185	NEW-C	87-20-067	332-16-310	REP-E	87-21-006
332-16-090	REP	87-21-007	332-16-185	NEW-E	87-21-006	332-16-310	REP	87-21-007
332-16-095	NEW-P	87-15-102	332-16-185	NEW	87-21-007	332-16-320	REP-P	87-15-102
332-16-095	NEW-C	87-20-067	332-16-190	REP-P	87-15-102	332-16-320	REP-C	87-20-067
332-16-095	NEW-E	87-21-006	332-16-190	REP-C	87-20-067	332-16-320	REP-E	87-21-006
332-16-095	NEW	87-21-007	332-16-190	REP-E	87-21-006	332-16-320	REP	87-21-007
332-16-100	AMD-E	87-15-100	332-16-190	REP	87-21-007	332-16-330	REP-P	87-15-102
332-16-100	REP-P	87-15-102	332-16-195	NEW-P	87-15-102	332-16-330	REP-C	87-20-067
332-16-100	REP-C	87-20-067	332-16-195	NEW-C	87-20-067	332-16-330	REP-E	87-21-006
332-16-100	REP-E	87-21-006	332-16-195	NEW-E	87-21-006	332-16-330	REP	87-21-007
332-16-100	REP	87-21-007	332-16-195	NEW	87-21-007	332-16-340	REP-P	87-15-102
332-16-105	NEW-P	87-15-102	332-16-200	REP-P	87-15-102	332-16-340	REP-C	87-20-067
332-16-105	NEW-C	87-20-067	332-16-200	REP-C	87-20-067	332-16-340	REP-E	87-21-006
332-16-105	NEW-E	87-21-006	332-16-200	REP-E	87-21-006	332-16-340	REP	87-21-007
332-16-105	NEW	87-21-007	332-16-200	REP	87-21-007	332-24-001	REP-P	87-06-055
332-16-110	REP-P	87-15-102	332-16-205	NEW-P	87-15-102	332-24-001	REP	87-11-005
332-16-110	REP-C	87-20-067	332-16-205	NEW-C	87-20-067	332-24-005	NEW-P	87-06-055
332-16-110	REP-E	87-21-006	332-16-205	NEW-E	87-21-006	332-24-005	NEW	87-11-005
332-16-110	REP	87-21-007	332-16-205	NEW	87-21-007	332-24-015	NEW-P	87-06-055
332-16-115	NEW-P	87-15-102	332-16-210	REP-P	87-15-102	332-24-015	NEW	87-11-005
332-16-115	NEW-C	87-20-067	332-16-210	REP-C	87-20-067	332-24-020	REP-P	87-06-055
332-16-115	NEW-E	87-21-006	332-16-210	REP-E	87-21-006	332-24-020	REP	87-11-005
332-16-115	NEW	87-21-007	332-16-210	REP	87-21-007	332-24-025	REP-P	87-06-055
332-16-120	REP-P	87-15-102	332-16-215	NEW-P	87-15-102	332-24-025	REP	87-11-005
332-16-120	REP-C	87-20-067	332-16-215	NEW-C	87-20-067	332-24-027	REP-P	87-06-055
332-16-120	REP-E	87-21-006	332-16-215	NEW-E	87-21-006	332-24-027	REP	87-11-005
332-16-120	REP	87-21-007	332-16-215	NEW	87-21-007	332-24-055	REP-P	87-06-055
332-16-125	NEW-P	87-15-102	332-16-220	REP-P	87-15-102	332-24-055	REP	87-11-005
332-16-125	NEW-C	87-20-067	332-16-220	REP-C	87-20-067	332-24-056	REP-P	87-06-055
332-16-125	NEW-E	87-21-006	332-16-220	REP-E	87-21-006	332-24-056	REP	87-11-005
332-16-125	NEW	87-21-007	332-16-220	REP	87-21-007	332-24-057	REP-P	87-06-055
332-16-130	REP-P	87-15-102	332-16-225	NEW-P	87-15-102	332-24-057	REP	87-11-005
332-16-130	REP-C	87-20-067	332-16-225	NEW-C	87-20-067	332-24-058	REP-P	87-06-055
332-16-130	REP-E	87-21-006	332-16-225	NEW-E	87-21-006	332-24-058	REP	87-11-005
332-16-130	REP	87-21-007	332-16-225	NEW	87-21-007	332-24-059	REP-P	87-06-055
332-16-135	NEW-P	87-15-102	332-16-230	REP-P	87-15-102	332-24-059	REP	87-11-005
332-16-135	NEW-C	87-20-067	332-16-230	REP-C	87-20-067	332-24-060	REP-P	87-06-055



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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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332-24-063	REP-P	87-06-055	332-24-301	NEW	87-11-005	332-26-031	NEW-E	87-15-012
332-24-063	REP	87-11-005	332-24-310	REP-P	87-06-055	332-26-031	REP-E	87-18-041
332-24-070	REP-P	87-06-055	332-24-310	REP	87-11-005	332-26-040	NEW-E	87-15-008
332-24-070	REP	87-11-005	332-24-320	REP-P	87-06-055	332-26-040	REP-E	87-20-053
332-24-090	REP-P	87-06-055	332-24-320	REP	87-11-005	332-26-040a	NEW-E	87-20-053
332-24-090	REP	87-11-005	332-24-330	REP-P	87-06-055	332-26-040a	REP-E	87-21-076
332-24-095	REP-P	87-06-055	332-24-330	REP	87-11-005	332-26-041	NEW-E	87-21-038
332-24-095	REP	87-11-005	332-24-340	REP-P	87-06-055	332-26-041	REP-E	87-22-036
332-24-100	REP-P	87-06-055	332-24-340	REP	87-11-005	332-26-041a	NEW-E	87-22-036
332-24-100	REP	87-11-005	332-24-350	REP-P	87-06-055	332-26-050	NEW-E	87-15-008
332-24-105	REP-P	87-06-055	332-24-350	REP	87-11-005	332-26-050	REP-E	87-20-053
332-24-105	REP	87-11-005	332-24-360	REP-P	87-06-055	332-26-050a	NEW-E	87-20-053
332-24-10501	REP-P	87-06-055	332-24-360	REP	87-11-005	332-26-050a	REP-E	87-21-076
332-24-10501	REP	87-11-005	332-24-370	REP-P	87-06-055	332-26-051	NEW-E	87-21-038
332-24-10502	REP-P	87-06-055	332-24-370	REP	87-11-005	332-26-051	REP-E	87-22-036
332-24-10502	REP	87-11-005	332-24-380	REP-P	87-06-055	332-26-051a	NEW-E	87-22-036
332-24-150	REP-P	87-06-055	332-24-380	REP	87-11-005	332-26-060	NEW-E	87-15-008
332-24-150	REP	87-11-005	332-24-385	REP-P	87-06-055	332-26-060	REP-E	87-20-053
332-24-160	REP-P	87-06-055	332-24-385	REP	87-11-005	332-26-060a	NEW-E	87-20-053
332-24-160	REP	87-11-005	332-24-387	REP-P	87-06-055	332-26-060a	REP-E	87-21-076
332-24-170	REP-P	87-06-055	332-24-387	REP	87-11-005	332-26-061	NEW-E	87-21-038
332-24-170	REP	87-11-005	332-24-390	REP-P	87-06-055	332-26-061	REP-E	87-22-036
332-24-180	REP-P	87-06-055	332-24-390	REP	87-11-005	332-26-061a	NEW-E	87-22-036
332-24-180	REP	87-11-005	332-24-395	REP-P	87-06-055	332-26-081a	REP-E	87-03-022
332-24-185	REP-P	87-06-055	332-24-395	REP	87-11-005	332-26-081b	NEW-E	87-03-022
332-24-185	REP	87-11-005	332-24-401	NEW-P	87-06-055	332-26-101	NEW-E	87-17-003
332-24-185001	REP-P	87-06-055	332-24-401	NEW	87-11-005	332-26-101	REP-E	87-17-009
332-24-185001	REP	87-11-005	332-24-405	NEW-P	87-06-055	332-26-101a	NEW-E	87-17-009
332-24-190	REP-P	87-06-055	332-24-405	NEW	87-11-005	332-26-101a	REP-E	87-17-040
332-24-190	REP	87-11-005	332-24-410	REP-P	87-06-055	332-26-101b	NEW-E	87-17-040
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332-24-192	REP	87-11-005	332-24-411	NEW-P	87-06-055	332-26-101c	NEW-E	87-17-048
332-24-194	REP-P	87-06-055	332-24-411	NEW	87-11-005	332-26-101c	REP-E	87-18-041
332-24-194	REP	87-11-005	332-24-412	REP-P	87-06-055	332-26-101d	NEW-E	87-18-041
332-24-196	REP-P	87-06-055	332-24-412	REP	87-11-005	332-26-101d	REP-E	87-19-053
332-24-196	REP	87-11-005	332-24-415	REP-P	87-06-055	332-26-101e	NEW-E	87-19-053
332-24-197	REP-P	87-06-055	332-24-415	REP	87-11-005	332-26-101e	REP-E	87-19-064
332-24-197	REP	87-11-005	332-24-418	REP-P	87-06-055	332-26-101f	NEW-E	87-19-064
332-24-200	REP-P	87-06-055	332-24-418	REP	87-11-005	332-26-101f	REP-E	87-19-067
332-24-200	REP	87-11-005	332-24-420	REP-P	87-06-055	332-26-101g	NEW-E	87-19-067
332-24-201	NEW-P	87-06-055	332-24-420	REP	87-11-005	332-26-101g	REP-E	87-20-021
332-24-201	NEW	87-11-005	332-24-430	REP-P	87-06-055	332-26-101h	NEW-E	87-20-021
332-24-205	NEW-P	87-06-055	332-24-430	REP	87-11-005	332-26-101h	REP-E	87-21-001
332-24-205	NEW	87-11-005	332-24-440	REP-P	87-06-055	332-26-101i	NEW-E	87-21-001
332-24-210	REP-P	87-06-055	332-24-440	REP	87-11-005	332-26-101i	REP-E	87-21-076
332-24-210	REP	87-11-005	332-24-500	REP-P	87-06-055	332-26-102	NEW-E	87-17-003
332-24-211	NEW-P	87-06-055	332-24-500	REP	87-11-005	332-26-102	REP-E	87-17-009
332-24-211	NEW	87-11-005	332-24-600	NEW-P	87-06-055	332-26-102a	NEW-E	87-17-009
332-24-215	NEW-P	87-06-055	332-24-600	NEW	87-11-005	332-26-102a	REP-E	87-17-040
332-24-215	NEW	87-11-005	332-24-650	NEW-P	87-06-055	332-26-102b	NEW-E	87-17-040
332-24-220	REP-P	87-06-055	332-24-650	NEW	87-11-005	332-26-102b	REP-E	87-17-048
332-24-220	NEW	87-11-005	332-24-652	NEW-P	87-06-055	332-26-102c	NEW-E	87-17-048
332-24-221	NEW-P	87-06-055	332-24-652	NEW	87-11-005	332-26-102c	REP-E	87-18-041
332-24-221	NEW	87-11-005	332-24-654	NEW-P	87-06-055	332-26-102d	NEW-E	87-18-041
332-24-225	NEW-P	87-06-055	332-24-654	NEW	87-11-005	332-26-102d	REP-E	87-19-053
332-24-225	NEW	87-11-005	332-24-656	NEW-P	87-06-055	332-26-102e	NEW-E	87-19-053
332-24-230	REP-P	87-06-055	332-24-656	NEW	87-11-005	332-26-102e	REP-E	87-19-064
332-24-230	REP	87-11-005	332-24-658	NEW-P	87-06-055	332-26-102f	NEW-E	87-19-064
332-24-231	NEW-P	87-06-055	332-24-658	NEW	87-11-005	332-26-102f	REP-E	87-19-067
332-24-231	NEW	87-11-005	332-24-660	NEW-P	87-06-055	332-26-102g	NEW-E	87-19-067
332-24-232	NEW-P	87-06-055	332-24-660	NEW	87-11-005	332-26-102g	REP-E	87-20-021
332-24-232	NEW	87-11-005	332-24-900	NEW-P	87-06-055	332-26-102h	NEW-E	87-20-021
332-24-234	NEW-P	87-06-055	332-24-900	NEW	87-11-005	332-26-102h	REP-E	87-21-001
332-24-234	NEW	87-11-005	332-26-010	NEW-E	87-15-008	332-26-102i	NEW-E	87-21-001
332-24-236	NEW-P	87-06-055	332-26-010	REP-E	87-20-053	332-26-102i	REP-E	87-21-076
332-24-236	NEW	87-11-005	332-26-010a	NEW-E	87-20-053	332-26-103	NEW-E	87-21-038
332-24-238	NEW-P	87-06-055	332-26-010a	REP-E	87-21-076	332-26-103	REP-E	87-22-036
332-24-238	NEW	87-11-005	332-26-011	NEW-E	87-21-038	332-26-103a	NEW-E	87-22-036
332-24-240	NEW-P	87-06-055	332-26-011	REP-E	87-22-036	332-26-103a	REP-E	87-22-042
332-24-240	NEW	87-11-005	332-26-011a	NEW-E	87-22-036	332-26-103b	NEW-E	87-22-042
332-24-242	NEW-P	87-06-055	332-26-020	NEW-E	87-15-008	332-26-104	NEW-E	87-21-038
332-24-242	NEW	87-11-005	332-26-020	REP-E	87-20-053	332-26-104	REP-E	87-22-036
332-24-244	NEW-P	87-06-055	332-26-020a	NEW-E	87-20-053	332-26-104a	NEW-E	87-22-036
332-24-244	NEW	87-11-005	332-26-020a	REP-E	87-21-076	332-26-104a	REP-E	87-22-042
332-24-261	NEW-P	87-06-055	332-26-021	NEW-E	87-21-038	332-26-104b	NEW-E	87-22-042
332-24-261	NEW	87-11-005	332-26-021	REP-E	87-22-036	332-26-105	NEW-E	87-21-038

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332-26-105a	NEW-E	87-22-036	352-42	REP-C	87-08-042	356-05-500	AMD-C	87-07-036
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332-26-500	NEW-E	87-21-076	352-42-010	REP	87-11-037	356-06-001	AMD-P	87-02-045
332-26-500	REP-E	87-22-015	352-42-020	REP-P	87-04-075	356-06-001	AMD	87-06-032
332-26-500a	NEW-E	87-22-015	352-42-020	REP	87-11-037	356-06-020	AMD-P	87-16-064
332-26-500a	AMD-E	87-22-036	352-42-030	REP-P	87-04-075	356-06-020	AMD-C	87-19-042
332-26-500a	REP-E	87-22-042	352-42-030	REP	87-11-037	356-06-020	AMD	87-24-028
332-52	AMD-C	87-18-020	352-42-040	REP-P	87-04-075	356-07-040	AMD	87-02-038
332-52-010	AMD-P	87-14-039	352-42-040	REP	87-11-037	356-07-060	AMD	87-02-038
332-52-010	AMD	87-18-035	352-42-050	REP-P	87-04-075	356-09-010	NEW	87-02-038
332-52-020	AMD-P	87-14-039	352-42-050	REP	87-11-037	356-09-020	NEW	87-02-038
332-52-020	AMD	87-18-035	352-42-060	REP-P	87-04-075	356-09-030	NEW	87-02-038
332-52-060	AMD-P	87-14-039	352-42-060	REP	87-11-037	356-09-040	NEW	87-02-038
332-52-060	AMD	87-18-035	352-42-070	REP-P	87-04-075	356-09-050	NEW	87-02-038
332-52-065	AMD-P	87-14-039	352-42-070	REP	87-11-037	356-10-050	AMD-P	87-15-092
332-52-065	AMD	87-18-035	352-44A	REP-C	87-08-042	356-10-050	AMD-C	87-19-043
332-52-066	AMD-P	87-14-039	352-44A-010	REP-P	87-11-037	356-10-050	AMD-C	87-24-035
332-52-066	AMD	87-18-035	352-44A-010	REP	87-11-037	356-10-060	AMD-C	87-06-020
332-52-067	AMD-P	87-14-039	352-44A-020	REP-P	87-04-075	356-14-045	AMD-P	87-06-042
332-52-067	AMD	87-18-035	352-44A-020	REP	87-11-037	356-14-045	AMD	87-09-037
332-52-068	AMD-P	87-14-039	352-44A-030	REP-P	87-04-075	356-14-060	AMD-P	87-12-025
332-52-068	AMD	87-18-035	352-44A-030	REP	87-11-037	356-14-060	AMD	87-15-045
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332-52-069	AMD	87-18-035	352-44A-040	REP	87-11-037	356-14-062	NEW	87-15-045
332-140-200	AMD-P	87-19-142	352-44A-050	REP-P	87-04-075	356-14-140	AMD-P	87-11-054
332-140-200	AMD-E	87-19-143	352-44A-050	REP	87-11-037	356-14-140	AMD-E	87-14-059
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332-140-240	NEW-E	87-19-143	356-05-048	NEW-E	87-14-059	356-14-240	AMD	87-11-036
332-140-240	NEW	87-22-076	356-05-048	NEW	87-15-065	356-14-260	AMD-P	87-20-009
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332-150-010	AMD-E	87-12-068	356-05-207	NEW	87-02-038	356-15-020	AMD	87-24-027
332-150-010	AMD	87-15-048	356-05-260	NEW	87-02-038	356-15-030	AMD-P	87-04-040
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365-170-080	NEW	87-04-007	388-26-025	AMD	87-19-094	388-37-030	AMD	87-18-005
365-170-090	NEW	87-04-007	388-26-040	AMD-P	87-16-088	388-37-032	AMD-P	87-13-079
365-170-100	NEW	87-04-007	388-26-040	AMD	87-19-094	388-37-032	AMD-E	87-14-027
365-180-010	NEW-P	87-19-158	388-26-050	AMD-P	87-16-088	388-37-032	AMD	87-18-005
365-180-020	NEW-P	87-19-158	388-26-050	AMD	87-19-094	388-37-035	AMD-P	87-13-079
365-180-030	NEW-P	87-19-158	388-26-055	AMD-P	87-16-088	388-37-035	AMD-E	87-14-027
365-180-040	NEW-P	87-19-158	388-26-055	AMD	87-19-094	388-37-035	AMD	87-18-005
365-180-050	NEW-P	87-19-158	388-26-060	AMD-P	87-16-088	388-37-037	AMD-P	87-13-079
365-180-060	NEW-P	87-19-158	388-26-060	AMD	87-19-094	388-37-037	AMD-E	87-14-027
365-180-070	NEW-P	87-19-158	388-26-065	AMD-P	87-16-088	388-37-037	AMD	87-18-005
365-180-080	NEW-P	87-19-158	388-26-065	AMD	87-19-094	388-37-038	AMD-P	87-13-079
365-180-090	NEW-P	87-19-158	388-26-070	AMD-P	87-16-088	388-37-038	AMD-E	87-14-027
381	AMD	87-14-013	388-26-070	AMD	87-19-094	388-37-038	AMD	87-18-005
388-15-020	AMD-P	87-19-089	388-26-080	AMD-P	87-16-088	388-37-040	AMD-P	87-13-079
388-15-020	AMD	87-22-091	388-26-080	AMD	87-19-094	388-37-040	AMD-E	87-14-027
388-15-136	AMD-E	87-19-120	388-26-105	AMD-P	87-16-088	388-37-040	AMD	87-18-005
388-15-136	AMD-P	87-19-121	388-26-105	AMD	87-19-094	388-37-050	AMD-P	87-13-079
388-15-136	AMD	87-23-057	388-26-120	AMD-P	87-16-088	388-37-050	AMD-E	87-14-027
388-15-136	AMD	87-24-039	388-26-120	AMD	87-19-094	388-37-050	AMD	87-18-005
388-15-137	REP-E	87-19-120	388-28-435	AMD-P	87-24-079	388-37-060	REP-P	87-13-079
388-15-137	REP-P	87-19-121	388-28-464	AMD-P	87-16-089	388-37-060	REP-E	87-14-027
388-15-137	REP	87-23-057	388-28-464	AMD	87-19-092	388-37-060	REP	87-18-005
388-15-137	REP	87-24-039	388-28-480	AMD-P	87-24-075	388-37-120	AMD-P	87-13-079
388-15-138	REP-E	87-19-120	388-28-482	AMD-P	87-24-075	388-37-120	AMD-E	87-14-027
388-15-138	REP-P	87-19-121	388-28-483	AMD-P	87-24-075	388-37-120	AMD	87-18-005

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388-37-135	AMD-E	87-14-027	388-49-390	NEW-P	87-21-077	388-54-630	AMD	87-09-028
388-37-135	AMD	87-18-005	388-49-400	NEW-P	87-21-077	388-54-630	REP-P	87-21-077
388-37-140	AMD-P	87-13-079	388-49-410	NEW-P	87-21-077	388-54-635	AMD-P	87-12-017
388-37-140	AMD-E	87-14-027	388-49-420	NEW-P	87-21-077	388-54-635	AMD-E	87-12-048
388-37-140	AMD	87-18-005	388-49-430	NEW-P	87-21-077	388-54-635	AMD	87-15-054
388-40	AMD-P	87-13-080	388-49-440	NEW-P	87-21-077	388-54-635	REP-P	87-21-077
388-40	AMD-E	87-14-026	388-49-450	NEW-P	87-21-077	388-54-640	REP-P	87-21-077
388-40	AMD	87-18-006	388-49-460	NEW-P	87-21-077	388-54-645	AMD-P	87-09-008
388-40-010	AMD-P	87-13-080	388-49-470	NEW-P	87-21-077	388-54-645	AMD-E	87-09-009
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388-40-020	NEW-E	87-14-026	388-49-505	NEW-P	87-24-078	388-54-645	REP-P	87-21-077
388-40-020	NEW	87-18-006	388-49-510	NEW-P	87-21-077	388-54-650	REP-P	87-21-077
388-40-030	NEW-P	87-13-080	388-49-520	NEW-P	87-21-077	388-54-655	REP-P	87-21-077
388-40-030	NEW-E	87-14-026	388-49-530	NEW-P	87-21-077	388-54-660	AMD-P	87-12-017
388-40-030	NEW	87-18-006	388-49-550	NEW-P	87-21-077	388-54-660	AMD-E	87-12-048
388-40-040	NEW-P	87-13-080	388-49-560	NEW-P	87-21-077	388-54-660	AMD	87-15-054
388-40-040	NEW-E	87-14-026	388-49-570	NEW-P	87-21-077	388-54-660	REP-P	87-21-077
388-40-040	NEW	87-18-006	388-49-580	NEW-P	87-21-077	388-54-662	NEW	87-06-003
388-40-050	NEW-P	87-13-080	388-49-590	NEW-P	87-21-077	388-54-662	REP-P	87-21-077
388-40-050	NEW-E	87-14-026	388-49-600	NEW-P	87-21-077	388-54-665	AMD-P	87-12-017
388-40-050	NEW	87-18-006	388-49-610	NEW-P	87-21-077	388-54-665	AMD-E	87-12-048
388-40-060	NEW-P	87-13-080	388-49-620	NEW-P	87-21-077	388-54-665	AMD	87-15-054
388-40-060	NEW-E	87-14-026	388-49-630	NEW-P	87-21-077	388-54-665	REP-P	87-21-077
388-40-060	NEW	87-18-006	388-49-640	NEW-P	87-21-077	388-54-670	AMD	87-03-019
388-40-070	NEW-P	87-13-080	388-49-650	NEW-P	87-21-077	388-54-670	REP-P	87-21-077
388-40-070	NEW-E	87-14-026	388-49-660	NEW-P	87-21-077	388-54-675	AMD-P	87-08-045
388-40-070	NEW	87-18-006	388-49-670	NEW-P	87-21-077	388-54-675	AMD-E	87-08-046
388-40-080	NEW-P	87-13-080	388-49-680	NEW-P	87-21-077	388-54-675	AMD	87-15-055
388-40-080	NEW-E	87-14-026	388-49-690	NEW-P	87-21-077	388-54-675	AMD-E	87-15-056
388-40-080	NEW	87-18-006	388-49-700	NEW-P	87-21-077	388-54-675	REP-P	87-21-077
388-40-090	NEW-P	87-13-080	388-53-010	AMD-E	87-09-020	388-54-675	AMD-E	87-22-103
388-40-090	NEW-E	87-14-026	388-53-010	AMD-P	87-09-021	388-54-676	REP-P	87-21-077
388-40-090	NEW	87-18-006	388-53-010	AMD	87-12-053	388-54-677	AMD-P	87-08-045
388-40-100	NEW-P	87-13-080	388-53-020	REP-E	87-09-020	388-54-677	AMD-E	87-08-046
388-40-100	NEW-E	87-14-026	388-53-020	REP-P	87-09-021	388-54-677	AMD	87-15-055
388-40-100	NEW	87-18-006	388-53-020	REP	87-12-053	388-54-677	AMD-E	87-15-056
388-42-150	AMD-P	87-21-051	388-53-030	REP-E	87-09-020	388-54-677	REP-P	87-21-077
388-42-150	AMD-E	87-21-052	388-53-030	REP-P	87-09-021	388-54-679	REP-P	87-21-077
388-42-150	AMD	87-24-073	388-53-030	REP	87-12-053	388-54-680	AMD-P	87-18-036
388-49-010	NEW-P	87-21-077	388-53-040	REP-E	87-09-020	388-54-680	AMD-E	87-18-038
388-49-015	NEW-P	87-21-077	388-53-040	REP-P	87-09-021	388-54-680	REP-P	87-21-077
388-49-020	NEW-P	87-21-077	388-53-040	REP	87-12-053	388-54-680	AMD	87-22-011
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388-49-040	NEW-P	87-21-077	388-53-050	AMD-P	87-09-021	388-54-687	REP-P	87-21-077
388-49-050	NEW-P	87-21-077	388-53-050	AMD	87-12-053	388-54-690	REP-P	87-21-077
388-49-060	NEW-P	87-21-077	388-53-060	REP-E	87-09-020	388-54-695	REP-P	87-21-077
388-49-070	NEW-P	87-21-077	388-53-060	REP-P	87-09-021	388-54-715	REP-P	87-21-077
388-49-080	NEW-P	87-21-077	388-53-060	REP	87-12-053	388-54-717	REP-P	87-21-077
388-49-090	NEW-P	87-21-077	388-53-070	REP-E	87-09-020	388-54-720	REP-P	87-21-077
388-49-100	NEW-P	87-21-077	388-53-070	REP-P	87-09-021	388-54-725	REP-P	87-21-077
388-49-110	NEW-P	87-21-077	388-53-070	REP	87-12-053	388-54-728	REP-P	87-21-077
388-49-120	NEW-P	87-21-077	388-53-080	REP-E	87-09-020	388-54-730	AMD-P	87-11-058
388-49-150	NEW-P	87-21-077	388-53-080	REP-P	87-09-021	388-54-730	AMD-E	87-14-064
388-49-160	NEW-P	87-21-077	388-53-080	REP	87-12-053	388-54-730	AMD-E	87-14-070
388-49-170	NEW-P	87-21-077	388-53-090	REP-E	87-09-020	388-54-730	AMD	87-14-071
388-49-180	NEW-P	87-21-077	388-53-090	REP-P	87-09-021	388-54-730	REP-P	87-21-077
388-49-190	NEW-P	87-21-077	388-53-090	REP	87-12-053	388-54-735	AMD	87-03-019
388-49-200	NEW-P	87-21-077	388-53-100	REP-E	87-09-020	388-54-735	AMD-E	87-03-021
388-49-210	NEW-P	87-21-077	388-53-100	REP-P	87-09-021	388-54-735	REP-P	87-21-077
388-49-220	NEW-P	87-21-077	388-53-100	REP	87-12-053	388-54-737	REP-P	87-21-077
388-49-230	NEW-P	87-21-077	388-53-120	REP-E	87-09-020	388-54-740	AMD	87-03-054
388-49-240	NEW-P	87-21-077	388-53-120	REP-P	87-09-021	388-54-740	AMD-P	87-09-090
388-49-250	NEW-P	87-21-077	388-53-120	REP	87-12-053	388-54-740	AMD	87-12-051
388-49-260	NEW-P	87-21-077	388-54-600	REP-P	87-21-077	388-54-740	AMD-P	87-14-063
388-49-270	NEW-P	87-21-077	388-54-601	AMD-P	87-08-045	388-54-740	AMD-E	87-14-067
388-49-280	NEW-P	87-21-077	388-54-601	AMD-E	87-08-046	388-54-740	AMD	87-17-044
388-49-290	NEW-P	87-21-077	388-54-601	AMD	87-15-055	388-54-740	AMD-P	87-19-152
388-49-300	NEW-P	87-21-077	388-54-601	AMD-E	87-15-056	388-54-740	AMD-E	87-20-042
388-49-310	NEW-P	87-21-077	388-54-601	REP-P	87-21-077	388-54-740	REP-P	87-21-077
388-49-320	NEW-P	87-21-077	388-54-605	REP-P	87-21-077	388-54-740	AMD	87-22-095
388-49-330	NEW-P	87-21-077	388-54-610	REP-P	87-21-077	388-54-745	AMD	87-03-054
388-49-340	NEW-P	87-21-077	388-54-615	REP-P	87-21-077	388-54-745	REP-P	87-21-077
388-49-350	NEW-P	87-21-077	388-54-620	REP-P	87-21-077	388-54-750	REP-P	87-21-077
388-49-360	NEW-P	87-21-077	388-54-625	REP-P	87-21-077	388-54-755	REP-P	87-21-077

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388-54-760	REP-P	87-21-077	388-77-030	NEW-P	87-23-018	388-77-750	NEW-P	87-23-018
388-54-765	AMD	87-06-003	388-77-035	NEW-P	87-23-018	388-77-755	NEW-P	87-23-018
388-54-765	REP-P	87-21-077	388-77-040	NEW-P	87-23-018	388-77-760	NEW-P	87-23-018
388-54-768	REP-P	87-21-077	388-77-045	NEW-P	87-23-018	388-77-765	NEW-P	87-23-018
388-54-770	REP-P	87-21-077	388-77-055	NEW-P	87-23-018	388-77-780	NEW-P	87-23-018
388-54-775	AMD-P	87-09-088	388-77-060	NEW-P	87-23-018	388-77-785	NEW-P	87-23-018
388-54-775	AMD-E	87-10-065	388-77-065	NEW-P	87-23-018	388-77-790	NEW-P	87-23-018
388-54-775	AMD	87-12-057	388-77-200	NEW-P	87-23-018	388-77-795	NEW-P	87-23-018
388-54-775	REP-P	87-21-077	388-77-210	NEW-P	87-23-018	388-77-805	NEW-P	87-23-018
388-54-776	REP-P	87-21-077	388-77-215	NEW-P	87-23-018	388-77-810	NEW-P	87-23-018
388-54-780	REP-P	87-21-077	388-77-240	NEW-P	87-23-018	388-77-815	NEW-P	87-23-018
388-54-785	AMD-P	87-19-152	388-77-245	NEW-P	87-23-018	388-77-820	NEW-P	87-23-018
388-54-785	AMD-E	87-20-042	388-77-255	NEW-P	87-23-018	388-77-825	NEW-P	87-23-018
388-54-785	REP-P	87-21-077	388-77-270	NEW-P	87-23-018	388-77-830	NEW-P	87-23-018
388-54-785	AMD	87-22-095	388-77-275	NEW-P	87-23-018	388-77-835	NEW-P	87-23-018
388-54-790	REP-P	87-21-077	388-77-280	NEW-P	87-23-018	388-77-850	NEW-P	87-23-018
388-54-795	REP-P	87-21-077	388-77-285	NEW-P	87-23-018	388-77-870	NEW-P	87-23-018
388-54-800	REP-P	87-21-077	388-77-300	NEW-P	87-23-018	388-77-880	NEW-P	87-23-018
388-54-805	AMD	87-06-003	388-77-310	NEW-P	87-23-018	388-77-900	NEW-P	87-23-018
388-54-805	REP-P	87-21-077	388-77-315	NEW-P	87-23-018	388-77-905	NEW-P	87-23-018
388-54-815	REP-P	87-21-077	388-77-320	NEW-P	87-23-018	388-77-910	NEW-P	87-23-018
388-54-817	REP-P	87-21-077	388-77-325	NEW-P	87-23-018	388-77-915	NEW-P	87-23-018
388-54-820	REP-P	87-21-077	388-77-330	NEW-P	87-23-018	388-77-920	NEW-P	87-23-018
388-54-82650	REP-P	87-21-077	388-77-335	NEW-P	87-23-018	388-77-925	NEW-P	87-23-018
388-54-83050	REP-P	87-21-077	388-77-340	NEW-P	87-23-018	388-77-930	NEW-P	87-23-018
388-54-850	AMD-P	87-04-010	388-77-345	NEW-P	87-23-018	388-77-940	NEW-P	87-23-018
388-54-850	AMD	87-07-032	388-77-350	NEW-P	87-23-018	388-77-945	NEW-P	87-23-018
388-54-850	REP-P	87-21-077	388-77-355	NEW-P	87-23-018	388-77-975	NEW-P	87-23-018
388-57-010	REP-P	87-22-009	388-77-360	NEW-P	87-23-018	388-78-005	NEW-P	87-23-019
388-57-011	NEW-P	87-22-009	388-77-365	NEW-P	87-23-018	388-81-047	NEW-P	87-24-058
388-57-015	REP-P	87-22-009	388-77-370	NEW-P	87-23-018	388-82-010	AMD-P	87-24-076
388-57-020	REP-P	87-22-009	388-77-375	NEW-P	87-23-018	388-82-115	AMD-P	87-24-076
388-57-028	REP-P	87-22-009	388-77-380	NEW-P	87-23-018	388-83-006	AMD-P	87-16-026
388-57-032	REP-P	87-22-009	388-77-385	NEW-P	87-23-018	388-83-006	AMD-E	87-16-029
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388-57-040	AMD-P	87-22-009	388-77-395	NEW-P	87-23-018	388-83-015	AMD-P	87-02-063
388-57-045	REP-P	87-22-009	388-77-397	NEW-P	87-23-018	388-83-015	AMD-E	87-03-002
388-57-056	REP-P	87-22-009	388-77-450	NEW-P	87-23-018	388-83-015	AMD	87-06-005
388-57-057	AMD-P	87-22-009	388-77-499	NEW-P	87-23-018	388-83-032	NEW-P	87-14-062
388-57-058	NEW-P	87-22-009	388-77-500	NEW-P	87-23-018	388-83-032	NEW-E	87-14-069
388-57-059	NEW-P	87-22-009	388-77-505	NEW-P	87-23-018	388-83-032	NEW	87-17-042
388-57-061	REP-P	87-22-009	388-77-510	NEW-P	87-23-018	388-84-120	AMD-P	87-16-026
388-57-063	NEW-P	87-22-009	388-77-515	NEW-P	87-23-018	388-84-120	AMD-E	87-16-029
388-57-064	REP-P	87-22-009	388-77-520	NEW-P	87-23-018	388-84-120	AMD	87-19-091
388-57-066	NEW-P	87-22-009	388-77-525	NEW-P	87-23-018	388-85-105	AMD-P	87-22-087
388-57-067	NEW-P	87-22-009	388-77-530	NEW-P	87-23-018	388-86-005	AMD-P	87-09-089
388-57-070	REP-P	87-22-009	388-77-535	NEW-P	87-23-018	388-86-005	AMD	87-12-050
388-57-071	NEW-P	87-22-009	388-77-540	NEW-P	87-23-018	388-86-005	AMD-P	87-23-058
388-57-074	NEW-P	87-22-009	388-77-545	NEW-P	87-23-018	388-86-009	AMD	87-06-001
388-57-074	NEW-E	87-22-014	388-77-550	NEW-P	87-23-018	388-86-00901	AMD-P	87-02-062
388-57-090	REP-P	87-22-009	388-77-555	NEW-P	87-23-018	388-86-00901	AMD-E	87-03-003
388-57-097	AMD-P	87-22-009	388-77-560	NEW-P	87-23-018	388-86-00901	AMD	87-06-004
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388-57-105	NEW-P	87-22-009	388-77-575	NEW-P	87-23-018	388-86-017	NEW-P	87-19-020
388-57-105	NEW-E	87-22-014	388-77-580	NEW-P	87-23-018	388-86-017	NEW-E	87-19-021
388-57-112	NEW-P	87-22-009	388-77-585	NEW-P	87-23-018	388-86-017	NEW	87-22-094
388-57-112	NEW-E	87-22-014	388-77-590	NEW-P	87-23-018	388-86-020	AMD-P	87-23-058
388-57-115	NEW-P	87-22-009	388-77-595	NEW-P	87-23-018	388-86-030	AMD-P	87-20-080
388-57-115	NEW-E	87-22-014	388-77-600	NEW-P	87-23-018	388-86-030	AMD	87-23-055
388-57-116	NEW-P	87-22-009	388-77-605	NEW-P	87-23-018	388-86-050	AMD-P	87-24-077
388-57-116	NEW-E	87-22-014	388-77-610	NEW-P	87-23-018	388-86-051	NEW-P	87-24-077
388-57-117	NEW-P	87-22-009	388-77-615	NEW-P	87-23-018	388-86-071	AMD	87-06-002
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388-98-001	AMD 87-21-017	392-121-145	REP-P 87-22-075	392-130-080	NEW-P 87-22-024
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388-98-800	AMD-P 87-18-057	392-121-175	REP-P 87-22-075	392-130-115	NEW-P 87-22-024
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392-139-001	AMD-P	87-22-025	392-140-058	AMD	87-09-017	392-162-110	AMD	87-22-001
392-139-005	AMD-P	87-22-025	392-140-145	NEW-P	87-22-074	392-162-115	AMD-P	87-17-039
392-139-007	NEW-P	87-22-025	392-140-146	NEW-P	87-22-074	392-162-115	AMD	87-22-001
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392-139-016	REP-P	87-22-025	392-140-148	NEW-P	87-22-074	392-166-100	NEW-P	87-19-133
392-139-017	REP-P	87-22-025	392-140-149	NEW-P	87-22-074	392-166-100	NEW	87-23-011
392-139-018	REP-P	87-22-025	392-140-150	NEW-P	87-22-074	392-166-105	NEW-E	87-19-034
392-139-021	REP-P	87-22-025	392-140-151	NEW-P	87-22-074	392-166-105	NEW-P	87-19-133
392-139-022	REP-P	87-22-025	392-140-152	NEW-P	87-22-074	392-166-105	NEW	87-23-011
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392-139-031	REP-P	87-22-025	392-140-154	NEW-P	87-22-074	392-166-110	NEW-P	87-19-133
392-139-036	REP-P	87-22-025	392-140-155	NEW-P	87-22-074	392-166-110	NEW	87-23-011
392-139-037	REP-P	87-22-025	392-140-156	NEW-P	87-22-074	392-166-115	NEW-E	87-19-034
392-139-038	REP-P	87-22-025	392-140-157	NEW-P	87-22-074	392-166-115	NEW-P	87-19-133
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392-139-055	NEW-P	87-22-025	392-162	AMD	87-22-001	392-166-120	NEW	87-23-011
392-139-056	NEW-P	87-22-025	392-162-005	AMD-P	87-17-039	392-166-125	NEW-E	87-19-034
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392-139-166	NEW-P	87-22-025	392-162-044	NEW	87-22-001	392-166-160	NEW-E	87-19-034
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392-139-210	NEW-P	87-22-025	392-162-060	AMD-P	87-17-039	392-166-180	NEW-P	87-19-133
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392-139-230	NEW-P	87-22-025	392-162-065	AMD-P	87-17-039	392-166-185	NEW	87-23-011
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392-139-240	NEW-P	87-22-025	392-162-067	NEW-P	87-17-039	392-166-190	NEW-P	87-19-133
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392-139-320	NEW-P	87-22-025	392-162-075	AMD-P	87-17-039	392-166-195	NEW	87-23-011
392-139-330	NEW-P	87-22-025	392-162-075	AMD	87-22-001	392-166-200	NEW-E	87-19-034
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392-139-615	NEW-P	87-22-025	392-162-090	AMD-P	87-17-039	392-166-205	NEW	87-23-011
392-139-620	NEW-P	87-22-025	392-162-090	AMD	87-22-001	392-166-210	NEW-E	87-19-034
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392-166-215	NEW-E	87-19-034	392-196-055	AMD-P	87-19-156	392-202-135	NEW-P	87-18-042
392-166-215	NEW-P	87-19-133	392-196-055	AMD	87-23-004	392-202-135	NEW	87-23-005
392-166-215	NEW	87-23-011	392-196-060	AMD-E	87-17-049	392-202-140	NEW-P	87-18-042
392-166-220	NEW-E	87-19-034	392-196-060	AMD-P	87-19-156	392-202-140	NEW	87-23-005
392-166-220	NEW-P	87-19-133	392-196-060	AMD	87-23-004	399-30-040	AMD-E	87-13-025
392-166-220	NEW	87-23-011	392-196-070	AMD-E	87-17-049	399-30-040	AMD-P	87-13-043
392-166-225	NEW-E	87-19-034	392-196-070	AMD-P	87-19-156	399-30-040	AMD	87-17-013
392-166-225	NEW-P	87-19-133	392-196-070	AMD	87-23-004	400-12-100	NEW-P	87-22-065
392-166-225	NEW	87-23-011	392-196-072	NEW-E	87-17-049	400-12-110	NEW-P	87-22-065
392-166-230	NEW-E	87-19-034	392-196-072	NEW-P	87-19-156	400-12-120	NEW-P	87-22-065
392-166-230	NEW-P	87-19-133	392-196-072	NEW	87-23-004	400-12-200	NEW-P	87-22-065
392-166-230	NEW	87-23-011	392-196-075	AMD-E	87-17-049	400-12-210	NEW-P	87-22-065
392-166-235	NEW-E	87-19-034	392-196-075	AMD-P	87-19-156	400-12-300	NEW-P	87-22-065
392-166-235	NEW-P	87-19-133	392-196-075	AMD	87-23-004	400-12-310	NEW-P	87-22-065
392-166-235	NEW	87-23-011	392-196-080	AMD-E	87-17-049	400-12-400	NEW-P	87-22-065
392-166-240	NEW-E	87-19-034	392-196-080	AMD-P	87-19-156	400-12-410	NEW-P	87-22-065
392-166-240	NEW-P	87-19-133	392-196-080	AMD	87-23-004	400-12-420	NEW-P	87-22-065
392-166-240	NEW	87-23-011	392-196-085	AMD-E	87-17-049	400-12-500	NEW-P	87-22-065
392-166-245	NEW-E	87-19-034	392-196-085	AMD-P	87-19-156	400-12-510	NEW-P	87-22-065
392-166-245	NEW-P	87-19-133	392-196-085	AMD	87-23-004	400-12-520	NEW-P	87-22-065
392-166-245	NEW	87-23-011	392-196-090	AMD-E	87-17-049	400-12-530	NEW-P	87-22-065
392-166-250	NEW-E	87-19-034	392-196-090	AMD-P	87-19-156	400-12-540	NEW-P	87-22-065
392-166-250	NEW-P	87-19-133	392-196-090	AMD	87-23-004	400-12-550	NEW-P	87-22-065
392-166-250	NEW	87-23-011	392-202-003	NEW-P	87-18-042	400-12-600	NEW-P	87-22-065
392-166-255	NEW-E	87-19-034	392-202-003	NEW	87-23-005	400-12-610	NEW-P	87-22-065
392-166-255	NEW-P	87-19-133	392-202-005	NEW-P	87-18-042	400-12-620	NEW-P	87-22-065
392-166-255	NEW	87-23-011	392-202-005	NEW	87-23-005	400-12-630	NEW-P	87-22-065
392-166-260	NEW-E	87-19-034	392-202-010	NEW-P	87-18-042	400-12-640	NEW-P	87-22-065
392-166-260	NEW-P	87-19-133	392-202-010	NEW	87-23-005	400-12-650	NEW-P	87-22-065
392-166-260	NEW	87-23-011	392-202-015	NEW-P	87-18-042	400-12-660	NEW-P	87-22-065
392-166-265	NEW-E	87-19-034	392-202-015	NEW	87-23-005	400-12-700	NEW-P	87-22-065
392-166-265	NEW-P	87-19-133	392-202-020	NEW-P	87-18-042	400-12-710	NEW-P	87-22-065
392-166-265	NEW	87-23-011	392-202-020	NEW	87-23-005	400-12-720	NEW-P	87-22-065
392-166-270	NEW-E	87-19-034	392-202-025	NEW-P	87-18-042	400-12-730	NEW-P	87-22-065
392-166-270	NEW-P	87-19-133	392-202-025	NEW	87-23-005	400-12-740	NEW-P	87-22-065
392-166-270	NEW	87-23-011	392-202-030	NEW-P	87-18-042	400-12-800	NEW-P	87-22-065
392-166-275	NEW-E	87-19-034	392-202-030	NEW	87-23-005	400-12-810	NEW-P	87-22-065
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392-166-275	NEW	87-23-011	392-202-035	NEW	87-23-005	415-02-090	AMD-P	87-03-049
392-185-060	AMD-P	87-13-065	392-202-040	NEW-P	87-18-042	415-02-090	AMD	87-07-013
392-185-060	AMD	87-16-034	392-202-040	NEW	87-23-005	415-02-099	NEW-E	87-14-036
392-195-010	AMD-P	87-22-026	392-202-045	NEW-P	87-18-042	415-02-099	NEW-P	87-14-037
392-195-015	AMD-P	87-22-026	392-202-045	NEW	87-23-005	415-02-099	NEW	87-17-059
392-196	AMD-E	87-17-049	392-202-050	NEW-P	87-18-042	415-100	AMD-P	87-03-046
392-196	AMD-P	87-19-156	392-202-050	NEW	87-23-005	415-100	AMD	87-07-014
392-196	AMD	87-23-004	392-202-055	NEW-P	87-18-042	415-100-005	NEW-P	87-03-046
392-196-005	AMD-E	87-17-049	392-202-055	NEW	87-23-005	415-100-005	NEW	87-07-014
392-196-005	AMD-P	87-19-156	392-202-060	NEW-P	87-18-042	415-100-010	REP-P	87-03-046
392-196-005	AMD	87-23-004	392-202-060	NEW	87-23-005	415-100-010	REP	87-07-014
392-196-010	AMD-E	87-17-049	392-202-065	NEW-P	87-18-042	415-100-015	NEW-P	87-03-046
392-196-010	AMD-P	87-19-156	392-202-065	NEW	87-23-005	415-100-015	NEW	87-07-014
392-196-010	AMD	87-23-004	392-202-070	NEW-P	87-18-042	415-100-020	REP-P	87-03-046
392-196-011	NEW-E	87-17-049	392-202-070	NEW	87-23-005	415-100-020	REP	87-07-014
392-196-011	NEW-P	87-19-156	392-202-075	NEW-P	87-18-042	415-100-025	NEW-P	87-03-046
392-196-011	NEW	87-23-004	392-202-075	NEW	87-23-005	415-100-025	NEW	87-07-014
392-196-020	AMD-E	87-17-049	392-202-080	NEW-P	87-18-042	415-100-035	NEW-P	87-03-046
392-196-020	AMD-P	87-19-156	392-202-080	NEW	87-23-005	415-100-035	NEW	87-07-014
392-196-020	AMD	87-23-004	392-202-085	NEW-P	87-18-042	415-100-040	REP-P	87-03-046
392-196-030	AMD-E	87-17-049	392-202-085	NEW	87-23-005	415-100-040	REP	87-07-014
392-196-030	AMD-P	87-19-156	392-202-090	NEW-P	87-18-042	415-100-050	REP-P	87-03-046
392-196-030	AMD	87-23-004	392-202-090	NEW	87-23-005	415-100-050	REP	87-07-014
392-196-040	AMD-E	87-17-049	392-202-095	NEW-P	87-18-042	415-100-060	REP-P	87-03-046
392-196-040	AMD-P	87-19-156	392-202-095	NEW	87-23-005	415-100-060	REP	87-07-014
392-196-040	AMD	87-23-004	392-202-100	NEW-P	87-18-042	415-100-100	REP-P	87-03-046
392-196-045	AMD-E	87-17-049	392-202-100	NEW	87-23-005	415-100-100	REP	87-07-014
392-196-045	AMD-P	87-19-156	392-202-105	NEW-P	87-18-042	415-100-110	REP-P	87-03-046
392-196-045	AMD	87-23-004	392-202-105	NEW	87-23-005	415-100-110	REP	87-07-014
392-196-050	AMD-E	87-17-049	392-202-110	NEW-P	87-18-042	415-100-120	REP-P	87-03-046
392-196-050	AMD-P	87-19-156	392-202-110	NEW	87-23-005	415-100-120	REP	87-07-014
392-196-050	AMD	87-23-004	392-202-115	NEW-P	87-18-042	415-100-130	REP-P	87-03-046
392-196-051	NEW-E	87-17-049	392-202-115	NEW	87-23-005	415-100-130	REP	87-07-014
392-196-051	NEW-P	87-19-156	392-202-120	NEW-P	87-18-042	415-100-140	REP-P	87-03-046
392-196-051	NEW	87-23-004	392-202-120	NEW	87-23-005	415-100-140	REP	87-07-014
392-196-052	NEW-E	87-17-049	392-202-125	NEW-P	87-18-042	415-100-150	REP-P	87-03-046
392-196-052	NEW-P	87-19-156	392-202-125	NEW	87-23-005	415-100-150	REP	87-07-014
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434-55-020	REP-E	87-16-011	446-60-020	AMD-C	87-04-024	458-20-24002	AMD-P	87-16-080
434-55-020	REP	87-17-002	446-60-020	AMD	87-05-012	458-20-24002	AMD	87-19-007
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434-55-030	AMD-E	87-16-011	446-60-080	AMD	87-05-012	458-20-244	AMD-P	87-16-081
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434-55-035	REP-E	87-16-011	446-70-020	NEW-P	87-06-007	458-30-500	NEW	87-07-009
434-55-035	REP	87-17-002	446-70-020	NEW	87-09-049	458-30-510	NEW	87-07-009
434-55-040	AMD-P	87-14-028	446-70-030	NEW-P	87-06-007	458-30-520	NEW	87-07-009
434-55-040	AMD-E	87-16-011	446-70-030	NEW	87-09-049	458-30-530	NEW	87-07-009
434-55-040	AMD	87-17-002	446-70-040	NEW-P	87-06-007	458-30-540	NEW	87-07-009
434-55-055	AMD-P	87-14-028	446-70-040	NEW	87-09-049	458-30-550	NEW	87-07-009
434-55-055	AMD-E	87-16-011	446-70-050	NEW-P	87-06-007	458-30-560	NEW	87-07-009
434-55-055	AMD	87-17-002	446-70-050	NEW	87-09-049	458-30-570	NEW	87-07-009
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434-55-060	AMD	87-17-002	446-70-070	NEW-P	87-06-007	458-40-540	AMD-P	87-19-154
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440-44-045	AMD-E	87-14-065	458-15-010	NEW	87-05-022	458-40-670	AMD-P	87-10-062
440-44-045	AMD	87-14-066	458-15-015	NEW	87-05-022	458-40-670	AMD	87-14-042
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440-44-070	AMD-E	87-14-065	458-15-090	NEW	87-05-022	458-53-160	AMD-P	87-09-022
440-44-070	AMD	87-14-066	458-15-100	NEW	87-05-022	458-53-160	AMD	87-12-029
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440-44-075	AMD	87-17-045	458-15-120	NEW	87-05-022	458-53-163	AMD	87-12-029
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446-55-020	AMD	87-05-012	458-20-130	AMD-P	87-16-080	458-61-555	AMD	87-12-016
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446-55-060	AMD-C	87-04-024	458-20-163	AMD	87-19-007	460-16A-100	REP-P	87-21-084
446-55-060	AMD	87-05-012	458-20-168	AMD-P	87-02-061	460-16A-101	NEW-P	87-21-084
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446-55-090	AMD-E	87-02-041	458-20-168	AMD-P	87-22-077	460-16A-103	NEW-P	87-21-084
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446-55-100	AMD-E	87-02-041	458-20-170	AMD	87-19-007	460-16A-105	AMD-P	87-21-084
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446-55-170	AMD	87-05-012	458-20-182	AMD-P	87-02-061	460-16A-107	REP-P	87-21-084
446-55-180	AMD-C	87-04-024	458-20-182	AMD	87-05-042	460-16A-108	AMD-P	87-21-084
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446-55-210	REP-C	87-04-024	458-20-186	AMD	87-19-007	460-16A-130	REP-P	87-21-084
446-55-210	REP	87-05-012	458-20-18801	AMD-P	87-02-061	460-16A-135	REP-P	87-21-084
446-55-220	AMD-C	87-04-024	458-20-18801	AMD	87-05-042	460-16A-140	REP-P	87-21-084
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460-64A-020	AMD	87-03-052	468-300-210	NEW	87-20-041	480-12-025	AMD	87-19-088
460-70-005	NEW	87-02-044	468-300-700	AMD-P	87-06-052	480-12-030	AMD-P	87-16-039
460-70-010	NEW	87-02-044	468-300-700	AMD-C	87-09-047	480-12-030	AMD	87-19-088
460-70-015	NEW	87-02-044	468-300-700	AMD-C	87-10-002	480-12-031	AMD-P	87-16-039
460-70-020	NEW	87-02-044	468-300-700	AMD	87-12-005	480-12-031	AMD	87-19-088
460-70-025	NEW	87-02-044	478-116-080	AMD-P	87-10-057	480-12-045	AMD-P	87-16-039
460-70-030	NEW	87-02-044	478-116-080	AMD	87-16-037	480-12-045	AMD	87-19-088
460-70-035	NEW	87-02-044	478-116-240	AMD-P	87-10-057	480-12-070	AMD-P	87-16-039
460-70-040	NEW	87-02-044	478-116-240	AMD	87-16-037	480-12-070	AMD	87-19-088
460-70-045	NEW	87-02-044	478-116-250	AMD-P	87-10-057	480-12-100	AMD-P	87-16-039
460-70-050	NEW	87-02-044	478-116-250	AMD	87-16-037	480-12-100	AMD	87-19-088
460-70-060	NEW	87-02-044	478-116-260	AMD-P	87-10-057	480-12-110	AMD-P	87-16-039
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