

JANUARY 20, 1988

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ISSUE 88-02



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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of January 1988 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 1988 pursuant to RCW 63.14.130(1)(a) is twelve and one-quarter percent (12¼%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is twelve and one-half percent (12.50%) for the first calendar quarter of 1988.

WASHINGTON STATE REGISTER

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

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and 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 ¹			Distribution Date	First Agency Action Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
87-18	Aug 5	Aug 19	Sep 2	Sep 16	Oct 6
87-19	Aug 26	Sep 9	Sep 23	Oct 7	Oct 27
87-20	Sep 9	Sep 23	Oct 7	Oct 21	Nov 10
87-21	Sep 23	Oct 7	Oct 21	Nov 4	Nov 24
87-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
87-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
87-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1988
<hr/>					
88-01	Nov 25	Dec 9	Dec 23, 1987	Jan 6, 1988	Jan 26
88-02	Dec 9	Dec 23, 1987	Jan 6, 1988	Jan 20	Feb 9
88-03	Dec 23, 1987	Jan 6, 1988	Jan 20	Feb 3	Feb 23
88-04	Jan 6	Jan 20	Feb 3	Feb 17	Mar 8
88-05	Jan 20	Feb 3	Feb 17	Mar 2	Mar 22
88-06	Feb 3	Feb 17	Mar 2	Mar 16	Apr 5
88-07	Feb 24	Mar 9	Mar 23	Apr 6	Apr 26
88-08	Mar 9	Mar 23	Apr 6	Apr 20	May 10
88-09	Mar 23	Apr 6	Apr 20	May 4	May 24
88-10	Apr 6	Apr 20	May 4	May 18	Jun 7
88-11	Apr 20	May 4	May 18	Jun 1	Jun 21
88-12	May 4	May 18	Jun 1	Jun 15	Jul 5
88-13	May 25	Jun 8	Jun 22	Jul 6	Jul 26
88-14	Jun 8	Jun 22	Jul 6	Jul 20	Aug 9
88-15	Jun 22	Jul 6	Jul 20	Aug 3	Aug 23
88-16	Jul 6	Jul 20	Aug 3	Aug 17	Sep 6
88-17	Jul 27	Aug 10	Aug 24	Sep 7	Sep 27
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88-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
88-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1989

¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

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

³"No proceeding may be held on any rule until twenty days have passed from the distribution date of the Register in which notice thereof was contained." RCW 28B.19.030(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

WSR 88-01-013
CERTIFICATE AND ORDER
COLUMBIA RIVER GORGE COMMISSION
 [Filed December 7, 1987]

I hereby certify that the attached copy is a true, full and correct copy of permanent rule(s) adopted on December 1, 1987, by the Columbia River Gorge Commission to become effective December 8, 1987.

The within matter having come before the Columbia River Gorge Commission after all procedures having been in the required form and conducted in accordance with applicable statutes and rules and being fully advised in the premises:

Notice of Intended Action Published in Code Reviser's Register No Yes XX

Now therefore, it is hereby ordered that the following action be taken:

Adopted: 350-11; 350-12; 350-13; 350-14; 350-15; 350-16; and 350-20 as Administrative Rules of the Columbia River Gorge Commission.

Dated this 3rd day of December 1987.

By: Sherril N. Anderson
 Title: Administrative Assistant

Statutory Authority: Chapter 499, Laws of 1987.

For Further Information Contact: Richard P. Benner, Executive Director, (509) 427-8866.

OPEN MEETINGS

350-11-001 Definitions for 350-11-001 to 350-11-010.

(1) "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of the commission is required at any meeting at which a quorum is present.

(2) "Executive session" means any meeting or part of a meeting of the commission which is closed to certain persons for deliberation on certain matters.

(3) "Commission" means the Columbia River Gorge Commission or any public body which consists of two or more members, with the authority to make decisions for or recommendations to the commission on policy or administration.

(4) "Meeting" means the convening of the commission for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any onsite inspection of any project or program. "Meeting" also does not include the attendance of members of the commission at any national, regional or state association to which the commission or members of the commission belong.

350-11-002 Policy.

The Oregon and Washington forms of government require an informed public aware of the deliberations and decisions of the commission and the information upon which such decisions were made.

350-11-003 Meetings of commission to be open to public; location of meetings.

(1) All meetings of the commission shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by 350-11-001 to 350-11-010.

(2) No quorum of the commission shall meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by 350-11-001 to 350-11-010.

(3) The commission shall not hold a meeting at any place where discrimination on the basis of race, creed, color, sex, age or national origin is practiced. However, the fact that organizations with restricted membership hold meetings at the place shall not restrict its use by the commission if use of a place by a restricted membership organization is not the primary purpose of the place or its predominate use.

(4) Meetings of the commission shall be held within the geographic boundaries over which the commission has jurisdiction, or at the administrative headquarters of the commission or at the other nearest practical location. Training sessions may be held outside the jurisdiction so long as no deliberations toward a decision are involved. A joint meeting of two or more governing bodies shall be held within the geographical boundaries over which one of the participating public bodies has jurisdiction or at the nearest practical location. Meetings may be held in locations other than those described in this subsection in the event of an actual emergency necessitating immediate action.

350-11-004 Public notice required; special notice for executive sessions, special or emergency meetings.

(1) The commission shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of the commission to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the commission, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the commission, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

350-11-005 Written minutes required; content; content of minutes for executive sessions.

(1) The commission shall provide for the taking of written minutes of all its meetings. Neither a full transcript nor a recording of the meeting is required, except

as otherwise provided by law, but the written minutes must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

- (a) All members of the commission present;
- (b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- (c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of the body, the vote of each member by name;
- (d) The substance of any discussion on any matter; and
- (e) Subject to 350-12-001 to 350-12-006 relating to public records, a reference to any document discussed at the meeting but such reference shall not affect the status of the document under 350-12-001 to 350-12-006.

(2) Minutes of executive sessions shall be kept in accordance with subsection (1) of this section. Instead of written minutes, a record of any executive session may be kept in the form of a sound tape recording which need not be transcribed unless otherwise provided by law. However, excluded materials are authorized to be examined privately by a court in any legal action and the court shall determine their admissibility.

350-11-006 Executive sessions permitted on certain matters; procedures; news media representatives' attendance; limits.

(1) The commission can hold executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization for the holding of such executive session. Executive session may be held:

(a) To consider the employment of a public officer, employe, staff member or individual agent. The exception contained in this paragraph does not apply to:

- (A) The filling of a vacancy in an elective office.
- (B) The filling of a vacancy on any public committee, commission or other advisory group.

(C) The consideration of general employment policies.

(D) The employment of the chief executive officer, other public officers, employes and staff members of any public body unless the vacancy in that office has been advertised, regularized procedures for hiring have been adopted by the public body and there has been opportunity for public input into the employment of such an officer. However, the standards, criteria and policy directives to be used in hiring chief executive officers shall be adopted by the commission in meetings open to the public in which there has been opportunity for public comment.

(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employe, staff member or individual agent, unless such public officer, employe, staff member or individual agent requests an open hearing.

(c) To conduct deliberations with persons designated by the commission to carry on labor negotiations.

(d) To conduct deliberations with persons designated by the commission to negotiate real property transactions.

(e) To consider records that are exempt by law from public inspection.

(f) To consider preliminary negotiations involving matters of trade or commerce in which the commission is in competition with governing bodies in other states or nations.

(g) To consult with counsel concerning the legal rights and duties of the commission with regard to current litigation or litigation likely to be filed.

(h) To review and evaluate, pursuant to standards, criteria and policy directives adopted by the commission, the employment-related performance of the chief executive officer of the commission, a public officer, employe or staff member unless the person whose performance is being reviewed and evaluated requests an open hearing. The standards, criteria and policy directives to be used in evaluating chief executive officers shall be adopted by the commission in meetings open to the public in which there has been opportunity for public comment. An executive session for purposes of evaluating a chief executive officer or other officer, employe or staff member shall not include a general evaluation of any agency goal, objective or operation of any directive to personnel concerning agency goals, objectives, operations or programs.

(i) To carry on negotiations with private persons or business regarding proposed acquisition, exchange or liquidation of public investments.

(2) Labor negotiations may be conducted in executive session if either side of the negotiators requests closed meetings. Subsequent sessions of the negotiations may continue without further public notice.

(3) Representatives of the news media shall be allowed to attend executive sessions other than those held under paragraph (c) of subsection (1) of this section relating to labor negotiations but the commission may require that specified information subject of the executive session be undisclosed.

(4) No executive session may be held for the purpose of taking any final action or making any final decision.

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.

350-11-007 Meetings by means of telephonic or electronic communication.

(1) Any meetings, including an executive session, of the commission which is held through the use of telephone or other electronic communication shall be conducted in accordance with 350-11-001 to 350-11-006.

(2) When telephone or other electronic means of communication is used and the meeting is not an executive session, the commission shall make available to the public at least one place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place provided may be a place where no member of the commission is present.

350-11-008 Enforcement of 350-11-001 to 350-11-007; effect of violation on validity of decision of the commission; liability of members.

(1) Any person affected by a decision of the commission may commence a suit in the circuit court or superior court for the county in which the commission ordinarily meets, for the purpose of requiring compliance with, or the prevention of violations of 350-11-001 to 350-11-008, by members of the commission, or to determine the applicability of 350-11-001 to 350-11-008 to matters or decisions of the commission. The court may order such equitable relief as it deems appropriate in the circumstances. A decision shall not be voided if other equitable relief is available. The court may order payment to a successful plaintiff in a suit brought under this section of reasonable attorney's fees at trial and on appeal, by the commission.

(2) If the court makes a finding that a violation of 350-11-001 to 350-11-008 has occurred under subsection (1) of this section and that the violation is the result of wilful misconduct by any member or members of the commission, that member or members shall be jointly and severally liable to the commission for the amount paid by the commission under subsection (1) of this section.

(3) The provisions of this section shall be the exclusive remedy for an alleged violation of 350-11-001 to 350-11-008.

350-11-009 Prima facie evidence of violation required of plaintiff.

In any suit commenced under 350-11-008(1), the plaintiff shall be required to present prima facie evidence of a violation of 350-11-001 to 350-11-008 before the commission shall be required to prove that its acts in deliberating toward a decision complied with the law. When a plaintiff presents prima facie evidence of a violation of the open meetings law, the burden to prove that the provisions of 350-11-001 to 350-11-008 were complied with shall be on the commission.

350-11-010 Smoking in public meetings prohibited.

(1) No person shall smoke or carry any lighted smoking instrument in a room where a public meeting is being held or is to continue after a recess. For purposes of this subsection, a public meeting is being held from the time the agenda or meeting notice indicates the meeting is to commence regardless of the time it actually commences.

(2) As used in this section, "smoking instrument" means any cigar, cigarette, pipe or other smoking equipment.

PUBLIC RECORDS

350-12-001 Definitions for 350-12-001 to 350-12-006.

(1) "Person" includes any natural person, corporation, partnership, firm or association.

(2) "Public record" includes any writing containing information relating to the conduct of the public's business, prepared, owned, used or retained by the commission regardless of physical form or characteristics.

(3) "Writing" means handwriting, typewriting, printing, photostating, photographing and every means of recording, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents.

350-12-002 Right to inspect public records.

Every person has a right to inspect any public record of the commission, except as otherwise expressly provided by 350-12-006.

350-12-003

(1) The commission shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated.

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statutes, and the Constitution which have been adopted by the commission;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employes or others;

(f) Correspondence and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The commission need not maintain such an index, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

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.

350-12-004 Times for inspection and copying.

Public records shall be available for inspection and copying during the customary office hours of the commission. Provided, that if the commission does not have customary office hours of at least thirty hours per week, the public records shall be available from nine o'clock

a.m. to noon and from one o'clock p.m. to four o'clock p.m. Monday through Friday, excluding legal holidays, unless the person making the request and the commission or its representative agree on a different time.

350-12-005 Certified copies of public records; fees.

(1) The custodian of any public record which a person has a right to inspect shall give the person, on demand, a certified copy of it, if the record is of a nature permitting such copying, or shall furnish reasonable opportunity to inspect or copy.

(2) The public body may establish fees reasonably calculated to reimburse it for its actual costs in making such records available.

350-12-006 Public records exempt from disclosure.

(1) The following public records are exempt from disclosure under 350-12-001 to 350-12-006 unless the public interest requires disclosure in the particular instance:

(a) Records of the commission pertaining to litigation to which the commission is a party if the complaint has been filed, or if the complaint has not been filed, if the commission shows that such litigation is reasonably likely to occur. This exemption does not apply to litigation which has been concluded, and nothing in this paragraph shall limit any right or opportunity granted by discovery or deposition statutes to a party to litigation or potential litigation;

(b) Trade secrets. "Trade secrets," as used in this section, may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service or to locate minerals or other substances, having commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it;

(c) Investigatory information compiled for criminal law purposes, except that the record of an arrest or the report of a crime shall not be confidential unless and only so long as there is a clear need in a particular case to delay disclosure in the course of a specific investigation. Nothing in this paragraph shall limit any right constitutionally guaranteed, or granted by statute, to disclosure or discovery in criminal cases. For purposes of this paragraph, the record of an arrest or the report of a crime includes, but is not limited to:

(A) The arrested person's name, age, residence, employment, marital status and similar biographical information;

(B) The offense with which the arrested person is charged;

(C) The conditions of release;

(D) The identity of and biographical information concerning both complaining party and victim;

(E) The identity of the investigating and arresting agency and the length of the investigation;

(F) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and

(G) Such information as may be necessary to enlist public assistance in apprehending fugitives from justice;

(d) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination before the examination is given and if the examination is to be used again;

(e) Information relating to the appraisal of real estate prior to its acquisition;

(f) The names and signatures of employes who sign authorization cards or petitions for the purpose of requesting representation or decertification elections;

(g) Investigatory information relating to any complaint filed relating to unlawful employment practices until such time as the complaint is resolved, or a final administrative determination is made.

(h) Investigatory information relating to any complaint filed relating to unfair labor practices;

(i) Information concerning the location of archaeological sites or objects, except if the governing body of an Indian tribe requests the information and the need for the information is related to that Indian tribe's cultural or religious activities. This exemption does not include information relating to a site that is all or part of an existing, commonly known and publicized tourist activity or attraction; and

(j) A personnel discipline action, or materials or documents supporting that action.

(2) The following public records are exempt from disclosure under 350-12-001 to 350-12-006.

(a) Communications within a public body or between public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to any final agency determination of policy or action. This exemption shall not apply unless the commission shows that in the particular instance the public interest in encouraging frank communication between officials and employes of the commission clearly outweighs the public interest in disclosure;

(b) Information of a personal nature such as but not limited to that kept in a personal, medical or similar file, if the public disclosure thereof would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in the particular instance. The party seeking disclosure shall have the burden of showing that public disclosure would not constitute an unreasonable invasion of privacy;

(c) Information submitted to the commission in confidence and not otherwise required by law to be submitted, where such information should reasonably be considered confidential, the commission has obliged itself in good faith not to disclose the information, and when the public interest would suffer by the disclosure;

(d) Any public records or information the disclosure of which is prohibited by federal law or regulations;

(e) Public records or information the disclosure of which is prohibited or restricted or otherwise made confidential or privileged;

(f) Public records or information described in this section, furnished by the public body originally compiling, preparing or receiving them to any other public officer or public body in connection with performance of the duties of the recipient, if the considerations originally giving rise to the confidential or exempt nature of the public records or information remain applicable.

(3) If any public record contains material which is not exempt under subsection (1) or (2) of this section, as well as material which is exempt from disclosure, the commission shall separate the exempt and nonexempt material and make the nonexempt material available for examination.

(4) Student records required by state or federal law are exempt from disclosure.

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.

FINANCIAL DISCLOSURE

350-13-001

(1) The members of the commission shall file annual financial disclosure forms with the States of Washington and Oregon and shall otherwise comply, to the extent possible, with the financial disclosure requirements of both states.

(2) Financial disclosure forms filed by members of the commission shall also be maintained at the offices of the commission.

CONFLICT OF INTEREST

350-14-001 Definitions for 350-14-001 to 350-14-005.

As used in these rules, unless the context requires otherwise:

(1) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain.

(2) "Business with which the person is associated" means any business of which the person or a member of the person's household is a director, officer, owner or employe, or any corporation in which the person or a member of the person's household owns or has owned stock worth \$1,000 or more at any point in the preceding calendar year.

(3) "Potential conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or a member of the person's household, unless the pecuniary benefit or detriment arises out of the following:

(a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.

(b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of a state, or a smaller class consisting of an

industry, occupation or other group including one of which or in which the person, or a member of the person's household or business with which the person is associated, is a member or is engaged.

(4) "Gift" means something of economic value given to a public official or member of the official's household without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials on the same terms and conditions; and something of economic value given to a public official or member of the official's household for valuable consideration less than that required from others who are not public officials. However, "gift" does not mean:

(a) Campaign contributions.

(b) Gifts from relatives.

(c) The giving or receiving of food, lodging and travel when participating in an event which bears a relationship to the public official's office and when appearing in an official capacity.

(5) "Honoraria" means a payment or something of economic value given to a public official in exchange for services upon which custom or propriety prevents the setting of a price. Services include, but are not limited to, speeches or other services rendered in connection with an event at which the public official appears in an official capacity.

(6) "Income" means income of any nature derived from any source, including, but not limited to, any salary, wage, advance, payment, dividend, interest, rent, honoraria, return of capital, forgiveness of indebtedness, or anything of economic value.

(7) "Legislative or administrative interest" means an economic interest, distinct from that of the general public, in one or more bills, resolutions, regulations, proposals or other matters subject to the or vote of a person acting in the capacity of a public official.

(8) "Member of household" means the spouse of the public official and any children of either who reside with the public official.

(9) "Public official" means any person who is serving in a governmental capacity for the Columbia River Gorge Commission as an officer, employe, agent or otherwise, and irrespective of whether the person is compensated for such services.

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.

350-14-002 Application.

Nothing in these rules is intended to affect:

(1) Any other statute or rule requiring disclosure of economic interest by any public official or public employe.

(2) Any statute or rule prohibiting or authorizing specific conduct on the part of any public official or public employe.

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.

350-14-003 Code of Ethics.

The following actions are prohibited regardless of whether potential conflicts of interest are announced or disclosed pursuant to 350-14-004:

(1) No public official shall use official position or office to obtain financial gain for the public official, other than official salary, honoraria or reimbursement of expenses, or for any member of the household of the public official, or for any business with which the public official or a member of the household of the public official is associated.

(2) No public official or candidate for office or a member of the household of the public official or candidate shall solicit or receive, whether directly or indirectly, during any calendar year, any gift or gifts from any single source who could reasonably be known to have a legislative or administrative interest in any governmental agency in which the official has any official position or over which the official exercises any authority.

(3) No public official shall solicit or receive, either directly or indirectly, and no person shall offer or give to any public official any pledge or promise of future employment, based on any understanding that such public official's vote, official action or judgment would be influenced thereby.

(4) No public official shall further the personal gain of the public official through the use of confidential information gained in the course of or by reason of the official position or activities of the public official in any way.

(5) No person shall offer during any calendar year any gifts to any public official or candidate therefor or a member of the household of the public official or candidate if the person has a legislative or administrative interest in a governmental agency in which the official has any official position or over which the official exercises any authority.

350-14-004 DECLARATION OF POTENTIAL CONFLICTS

Methods of handling potential conflicts.

(1) When met with a potential conflict of interest, a public official shall:

(a) If the public official is an appointed public official serving on the commission, announce publicly the nature of the potential conflict prior to taking any official action thereon.

(b) If the public official is any other appointed official subject to this chapter, notify in writing the person who appointed the public official to office of the nature of the potential conflict, and request that the appointing authority dispose of the matter giving rise to the potential conflict. Upon receipt of the request, the appointing authority shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the official to dispose of the matter in a manner specified by the appointing authority.

(2) Nothing in subsection (1) of this section requires any public official to announce a potential conflict of interest more than once on the occasion which the matter out of which the potential conflict arises is discussed or debated.

(3) Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so.

350-14-005 Recording of notice of potential conflict; effect of failure to disclose conflict.

(1) When a public official gives notice of a potential conflict of interest, the potential conflict shall be recorded in the official records of the public body.

(2) No decision or action of any public official or any board or commission on which the public official serves or agency by which the public official is employed shall be voided by any court solely by reason of the failure of the public official to disclose a conflict of interest.

PUBLIC CONTRACTS

350-15-001 Definitions for 350-15-001 to 350-15-020.

The term "public work" shall include all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the commission, or which is by law a lien or charge on any property within Washington or Oregon, but nothing herein shall apply to the construction, alteration, repair, or improvement of any municipal street railway system. All public works, including maintenance when performed by contract shall comply with the provisions of 350-15-002.

350-15-002 Plans and specifications; estimates; publications; emergencies.

(1) Whenever the commission shall determine that any public work is necessary to be done it shall cause plans, specifications, or both thereof and an estimate of the cost of such work to be made and filed with appropriate officials in Washington and Oregon.

(2) If the commission shall determine that it is necessary or advisable that such work shall be executed by any means or method other than by contract or by a small works roster process, and it shall appear by such estimate that the probable cost of executing such work will exceed the sum of fifteen thousand dollars, then the commission shall at least fifteen days before beginning work cause such estimate, together with a description of the work, to be published at least once in a legal newspaper of general circulation published in or as near as possible to that part of the county in which such work is to be done: Provided, that then any emergency shall require the immediate execution of such public work, upon a finding of the existence of such emergency by the authority having power to direct such public work to be done and duly entered of record, publication of description and estimate may be made within seven days after the commencement of the work.

350-15-003 Requirements for advertisement for bids.

(1) An advertisement for bids shall be published at least once in at least one newspaper of general circulation in the area where the contract is to be performed and in as many additional issues and publications as the commission may determine. If the contract is for a public improvement with an estimated cost in excess of

\$50,000, the advertisement for bids shall be published in at least one trade newspaper of general state-wide circulation. The commission may, by rule, require an advertisement for bids to be published more than once or in one or more additional publications.

(2) All advertisements for bids shall state:

(a) If the contract is for a public work, that no bid will be received or considered by the commission unless the bid contains a statement by the bidder as a part of its bid that the provisions of prevailing wage rates are to be complied with;

(b) The date after which bids will not be received, which date shall be not less than five days after the date of the last publication of the advertisement;

(c) The date that prequalification applications must be filed and the class or classes of work for which bidders must be prequalified if prequalification is a requirement;

(d) The character of the work to be done or the material or things to be purchased;

(e) The office where the specifications for the work, materials or things may be seen;

(f) The name and title of the person designated for receipt of bids;

(g) The date, time and place that the commission will publicly open the bids; and

(h) The commission may reject any bid not in compliance with all prescribed public bidding procedures and requirements, and may reject for good cause any or all bids upon a finding of the agency it is in the public interest to do so.

350-15-004 Disqualification of bidder.

(1) The commission may disqualify any person as a bidder on a public contract if the commission finds:

(a) The person does not have sufficient financial ability to perform the contract. If a bond is required to insure performance of a contract, evidence that the person can acquire a surety bond in the amount and type required shall be sufficient to establish financial ability;

(b) The person does not have equipment available to perform the contract;

(c) The person does not have key personnel available of sufficient experience to perform the contract; or

(d) The person has repeatedly breached contractual obligations to public and private contracting agencies.

(2) The commission may make such investigation as is necessary to determine whether a person is qualified. If a bidder or prospective bidder fails to supply promptly information as requested by the public contracting agency pursuant to such investigation, such failure is grounds for disqualification.

(3) Any information voluntarily submitted by a bidder or prospective bidder pursuant to an investigation under subsection (2) of this section or in a prequalification statement required by 350-15-005 or in a prequalification request submitted pursuant to 350-15-006 shall be deemed a trade secret if requested by the person submitting the information.

350-15-005 Prequalification of bidder; notification.

(1) The commission may adopt a rule, resolution, ordinance or other regulation requiring mandatory prequalification for all persons desiring to bid for public contracts that are to be let by the agency. The rule, resolution, ordinance or other regulation authorized by this section shall include the time for submitting prequalification applications and a general description to the type and nature of the contracts that may be let. The prequalification application shall be in writing on a standard form prescribed by the commission.

(2) The commission shall within 30 days of the receipt of the prequalification application submitted pursuant to subsection (1) of this section, notify the prospective bidder if the prospective bidder is qualified or not, the nature and type of contracts that the prospective bidder is qualified to bid on and the time period for which the prequalification is valid. If the commission disqualified the prospective bidder as to any contracts covered by the rule, resolution, ordinance or other regulation, the notice shall specify which subsections of 350-15-004 the prospective bidder failed to comply with. Unless the reasons are specified, the bidder shall be deemed to have been prequalified in accordance with the application.

(3) If the commission subsequently discovers that a person heretofore prequalified under subsections (1) and (2) of this section is no longer qualified, the commission may revoke the prequalification upon reasonable notice to the prospective bidder; provided, however, that such revocation shall be invalid as to any contract for which an advertisement for bids has already been made under 350-15-003.

350-15-006 Application for prequalification; notification; investigation, revocation or revision.

(1) When the commission permits or requires prequalification of bidders, a person who wishes to prequalify shall submit a prequalification application to the commission on a standard form prescribed by the commission. Within 30 days after receipt of a prequalification application, the commission shall investigate the prospective bidder as necessary to determine if the prospective bidder is qualified. The determination shall be made in less than 30 days, if practical, if the prospective bidder requests an early decision to allow the bidder as much time as possible to prepare a bid on a contract that has been advertised. In making its determination, the commission shall only disqualify a person in accordance with 350-15-004. If shall promptly notify the person whether or not that person is qualified.

(2) If the commission finds that a prospective bidder is qualified, the notice shall state the nature and type of contracts that the person is qualified to bid on and the period of time for which the qualification is valid under the rule, resolution, ordinance or other regulation. If the agency disqualifies a prospective bidder as to any contracts covered by the rule, resolution, ordinance or other regulation, the notice shall specify the reasons found under 350-15-004 for the disqualification.

(3) If the commission has reasonable cause to believe that there has been a substantial change in the conditions of a prequalified person and that the person is no

longer qualified or is less qualified, the agency may revoke or may revise and reissue the prequalification after reasonable notice to the prequalified person. The notice shall state the reasons found under 350-15-004 for revocation or revision of the prequalification of the person. A revocation or revision does not apply to any contract for which publication of advertisement for bids, in accordance with 350-15-003, commenced prior to the date the notice of revocation or revision was received by the prequalified person.

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.

350-15-007 Work to be executed according to plans; supplemental plans.

Whenever plans and specifications shall have been filed, the work to be done shall be executed in accordance with such plans and specifications unless supplemental plans and specifications of the alterations to be made therein shall be made and filed in the office where the original plans and specifications are filed.

In the event that the probable cost of executing such work in accordance with the supplemental plans and specifications shall be increased or decreased from the estimated cost as shown by the original estimate to an amount in excess of ten percent of such estimate, then a supplemental estimate shall be made of the increased or decreased cost of executing the work in accordance.

350-15-008 Contents of original estimates.

Original estimates shall show in detail the estimated cost of the work; the estimated quantities of each class of work; the estimated unit cost for each class; the estimated total cost for each class; the time limit allowed for the completion of the work and the estimated dates of commencement and completion.

350-15-009 Supplemental estimates.

Supplemental estimates shall show the estimated increase or decrease in the total quantities of each class, in the unit cost of each class, in the total cost for each class and in the total cost of the work as shown by the original estimate, together with any change in the time limit and in the estimated dates of commencing and completing the work.

350-15-010 Account and record of cost.

Whenever the commission shall execute any public work by any means or method other than by contract, it shall cause to be kept and preserved a full, true and accurate account and record of the costs of executing such work.

Such account and record shall show in accurately tabulated form and under appropriate headings the totals of all classes and kinds of work performed, the total cost and unit cost of each class, together with the costs of executing such work, including, under separate headings, the costs of labor; material; equipment purchased; provisions and supplies; rental of equipment; industrial insurance and medical aid; superintendence; engineering;

clerical and accounting service; the reasonable value, including depreciation, of the use of equipment owned by the commission, and all other expenses incurred therein.

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.

350-15-011 Records open to public inspection; certified copies.

All plans, specifications, estimates, and copies of accounts or records and all certificates attached thereto shall, when filed, become public records and shall at all reasonable times be subject to public inspection.

Certified copies of any estimate, account or record shall be furnished by the officer having the custody thereof to any person on demand and the payment of the legal fees for making and certifying the same.

350-15-012 Pollution and preservation of natural resources laws to be included in bidding invitations; change orders, costs, arbitration.

All invitations for bid proposals for public construction projects issued by the commission, shall set further in the contract documents to the extent they are reasonably obtainable by the public awarding authority those provisions of federal, state and local statutes, ordinances and regulations dealing with the prevention of environmental pollution and the preservation of public natural resources that affect or are affected by the projects. If the successful bidder must undertake additional work due to the enactment of new or the amendment of existing statutes, ordinances, rules or regulations occurring after the submission of the successful bid, the commission shall issue a change order setting forth the additional work that must be undertaken, which shall not invalidate the contract. The cost of such a change order to the commission shall be determined in accordance with the provisions of the contract for change orders or force accounts or, if no such provision is set forth in the contract, then the cost to the commission shall be the contractor's costs for wages, labor costs other than wages, wage taxes, materials, equipment rentals, insurance, and subcontracts attributable to the additional activity plus a reasonable sum for overhead and profit: Provided, that such additional costs to undertake work not specified in the contract documents shall not be approved unless written authorization is given the successful bidder prior to his undertaking such additional activity. In the event of a dispute between the commission and the successful bidder, arbitration procedures may be commenced under the applicable terms of the construction contract, or, if the contract contains no such provision for arbitration, then the obtaining rules of the American Arbitration Association.

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.

350-15-013 Commission purchasing; use of recovered resources and recycled material.

The commission, in purchasing supplies, materials, equipment or personal services, shall:

(1) Review its procurement specifications currently utilized in order to eliminate, wherever economically feasible, discrimination against the procurement of recovered resources or recycled materials.

(2) Provide incentives, wherever economically feasible, in all procurement specifications issued by them for the maximum possible use of recovered resources and recycled materials.

(3) Develop purchasing practices which, to the maximum extent economically feasible, assure purchase of materials which are recycled or which may be recycled or reused when discarded.

(4) Establish management practices which minimize the volume of solid waste generated by them by limiting the amount of materials consumed and discarded.

(5) Use and require persons with whom it contracts to use, in the performance of the contract work, to the maximum extent economically feasible, recycled paper.

350-15-014 Preference to recycled materials.

(1) Notwithstanding other rules requiring the commission to enter into contracts with the lowest responsible bidder and subject to subsection (2) of this section, the commission, in the purchase of materials and supplies for any public use, may, in its discretion, give preference to the purchase of materials and supplies manufactured from recycled materials.

(2) The commission may give preference to materials and supplies manufactured from recycled materials only if:

(a) The bids of the persons or manufacturing concerns supplying the recycled materials, or the prices quoted by them, do not exceed by more than five percent the lowest bid or process quoted by persons and manufacturing concerns offering nonrecycled materials; and

(b) The commission finds that the public good will be served thereby.

350-15-015 Specifications for contracts; exemptions.

(1) Specifications for public contracts shall not expressly or implicitly require any product by any brand name or mark, nor the product of any particular manufacturer or seller unless the product is exempt under subsection (2) of this section.

(2) The commission may exempt certain products or classes of products from subsection (1) of this section upon any of the following findings:

(a) It is unlikely that such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts;

(b) The specification of a product by brand name or mark, or the product of a particular manufacturer or seller, would result in substantial cost savings to the commission;

(c) There is only one manufacturer or seller of the product of the quality required; or

(d) Efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment or supplies.

350-15-016 Bond required; conditions; retention of contract amount in lieu of bond.

Whenever the commission shall contract with any person or corporation to do any work for the commission, the commission shall require the person or persons with whom such contract is made to make, execute, and deliver to the commission, a good and sufficient bond, with two or more sureties, or with a surety company as surety, conditioned that such person or persons shall faithfully perform all the provisions of such contract and pay all laborers, mechanics, and subcontractors and materialmen, and all persons who supply such person or persons, or subcontractors, with provisions and supplies for the carrying on of such work, and any person or persons performing such services or furnishing material to any subcontractor shall have the same right under the provisions of such bond as if such work, services or material was furnished to the original contractor: Provided, That on contracts of \$25,000 dollars or less, at the option of the contractor the commission may, in lieu of the bond, retain fifty percent of the contract amount for a period of thirty days after date of final acceptance.

350-15-017 Conditions of bond; notice of claim; action on bond; attorney's fees.

The bond mentioned in 350-15-016 shall be in an amount equal to the full contract price agreed to be paid for such work or improvement, and shall be to the commission. All such persons mentioned in 350-15-016 shall have a right of action in his, her, or their own name or names on such bond for work done by such laborers or mechanics, and for materials furnished or provisions and goods supplied and furnished in the prosecution of such work, or the making of such improvements: Provided, That such persons shall not have any right of action on such bond for any sum whatever, unless within thirty days from and after the completion of the contract with an acceptance of the work by the affirmative action of the commission, and the laborer, mechanic or subcontractor, or materialman, or person claiming to have supplied material, provisions or goods for the prosecution of such work, or the making of such improvement, shall present to and file with the commission, notice in writing in substance as follows:

To (here insert the name of the commission):

Notice is hereby given that the undersigned (here insert the name of the laborer, mechanic or subcontractor, or materialman, or person claiming to have furnished labor, materials or provisions for or upon such contract or work), has a claim in the sum of \$_____ (here insert the amount) against the bond taken from _____ (here insert the name of the principal and surety or sureties upon such bond) for the work of _____ (here insert a brief mention or description of the work concerning which said bond was taken).

(here to be signed) _____

Such notice shall be signed by the person or corporation making the claim or giving the notice, and said notice, after being presented and filed, shall be a public record open to inspection by any person, and in any suit or action brought against such surety or sureties by any such person or corporation to recover for any of the

items herein before specified, the claimant shall be entitled to recover in addition to all other costs, attorney's fees in such sum as shall be adjudged reasonable: Provided, however, That no attorney's fees shall be allowed in any suit or action brought or instituted before the expiration of thirty days following the date of filing of the notice herein before mentioned.

350-15-018 Notice to contractor condition to suit on bond when supplies are furnished to subcontractor.

Every person, firm or corporation furnishing materials, supplies or provisions to be used in the construction, performance carrying on, prosecution or doing of any work for the the commission, shall, not later than ten days after the date of the first delivery of such materials, supplies or provisions to any subcontractor or agent of any person, firm or corporation having a subcontract for the construction, performance, carrying on, prosecution or doing of such work, deliver or mail to the contractor a notice in writing stating in substance and effect that such person, firm or corporation has commenced to deliver materials, supplies or provisions for use thereon, with the name of the subcontractor or agent ordering or to whom the same is furnished and that such contractor and his bond will be held for the payment of the same, and no suit or action shall be maintained in any court against the contractor or his bond to recover for such material, supplies or provisions or any part thereof unless the provisions of this section have been complied with.

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.

350-15-019 Preferences; foreign contractor.

(1) In all public contracts, the commission shall prefer goods or services that have been manufactured or produced in Oregon or Washington if price, fitness, availability and quality are otherwise equal.

350-15-020 Subcontracting to minority or women business enterprise; good faith effort; fee.

(1) Whenever the commission requires a bidder to subcontract some part of the contract or obtain materials to be used in performing the contract to a business enterprise that is a minority or women business enterprise, the commission shall award the contract, if one is awarded, to the lowest qualified bidder who has met the minority business enterprise or women business enterprise goal established by the commission or who has made a good faith effort prior to the time bids are opened to comply with the subcontracting or material supplied requirement.

(2) Performing all of the following actions by a bidder constitute a rebuttable presumption that the bidder has made a good faith effort to satisfy the subcontracting requirement described in subsection (1) of this section:

(a) The bidder attended any presolicitation or prebid meetings that were scheduled by the commission to inform minority and women business enterprises of contracting and subcontracting or material supply opportunities available on the project;

(b) The bidder identified and selected specific economically feasible units of the project to be performed by minority and women business enterprises in order to increase the likelihood of participation by such enterprises;

(c) The bidder advertised in general circulation, trade association, minority and trade oriented, women-focus publications, if any, concerning the subcontracting or material supply opportunities;

(d) The bidder provided written notice to a reasonable number of specific minority and women business enterprises, soliciting bids for the selected subcontracting or material supply work, in sufficient time to allow the enterprises to participate effectively;

(e) The bidder followed up initial solicitations of interest by contacting the enterprises to determine with certainty whether the enterprises were interested;

(f) The bidder provided interested minority and women business enterprises with adequate information about the plans, specifications and requirements for the selected subcontracting or material supply work;

(g) The bidder negotiated in good faith with the enterprises, and did not without justifiable reason reject as unsatisfactory bids prepared by any minority and women business enterprises;

(h) Where applicable, the bidder advised and made efforts to assist interested minority and women business enterprises in obtaining bonding, lines of credit or insurance required by the commission or contractor; and

(i) The bidder's efforts to obtain minority and women business enterprise participation were reasonably expected to produce a level of participation sufficient to meet the goals or requirement of the commission.

(3) If a bidder has not met the minority business enterprise or women business enterprise goal established by the commission, the commission shall evaluate the good faith effort of the bidder consistent with subsection (2) of this section. It shall be a rebuttable presumption that a bidder has made a good faith effort to comply with the requirement for subcontracting or material supply described in subsection (1) of this section if the bidder has acted consistently with the actions described in subsection (2) of this section. It shall be a rebuttable presumption that the bidder did not make a good faith effort if the bidder has not acted consistently with the actions described in subsection (2) of this section.

(4) For purposes of this section and for purposes of certification of minority or women business enterprises by the commission:

(a) "Minority or women business enterprise" means a business concern which is at least 51 percent owned by one or more minorities or women, as the case may be, or in the case of a corporation, at least 51 percent of the stock of which is owned by one or more minorities or women, and whose management and daily business operations are controlled by one or more of the minority or women stockholders.

(b) "Minority individual" is a person who is a citizen or lawful permanent resident of the United States, who is a:

(A) Black American or person having origins in any of the Black racial groups of Africa.

(B) Hispanic American or person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

(C) Native American or person who is an American Indian, Eskimo, Aleut or Native Hawaiian.

(D) Asian-Pacific American or person whose origin is from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the United States Trust Territories of the Pacific or the Northern Marianas.

(E) Asian-Indian American or person whose origin is from India, Pakistan or Bangladesh.

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.

PERSONAL SERVICE CONTRACTS

350-15-025 It is the intent of these rules to establish a policy of open competition for all personal service contracts entered into by the commission, unless specifically exempted under these rules.

(1) "Commission" or agency means the Columbia River Gorge Commission.

(2) "Competitive solicitation" means a documented formal process providing an equal and open opportunity to qualified parties and culminating in a selection based on criteria which may include such factors as the consultant's fees or costs, ability, capacity, experience, reputation, responsiveness to time limitations, responsiveness to solicitation requirements, quality of previous performance, and compliance with statutes and rules relating to contracts or services.

(3) "Consultant" means an independent individual or firm contracting with the commission to perform a service or render an opinion or recommendation according to the consultant's methods and without being subject to the control of the commission except as to the result of the work. The commission monitors progress under the contract and authorizes payment.

(4) "Emergency" means a set of unforeseen circumstances beyond the control of the commission that either:

(a) Present a real, immediate threat to the proper performance of essential functions; or

(b) May result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

(5) "Evidence of competition" means documentation demonstrating that the commission has solicited responses from multiple firms in selecting a consultant.

(6) "Personal service" means professional or technical expertise provided by a consultant to accomplish a specific study, project, task, or other work statement. This term does not include purchased services as defined under subsection (8) of this section.

(7) "Personal service contract" means an agreement, or any amendment thereto, with a consultant for the rendering of personal services to the commission.

(8) "Purchased services" means services provided by a vendor to accomplish routine, continuing and necessary functions. This term includes, but is not limited to, services for equipment maintenance and repair; operation of a physical plant; security; computer hardware and software maintenance; data entry; key punch services; and computer time-sharing, contract programming, and analysis.

(9) "Sole Source" means a consultant providing professional or technical expertise of such a unique nature that the consultant is clearly and justifiably the only practicable source to provide the service. The justification shall be based on either the uniqueness of the service or sole availability at the location required.

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.

350-15-026 All personal service contracts shall be entered into pursuant to competitive solicitation, except for:

(1) Emergency contracts;

(2) Sole source contracts;

(3) Contract amendments;

(4) Contracts between a consultant and the commission of less than ten thousand dollars. However, contracts of two thousand five hundred dollars or greater, but less than ten thousand dollars, shall have documented evidence of competition. The commission shall not structure contracts to evade these requirements; and

(5) Other specific contracts or classes or groups of contracts exempted from the competitive solicitation process by the commission when it has been determined that a competitive solicitation process is not appropriate or cost effective.

350-15-027 No officer or activity of the commission subject to these rules shall expend any funds for personal service contracts unless the agency has complied with the competitive procurement and other requirements of these rules.

350-15-028 These rules do not apply to:

(1) Contracts specifying a fee of less than two thousand five hundred dollars if the total of the contracts with the contractor within a fiscal year does not exceed two thousand five hundred dollars;

(2) Contracts awarded to companies that furnish a service where the tariff is established by a utilities and transportation commission or other public entity;

(3) Intergovernmental agreements awarded to any governmental entity, whether federal, state, or local and any department, division or subdivision thereof;

(4) Contracts awarded for services to be performed for a standard fee, when the standard fee is established by the contracting agency or any other governmental entity and a like contract is available to all qualified applicants;

(5) Contracts for services that are necessary to the conduct of collaborative research if prior approval is granted by the funding source;

(6) Contracts for the employment of expert witnesses for the purposes of litigation.

ADMINISTRATIVE PROCEDURES

350-16-001 Commission required to prepare public writings in readable form.

(1) The commission shall when reasonable prepare its public writings in simple language with short, precise, affirmative, active-voice sentences.

(2) As used in this section, "public writing" means any rule, form, license or notice prepared by the commission.

350-16-002 Definitions for 350-16-002 to 350-16-018.

(1) "Commission" means the Columbia River Gorge Commission or any officer authorized by the commission to make rules or to issue orders.

(2)(a) "Contested case" means a proceeding before the commission:

(A) In which the individual legal rights, duties or privileges of specific parties are required by statute or Constitution to be determined only after a hearing at which such specific parties are entitled to appear and be heard;

(B) Where the commission has discretion to suspend or revoke a right or privilege of a person;

(C) For the suspension, revocation or refusal to renew or issue a license where the licensee or applicant for a license demands such hearing.

(b) "Contested case" does not include proceedings in which any commission decision rests solely on the result of a test.

(3) "Economic effect" means the costs of compliance with a rule for businesses including but not limited to the costs of equipment, supplies, labor and administration.

(4) "License" includes the whole or part of any commission permit, certificate, approval, registration or similar form of permission required by law to pursue any commercial activity, trade, occupation or profession.

(5)(a) "Order" means any commission action expressed orally or in writing directed to a named person or named persons, other than employees, officers or members of the commission. "Order" includes any commission determination or decisions issued in connection with a contested case proceeding.

(b) "Final order" means final commission action expressed in writing. "Final order" does not include any tentative or preliminary commission declaration or statement that:

(A) Precedes final commission action; or

(B) Does not preclude further commission consideration of the subject matter of the statement or declaration.

(6) "Party" means:

(a) Each person or agency entitled as of right to a hearing before the commission;

(b) Each person or agency named by the commission to be a party; or

(c) Any person requesting to participate before the commission as a party or in a limited party status which

the commission determines either has an interest in the outcome of the commission's proceeding or represents a public interest in such result.

(7) "Person" means any individual, partnership, corporation, association, governmental subdivision or public or private organization of any character other than the commission.

(8) "Rule" means any commission directive, standard, regulation or statement of general applicability that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of the commission. The term includes the amendment or repeal of a prior rule, but does not include:

(a) Unless a hearing is required by statute, internal management directives, regulations or statements which do not substantially affect the interests of the public:

(A) Between agencies, or their officers or their employees; or

(B) Within the commission, between its officers or between employees.

(b) Action by commission directed to other agencies or other units of government which do not substantially affect the interests of the public.

(c) Declaratory rulings.

(d) Intra-agency memoranda.

(9) "Small business" means a corporation, partnership, sole proprietorship or other legal entity formed for the purpose of making a profit, which is independently owned and operated from all other businesses which has 50 or fewer employees.

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

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

350-16-003 Description of organization; service of order; effect of not putting order in writing.

(1) In addition to other rulemaking requirements imposed by law, the commission shall publish a description of its organization and the methods whereby the public may obtain information or make submissions or requests.

(2) An order shall not be effective as to a person or party unless it is served upon him either personally or by mail. This subsection is not applicable in favor of any person or party who has actual knowledge of the order.

(3) An order is not final until it is reduced to writing.

350-16-004 Notice requirements for rule adoption; temporary rule adoption, or amendment; substantial compliance required.

(1) Prior to the adoption, amendment or repeal of any rule, the commission shall give notice of its intended action:

(a) In the manner established by rule adopted by the commission, which provides a reasonable opportunity for interested persons to be notified of the agency's proposed action;

(b) In the Oregon bulletin and Washington register at least 20 days prior to the commencement of any commission action; and

(c) To persons who have requested notice pursuant to subsection (7) of this section.

(2)(a) The notice required by subsection (1) of this section shall state the subject matter and purpose of the intended action in sufficient detail to inform a person that the person's interests may be affected, and the time, place and manner in which interested persons may present their views on the intended action.

(b) The commission shall include with the notice of intended action given under subsection (1) of this section:

(A) A citation of the statutory or other legal authority relied upon and bearing upon the promulgation of the rule;

(B) A statement of the need for the rule and a statement of how the rule is intended to meet the need;

(C) A list of the principal documents, reports or studies, if any, prepared by or relied upon by the commission in considering the need for and in preparing the rule, and a statement of the location at which those documents are available for public inspection. The list may be abbreviated if necessary, and if so abbreviated there shall be identified the location of a complete list; and

(D) A statement of fiscal impact identifying state agencies, units of local government and the public which may be economically affected by the adoption, amendment or repeal of the rule and an estimate of that economic impact on state agencies, units of local government and the public. In considering the economic effect of the proposed action on the public, the agency shall utilize available information to project any significant economic effect of that action on businesses which shall include a cost of compliance effect on small businesses affected.

(3) When the commission proposes to adopt, amend or repeal a rule, it shall give interested persons reasonable opportunity to submit data or views. Opportunity for oral hearing shall be granted upon request received from 10 persons or from an association having not less than 10 members within 15 days after commission notice. The commission holding a hearing upon a request made under this subsection is not required to give additional notice of the hearing in the Oregon bulletin or Washington register if the commission gives notice in compliance with its rules of practice and procedure other than a requirement that notice be given in the bulletin. The commission shall consider fully any written or oral submission.

(4) Upon request of an interested person received within 15 days after commission notice pursuant to subsection (1) of this section, the commission shall postpone the date of its intended action no less than 10 nor more than 90 days in order to allow the requesting person an opportunity to submit data, views or arguments concerning the proposed action. Nothing in this subsection shall preclude the commission from adopting a temporary rule pursuant to subsection (5) of this section.

(5) Notwithstanding subsections (1) to (4) of this section, the commission may adopt or amend a rule without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, if the commission prepares:

(a) A statement of its findings that its failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned and the specific reasons for its findings of prejudice;

(b) A citation of the statutory or other legal authority relied upon and bearing upon the promulgation of the rule;

(c) A statement of the need for the rule and a statement of how the rule is intended to meet the need; and

(d) A list of the principal documents, reports or studies, if any, prepared by or relied upon by the commission in considering the need for and in preparing the rule, and a statement of the location at which those documents are available for public inspection.

(6) A rule adopted or amended under subsection (5) of this section is temporary and may be effective for a period of not longer than 90 days. The adoption of a rule under this subsection does not preclude the subsequent adoption of an identical rule under subsections (1) to (4) of this section.

(7) Any person may request in writing that the commission mail to the person copies of its notice of intended action given pursuant to subsection (1) of this section. Upon receipt of any request the commission shall acknowledge the request, establish a mailing list and maintain a record of all mailings made pursuant to the request. The commission may establish procedures for establishing and maintaining the mailing lists current and, by rule, establish fees necessary to defray the costs of mailings and maintenance of the lists.

(8) This section does not apply to public contracts and purchasing.

(9) No rule is valid unless adopted in substantial compliance with the provisions of this section in effect on the date the rule is adopted.

(10) Unless otherwise provided by statute, the adoption, amendment or repeal of a rule by an agency need not be based upon or supported by an evidentiary record.

350-16-005 Procedure for commission adoption of federal rules.

(1) Notwithstanding 350-16-004, when the commission is required to adopt rules or regulations promulgated by an agency of the Federal Government and the agency has no authority to alter or amend the content or language of those rules or regulations prior to their adoption, the agency may adopt those rules or regulations under the procedure prescribed in this section.

(2) Prior to the adoption of a federal rule or regulation under subsection (1) of this section, the commission shall give notice of the adoption of the rule or regulation, the effective date of the rule or regulation and the subject matter of the rule or regulation in the manner established in 350-16-004(1).

(3) After giving notice the commission may add to the rule or regulation by filing a copy with the Oregon Secretary of State and the Washington Code Reviser. The commission is not required to conduct public hearings concerning the adoption of the rule or regulation.

(4) Nothing in this section authorizes the commission to amend federal rules or regulations or adopt rules in

accordance with federal requirements without giving an opportunity for hearings as required by 350-16-004.

350-16-006 Filing and taking effect of rules; filing of executive orders; copies.

(1)(a) The commission shall file in the office of the Oregon Secretary of State and Washington Code Reviser a certified copy of each rule adopted by it.

(b) Notwithstanding the provisions of paragraph (a) of this subsection, the commission adopting a rule incorporating published standards of reference is not required to file a copy of those standards with the Oregon Secretary of State or the Washington Code Reviser if:

(A) The standards adopted are unusually voluminous and costly to reproduce; and

(B) The rule filed identifies the location of the standards so incorporated and the conditions of their availability to the public.

(2) Each rule is effective upon filing as required by subsection (1) of this section, except that:

(a) If a later effective date is required by statute or specified in the rule, the later date is the effective date.

(b) A temporary rule becomes effective upon filing with the Oregon Secretary of State and Washington Code Reviser, or at a designated later date, only if the statement required by 350-16-004(5) is filed with the rule. The commission shall take appropriate measures to make temporary rules known to the persons who may be affected by them.

(3) When a rule is amended or repealed by the commission, the commission shall file a certified copy of the amendment or notice of repeal with the Oregon Secretary of State and Washington Code Reviser.

(4) No rule of which a certified copy is required to be filed shall be valid or effective against any person or party until a certified copy is filed in accordance with this section. However, if the commission, in disposing of a contested case, announces in its decision the adoption of a general policy applicable to such case and subsequent cases of like nature the commission may rely upon such decision in disposition of later cases.

350-16-008 Petitions requesting adopting of rules.

An interested person may petition the commission requesting the promulgation, amendment or repeal of a rule. The commission shall prescribe by rule the form for such petitions and the procedure for their submission, consideration and disposition. Not later than 30 days after the date of submission of a petition, the commission either shall deny the petition in writing or shall initiate rulemaking proceedings.

350-16-009 CONTESTED CASES.

Notice to party before hearing of rights and procedure; legislative findings; failure to provide notice.

(1) Citizens have a right to be informed as to the procedures by which contested cases are heard by the commission, their rights in hearings before the commission, the import and effect of hearings before the commission and their rights and remedies with respect to actions taken by the commission. Accordingly, it is the

purpose of subsections (2) to (4) of this section to set forth certain requirements of the commission so that citizens shall be fully informed as to these matters when exercising their rights before the commission.

(2) Prior to the commencement of a contested case hearing before the commission, the commission shall inform each party to the hearing of the following matters:

(a) If a party is not represented by an attorney, a general description of the hearing procedure including the order of presentation of evidence, what kinds of evidence are admissible, whether objections may be made to the introduction of evidence and what kind of objections may be made and an explanation of the burdens of proof or burdens of going forward with the evidence.

(b) The manner of making the record and its availability to the parties.

(c) The function of the record-making with respect to the perpetuation of the testimony and evidence and with respect to any appeal from the determination or order of the commission.

(d) Whether an attorney will represent the commission in the matters to be heard and whether the parties ordinarily and customarily are represented by an attorney.

(e) The title and function of the person presiding at the hearing with respect to the decision process, including, but not limited to, the manner in which the testimony and evidence taken by the person presiding at the hearing are reviewed, the effect of that person's determination, who makes the final determination on behalf of the commission, whether the person presiding at the hearing is or is not an employe, officer or other representative of the commission and whether that person has the authority to make a final independent determination.

(f) In the event a party is not represented by an attorney, whether the party may during the course of proceedings request a recess if at that point the party determines that representation by an attorney is necessary to the protection of the party's rights.

(g) Whether there exists an opportunity for an adjournment at the end of the hearing if the party then determines that additional evidence should be brought to the attention of the commission and the hearing reopened.

(h) Whether there exists an opportunity after the hearing and prior to the final determination or order of the commission to review and object to any proposed findings of fact, conclusions of law, summary of evidence or recommendations of the officer presiding at the hearing.

(i) A description of the appeal process from the determination or order of the commission.

(3) The information required to be given to a party to a hearing under subsections (2) and (3) of this section may be given in writing or orally before commencement of the hearing.

(4) The failure of the commission to give notice of any item specified in subsections (2) and (3) of this section, shall not invalidate any determination or order of the commission unless upon an appeal from or review of the determination or order a court finds that the failure affects the substantial rights of the complaining party. In

the event of such a finding, the court shall remand the matter to the commission for a reopening of the hearing and shall direct the commission as to what steps it shall take to remedy the prejudice to the rights of the complaining party.

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.

350-16-010 Notice, hearing and record in contested cases; informal disposition; hearings officer; statement of ex parte communications.

(1) In a contested case, all parties shall be afforded an opportunity for hearing after notice of not less than 20 days, served personally or by registered or certified mail.

(2) The notice shall include:

(a) A statement of the party's right to hearing, or a statement of the time and place of the hearing;

(b) A statement of the authority and jurisdiction under which the hearing is to be held;

(c) A reference to the particular sections of the statutes and rules involved; and

(d) A short and plain statement of the matters asserted or charged.

(3) Parties may elect to be represented by counsel and to respond and present evidence and argument on all issues involved.

(4) The commission may adopt rules of procedure governing participation in contested cases by person appearing as limited parties.

(5) Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default.

(6) An order adverse to a party may be issued upon default only upon prima facie case made on the record of the commission. When an order is effective only if a request for hearing is not made by the party, the record may be made at the time of issuance of the order, and if the order is based only on material included in the application or other submissions of the party, the commission may so certify and so notify the party, and such material shall constitute the evidentiary record of the proceeding if hearing is not requested.

(7) At the commencement of the hearing, the officer presiding shall explain the issues involved in the hearing and the matters that the parties must either prove or disprove.

(8) Testimony shall be taken upon oath or affirmation of the witness form when received. The officer presiding at the hearing shall administer oaths or affirmations to witnesses.

(9) The officer presiding at the hearing shall place on the record a statement of the substance of any written or oral ex parte communications on a fact in issue made to the officer during the pendency of the proceeding and notify the parties of the communication and of their right to rebut such communications.

(10) The officer presiding at the hearing shall insure that the record developed at the hearing shows a full and

fair inquiry into the facts necessary for consideration of all issues properly before the presiding officer in the case.

(11) The record in a contested case shall include:

(a) All pleadings, motions and intermediate rulings.

(b) Evidence received or considered.

(c) Stipulations.

(d) A statement of matters officially noticed.

(e) Questions and offers of proof, objections and rulings thereon.

(f) A statement of any ex parte communications on a fact in issue made to the officer presiding at the hearing.

(g) Proposed findings and exceptions.

(h) Any proposed, intermediate or final order prepared by the commission or a hearings officer.

(12) A verbatim oral, written or mechanical record shall be made of all motions, rulings and testimony. The record need not be transcribed unless requested for purposes of rehearing or court review. The commission may charge the party requesting transcription, unless the party files an appropriate affidavit of indigency.

350-16-011 Interpreter for handicapped person in contested case.

(1) When a handicapped person is a party to a contested case, the handicapped person is entitled to a qualified interpreter to interpret the proceedings to the handicapped person and to interpret the testimony of the handicapped person to the commission.

(2)(a) Except as provided in paragraph (b) of this subsection, the commission shall appoint the qualified interpreter for the handicapped person; and the commission shall fix and pay the fees and expenses of the qualified interpreter if:

(A) The handicapped person makes a verified statement and provides other information in writing under oath showing the inability of the handicapped person to obtain a qualified interpreter, and provides any other information required by the commission concerning the inability of the handicapped person to obtain such an interpreter; and

(B) It appears to the commission that the handicapped person is without means and is unable to obtain a qualified interpreter.

(b) If the handicapped person knowingly and voluntarily files with the commission a written statement that the handicapped person does not desire a qualified interpreter to be appointed for the handicapped person, the commission shall not appoint such an interpreter for the handicapped person.

(3) As used in this section:

(a) "Handicapped person" means a person who cannot readily understand or communicate the English language, or cannot understand the proceedings or a charge made against the handicapped person, or is incapable of presenting or assisting in the presentation of the defense of the handicapped person, because the handicapped person is deaf, or because the handicapped person has a physical hearing impairment or physical speaking impairment.

(b) "Qualified interpreter" means a person who is readily able to communicate with the handicapped person, translate the proceedings for the handicapped person, and accurately repeat and translate the statements of the handicapped person to the commission.

350-16-012 Depositions or subpoena of material witness; discovery.

(1) On petition of any party to a contested case, the commission may order that the testimony of any material witness may be taken by deposition in the manner prescribed by law for depositions in civil actions. Depositions may also be taken by the use of audio or audiovisual records. The petition shall set forth the name and address of the witness whose testimony is desired, a showing of the materiality of the testimony of the witness, and a request for an order that the testimony of such witness be taken before an officer named in the petition for that purpose. If the witness resides in Oregon or Washington and is unwilling to appear, the commission may issue a subpoena, requiring his appearance before such officer.

(2) The commission may, by rule, prescribe other methods of discovery which may be used in proceedings before the commission.

350-16-013 Subpoenas in contested cases.

(1) The commission shall issue subpoenas to any party to a contested case upon request upon a showing of general relevance and reasonable scope of the evidence sought. A party, other than the commission, entitled to have witnesses on behalf of the party may have subpoenas issued by an attorney of record of the party, subscribed by the signature of the attorney. Witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the commission, shall receive fees and mileage as prescribed by law for witnesses in civil actions.

(2) If any person fails to comply with any subpoena so issued or any party or witness refuses to testify on any matters on which the party or witness may be lawfully interrogated, the judge of the circuit court or superior court of any county, on the application of the commission or of a designated representative of the commission or of the party requesting the issuance of or issuing the subpoena, shall compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

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.

350-16-014 Evidence in contested cases.

In contested cases:

(1) Irrelevant, immaterial or unduly repetitious evidence shall be excluded but erroneous rulings on evidence shall not preclude commission action on the record unless shown to have substantially prejudiced the rights of a party. All other evidence of a type commonly relied upon by reasonably prudent persons in conduct of their serious affairs shall be admissible. The commission shall

give effect to the rules of privilege recognized by law. Objections to evidentiary offers may be made and shall be noted in the record. Any part of the evidence may be received in written form.

(2) All evidence shall be offered and made a part of the record in the case, and except for matters stipulated to and except as provided in subsection (4) of this section no other factual information or evidence shall be considered in the determination of the case. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. The burden of presenting evidence to support a fact or position in a contested case rests on the proponent of the fact or position.

(3) Every party shall have the right of cross examination of witnesses who testify and shall have the right to submit rebuttal evidence. Persons appearing in a limited party status shall participate in the manner and to the extent prescribed by rule of the commission.

(4) The commission may take notice of judicially cognizable facts, and they may take official notice of general, technical or scientific facts within its specialized knowledge. Parties shall be notified at any time during the proceeding but in any event prior to the final decision of material officially noticed and they shall be afforded an opportunity to contest the facts so noticed. The commission may utilize its experience, technical competence and specialized knowledge in the evaluation of the evidence presented to it.

(5) No sanction shall be imposed or order be issued except upon consideration of the whole record or such portions thereof as may be cited by any party, and as supported by, and in accordance with, reliable, probative and substantial evidence.

(6) The commission may, at its discretion, be represented at hearings by the Attorney General of Washington or Oregon.

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.

350-16-015 Examination of evidence by agency in contested cases.

Whenever in a contested case a majority of the officials of the commission who are to render the final order have not heard the case or considered the record, the order, if adverse to a party other than the commission itself, shall not be made until a proposed order, including findings of fact and conclusions of law, has been served upon the parties and an opportunity has been afforded to each party adversely affected to file exceptions and present argument to the officials who are to render the decision.

350-16-016 Commission statement of ex parte communications; notice.

The commission shall place on the record a statement of the substance of any written or oral ex parte communications on a fact in issue made to the commission during its review of a contested case. The commission shall notify all parties of such communications and of their

right to rebut the substance of the ex parte communications on the record.

350-16-017 Proposed order by hearings officer; amendment by commission; exemptions.

(1) Except as otherwise provided in subsections (1) to (3) of this section, unless a hearings officer is authorized or required by law or commission rule to issue a final order, the hearings officer shall prepare and serve on the commission and all parties to a contested case hearing a proposed order, including recommended findings of fact and conclusions of law. The proposed order shall become final after the 30th day following the date of service of the proposed order, unless the commission within that period issues an amended order.

(2) The commission may by rule specify a period of time after which a proposed order will become final that is different from that specified in subsection (1) of this section.

(3) If the commission determines that additional time will be necessary to allow the commission adequately to review a proposed order in a contested case, the commission may extend the time after which the proposed order will become final by a specified period of time. The commission shall notify the parties to the hearing of the period of extension.

350-16-018 Orders in contested cases.

In a contested case:

(1) Every order adverse to a party to the proceeding shall be in writing or stated in the record and may be accompanied by an opinion.

(2) A final order shall be accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of the underlying facts supporting the findings as to each contested issue of fact and as to each ultimate fact required to support the commission's order.

(3) The commission shall notify the parties to a proceeding of a final order by delivering or mailing a copy of the order and any accompanying findings and conclusions to each party or, if applicable, the party's attorney of record.

(4) Every final order shall include a citation of the statutes under which the order may be appealed.

Chapter 350
Division 20

Review and Approval of Major Development Actions
and New Residential Development

350-20-001 Purpose.

The purpose of this division is to define the procedures and guidelines used by the Columbia River Gorge Commission in reviewing and approving major development actions and new residential development pursuant to section 10(c) of the Columbia River Gorge National Scenic Area Act (P.L. 99-663).

350-20-002 Definitions.

For the purposes of this division, the following definitions shall apply, unless context requires otherwise:

(1) "City" means any city whose boundaries extend into a Special or General Management Area.

(2) "Commission" means the Columbia River Gorge Commission established by Chapter 499, Washington Laws of 1987 and Chapter 14, Oregon Laws of 1987.

(3) "Director" means the Executive Director of the Columbia River Gorge Commission or staff designee.

(4) "Counties" means Multnomah, Hood River and Wasco Counties, Oregon; and Clark, Skamania and Klickitat Counties, Washington.

(5) "General Management Areas (GMAs)" means those lands within the boundaries of the National Scenic Area except for those areas designated as Special Management Areas (SMAs) or Urban Areas (UAs).

(6) "Forest Service" means U.S.D.A. Forest Service Columbia River Gorge National Scenic Area Office.

(7) "Major Development Action" means any of the following:

(a) subdivisions, partitions, and short plat proposals outside of Urban Areas;

(b) any permit for siting or constructing outside Urban Areas of multifamily residential, industrial or commercial facilities, except such facilities as are included in the recreation assessment prepared pursuant to section 6 of P.L. 99-663;

(c) the exploration, development, and production of mineral resources in General and Special Management Areas unless such exploration, development, or production can (i) be conducted without disturbing the surface of any land within the boundaries of a Special Management Area or (ii) is for sand, gravel, and crushed rock used for the construction, maintenance or reconstruction of roads within the Special Management Areas used for the production of forest products; and

(d) permits for siting or construction within the Special Management Areas of any residence or other related major structure on any parcel less than forty (40) acres in size.

(8) "National Scenic Area" or "Scenic Area" means the Columbia River Gorge National Scenic Area established pursuant to section 4 of P.L. 99-663.

(9) "Person" means any individual, partnership, corporation, association, governmental division or public or private organization or any character other than the Commission.

(10) "Party" means:

(a) Each person or agency entitled as of right to a hearing before the Commission;

(b) Each person or agency named by the Commission to be a party; or

(c) Any person requesting to participate before the Commission as a party or in a limited status which the Commission determines either has an interest in the outcome of the Commission's proceedings or represents a public interest in such result.

(11) "Related Major Structure" means any detached structure which is accessory to a residence.

(12) "Residential Development" means the permitting for siting or construction of any single family residence,

related major structure, or alteration to the exterior of any single family residence or related major structure deemed significant by the Commission or its designee.

(13) "Special Management Areas (SMAs)" means areas within the National Scenic Area established or revised pursuant to section 4(b) of P.L. 99-663.

(14) "Indian Tribes" means the Nez Perce Tribe, the Confederated Tribes and Bands of the Yakima Nation, the Confederated Tribes of the Warm Springs of Oregon, and the Confederated Tribes of the Umatilla Indian Reservation.

(15) "Urban Areas (UAs)" means those areas within the Scenic Area identified as Urban Areas on the map referred to in section 4(e) of P.L. 99-663 or within the boundaries of an Urban Area as revised pursuant to section 4(f).

350-20-003 Review and Approval Required.

Prior to the effective date of a county's land use ordinance adopted and approved pursuant to sections 7 and 8 of P.L. 99-663, the Commission shall review all proposals for major development actions and new residential development within Special and General Management Areas in that county. Only major development actions and new residential development found by the Commission to be consistent with the standards of section 6 and the purposes of P.L. 99-663 and the Final Interim Guidelines referred to in section 350-20-004 shall be allowed. No major development action or new residential development shall be undertaken or initiated without prior Commission approval.

350-20-004 Review Standards and Guidelines.

(1) The Columbia River Gorge National Scenic Area Final Interim Guidelines, published by the Forest Service and dated June 30, 1987, are adopted by reference as amended in paragraph (2) below and declared to be a part of this rule. In reviewing major development actions and new residential development for consistency with the standards of section 6 and the purposes of P.L. 99-663, Chapter 3 of the Final Interim Guidelines, as amended in paragraph (2) below, shall be utilized.

(2) The Final Interim Guidelines identified in paragraph (1) above are amended as follows:

(a) The definition of agricultural lands shall be revised to read as follows: "Agricultural lands are those lands which are primarily used or are suitable for the production of farm commodities including the growing of crops, fruits or Christmas trees or the pasturing, grazing or feeding of livestock. Lands designated as open space by the Commission shall not be considered agricultural lands."

(b) The definition of forest lands shall be revised to read as follows: "Forest lands are those lands which are used for growing forest products or are capable of producing in excess of twenty (20) cubic feet per acre per year of Douglas fir, Ponderosa pine or other merchantable tree species. Lands designated as open space by the Commission shall not be considered forest lands."

350-20-005 Application for Review and Approval.

(1) Review of a major development action or new residential development shall commence upon the acceptance of an application by the Director.

(2) Applications for the review and approval of major development actions and new residential development shall provide the following information:

(a) The applicant's name, address and telephone number;

(b) The land owner's name, address and telephone number (if different from applicant's);

(c) The county in which the proposed development would be located;

(d) The section, quarter section, township and range in which the proposed development would be located;

(e) The street address of the proposed development;

(f) The tax lot number(s) and size in acres of the parcel(s) involved;

(g) A description of the current land use for the parcel(s) involved and adjoining lands;

(h) A narrative description in sufficient detail to clearly explain the major aspects and the features of the proposed development;

(i) A site plan drawn in black ink, either on the application form or on a separate sheet. The site plan must include:

scale and north arrow; boundaries of the parcel(s) involved; the location and width of all existing and proposed streets and roads; location and size of any existing and proposed structures; outside lighting, significant topographic features such as rock outcroppings, swales, cliff or bluff lines; type and approximate location and height of trees 6" dbh (diameter at breast height) within 100 feet of proposed structures, roads, excavations or storage areas; trees 6" dbh (diameter at breast height) to remain on site after completion of development and other post-construction landscaping; boundary and depth of all grading and excavation to be done for road construction, building site preparation or landscaping purposes; location of water courses and bodies of water, including existing drainage patterns and proposed modifications to drainage patterns; location of source of water supply; for surface mining applications, the boundaries of the area to be mined, the depth of excavations and the proposed final site contours.

If the information required above is included on a site plan required for county or city permit approval, then the county or city site plan may be submitted in lieu of the above plan.

(j) A listing of major travel routes, scenic viewpoints, and public park and recreational facilities from which the proposed development would be visible;

(k) A description of the height, exterior color(s) and roofing and siding materials for all proposed structures;

(l) A description of any historic, archaeological, or cultural features on or adjacent to the development site;

(m) A description of how the proposed development would affect existing recreational uses or create new recreational opportunities;

(n) A description of how the proposed development action would affect air quality, water quality and quantity, fish and wildlife, soils, threatened or endangered

plants or animals, native plants, and forest and agricultural lands; and

(o) Any additional information which the applicant feels will assist in the evaluation of the proposal including, but not limited to, maps, drawings, and development plans.

(3) Standard application forms shall be available at county and city planning offices, the office of the Columbia River Gorge Commission and the Forest Service.

350-20-006 Pre-Application Conference.

An applicant may request a pre-application conference prior to the submission of any application for development review. The purposes of the conference shall be to acquaint the applicant with the substantive and procedural requirements of this division, to discuss the principle elements of the proposed action, and to identify policies and regulations that create opportunities or pose constraints for the proposed action.

350-20-007 Submission of Applications.

Completed application forms shall be submitted directly to the office of the Columbia River Gorge Commission. Applications shall be accompanied by copies of any pertinent applications required for a county or city permit or approval. Applications for county or city permits or approvals shall have been deemed as complete or accepted for processing by the county or the city. If no county or city permit or approval is required, the application shall be accompanied by a statement from the applicable county or city stating that no permit or approval is required.

350-20-008 Acceptance of Application.

Within five (5) working days of the receipt of an application, the Director shall review the application for completeness and adequacy.

(1) No application shall be accepted until all omissions and deficiencies noted have been corrected by the applicant.

(2) No application shall be accepted which the Director deems cannot be acted upon reasonably within thirty (30) working days, unless the applicant consents to a longer period for action.

(3) No application shall be accepted unless accompanied by copies of pertinent applications for required county or city permits or approvals or by a statement from the affected county or city stating that no permits or approvals are required. Applications for county or city permits or approvals must have been deemed as complete or accepted for processing by the affected city or county.

350-20-009 Notice of Development Review.

(1) Within seven (7) working days of the acceptance of an application, the Director shall issue notice of a proposed development review. The notice shall provide the following information:

- (a) The name of the applicant;
- (b) The general location of the subject property;
- (c) A brief description of the proposed action;

- (d) The deadline for rendering a decision; and
- (e) The deadline for filing comments on the proposed action.

(2) The notice shall state that the application and supporting documents are available for inspection at the Commission office during normal working hours.

(3) The notice shall be mailed to:

(a) The Forest Service, the States of Oregon and Washington, Indian Tribes and the planning director of the applicable county or city; and

(b) Owners of property within two hundred fifty (250) feet of the subject parcel(s) for all major development actions; and

(c) The appropriate newspaper(s).

(4) The notice shall be posted at the Commission and Forest Service offices and shall be made available for posting at the applicable county or city planning office(s) and applicable library or libraries.

(5) For all new residential development, legal notice shall be published in a newspaper of general circulation within the county in which an action is proposed.

(6) A copy of the notice shall be filed in the records of the Commission.

(7) Interested persons shall have fifteen (15) working days from the date the notice was mailed to submit written comments to the Director relative to the consistency of the proposed action with the guidelines of 350-20-004.

350-20-010 Decision of the Director.

(1) In making a decision on a proposed development action the Director shall:

(a) Consult with the applicant and such agencies as the Director deems appropriate;

(b) Consider information submitted by the applicant and all other relevant information available;

(c) Consider all comments submitted pursuant to 350-20-009(7); and

(d) Solicit and consider the comments of the Forest Service.

(2) The Director shall approve a major development action and new residential development only if it is consistent with the standards of section 6 and the purposes of P.L. 99-663 and the Final Interim Guidelines referred to in section 350-20-004. In approving a proposed development action, the Director may impose conditions as necessary to ensure consistency with the standards and guidelines of 350-20-004.

(3) The Director shall issue a decision on a proposed development action including findings of fact and conclusions of law and any conditions to ensure consistency with the standards of section 6 and the purposes of P.L. 99-663 and the Final Interim Guidelines referred to in section 350-20-004 within thirty (30) working days after acceptance of the application unless the applicant consents to an extension of time.

(4) The Director shall mail a copy of the decision to the applicant, the Commission, the Forest Service, the States of Oregon and Washington, the Indian Tribes, the planning director of the applicable county or city and each person who submitted comments under 350-20-

009(7). The decision shall set forth the rights of appeal under 350-20-011.

(5) The decision of the Director shall be final unless a Notice of Appeal is filed in accordance with 350-20-011 or a Notice of Commission Initiated Review is filed in accordance with 350-20-013.

350-20-011 Appeal of Decision by Director.

(1) The applicant or any person who submitted comments on a proposed development action pursuant to 350-20-009(7) may appeal the decision of the Director to the Commission by filing a Notice of Appeal with the Director within twenty (20) working days after the date the decision was mailed under 350-20-010(4). The person filing a Notice of Appeal shall also serve by mail the applicant, the applicable county or city, and all persons submitting comments on the proposed development action under 350-20-009(7) with a copy of the Notice.

(2) The Notice of Appeal shall:

(a) Refer to the decision being appealed;

(b) Show that the person filing the appeal is either the applicant or submitted comments within the time specified in 350-20-009(7);

(c) Set forth the specific standards, guidelines or other grounds upon which the appeal is based;

(d) State the date of the Director's decision; and

(e) Shall show service by mail upon those persons listed in subsection (1).

(3) Notices of Appeal not received within the time allotted by this section shall not be accepted.

350-20-012 Intervention in Appeal Hearing

(1) The applicant or any person who submitted comments on a proposed development action pursuant to 350-20-009(7) may participate in an appeal of the Director's decision by filing a Motion to Intervene with the Director within fifteen (15) working days of the date of the Notice of Appeal or Notice of Commission Initiated Review was mailed. The Motion to Intervene shall also be served by mail upon the applicant, the applicable county or city, and all persons who submitted comments on the proposed development action pursuant to 350-20-009(7).

(2) The Motion to Intervene shall:

(a) Refer to the Notice of Appeal for which intervenor status is being sought;

(b) Show that the person filing the motion is either the applicant or submitted comments on the proposed development action pursuant to 350-20-009(7);

(c) Set forth the specific standards, guidelines or other grounds upon which the motion to intervene is based;

(d) State the date of the Notice of Appeal; and

(e) Show service by mail upon those persons listed in subsection (1).

350-20-013 Commission Initiated Review

(1) A decision of the Director shall be referred directly to the Commission for hearing if three (3) or more members of the Commission submit a written Notice of Commission Initiated Review to the Director within twenty (20) working days after the date the Notice of Decision was mailed. Copies of the Notice shall

also be served by mail upon the applicant and all persons who submitted comments on the proposed development action pursuant to 350-20-009(7).

(2) The Notice of Commission Initiated Review shall:

(a) Refer to the decision being appealed;

(b) Identify the Commission members filing the Notice;

(c) Set forth the specific policy issues, standards, guidelines or other grounds upon which the Notice of Commission Initiated Review is based;

(d) State the date of the Director's decision; and

(e) Show service by mail upon those persons listed in subsection (1).

350-20-014 Stay of Development Action.

No major development action or new residential development approved by the Director shall be undertaken or initiated during the appeal filing period set forth in 350-20-011. If an appeal is filed pursuant to 350-20-011 or if the Commission initiates a review pursuant to 350-20-013, a development may proceed only if approved by the Commission pursuant to 350-20-018.

350-20-015 Hearing Date and Notice.

(1) The Commission shall at the earliest practical date set a time and place to hear an appeal. In any event, the Commission shall conduct a hearing with forty-five (45) working days after the receipt of a Notice of Appeal or Notice of Commission Initiated Review, unless the parties agree to a later date.

(2) Notice of Hearing shall be mailed to all parties at least ten (10) working days in advance of the scheduled hearing in the form prescribed in 350-16-010, the Commission's Administrative Procedures Rule.

350-20-016 Content and Transmittal of the Record.

Unless otherwise stipulated by all parties to the review, the record shall include:

(1) The final decision of the Director including the findings and conclusions;

(2) The written comments on the proposed action submitted pursuant to 350-20-009(7);

(3) The application and any other documentation submitted by the applicant;

(4) Written comments or recommendations submitted to the Director during consultations pursuant to 350-20-010(1); and

(5) Documents and other materials not described above relied on by the Director in making a decision.

350-20-017 Conduct of the Hearing.

(1) The Commission's review of the Director's decision shall be *de novo*. *De novo* means that the Commission shall hear the matter as if no decision had been rendered by the Director, except that all materials and information received by the Director and the Director's decision including findings and conclusions shall be included in the record.

(2) The hearing shall be conducted by the Commission or a hearings officer, if the Commission so chooses, in accordance with 350-16-009 through 350-16-017, the Commission's Administrative Procedures Rule.

350-20-018 Final Order.

(1) Unless the parties agree to an extension of time, the Commission shall within fourteen (14) working days after the completion of a hearing adopt a final order upholding, amending or reversing the decision of the Director.

(2) The order shall be in the form prescribed in 350-16-018 and shall be distributed in accordance with the provisions of 350-16-018, the Commission's Administrative Procedures Rule.

(3) The order of the Commission shall be final and shall be subject only to judicial review pursuant to the provisions of P.L. 99-663 and the applicable laws of Oregon and Washington.

350-20-019 Resubmission of Disapproved Application.

If a proposed action is disapproved by the Director, and the Commission does not approve the development on appeal, no new application for the same or substantially similar action shall be filed for at least twelve (12) months from the date of the decision disapproving the action.

350-20-020 Changes or Alterations to an Approved Action.

Any change or alteration to a development action approved by the Commission or Director pursuant to this division shall be processed as new action, except that the Director may approve minor changes or alterations deemed to be consistent with the guidelines of 350-20-004 and the findings and conclusions for the original action. The decision to approve a minor alteration or change shall be supported by written findings and conclusions.

WSR 88-01-126
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2573—Filed December 23, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home accounting and reimbursement system, amending chapter 388-96 WAC.

This action is taken pursuant to Notice No. WSR 87-21-078 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 chapter 476, 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 December 9, 1987.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2240, filed 6/18/85)

WAC 388-96-010 TERMS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accounting" ((=)) means activities providing information, usually quantitative and often expressed in monetary units, for decision-making, planning, evaluating performance, controlling resources and operations, and external financial reporting to investors, creditors, regulatory authorities, and the public.

(2) "Accrual method of accounting" ((=)) means a method of accounting in which revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period in which incurred, regardless of when paid.

(3) "Administration and management" ((=)) means activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

(4) "Allowable costs" – See WAC 388-96-501.

(5) "Ancillary care" ((=)) means services required by the individual, comprehensive plan of care provided by qualified therapists or by support personnel under their supervision.

(6) "Arm's-length transaction" ((=)) means a transaction resulting from good-faith bargaining between a buyer and seller who have adverse bargaining positions in the marketplace. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(7) "Assets" ((=)) means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges ((~~which~~)) that are not resources but ((~~which~~)) are recognized and measured in accordance with generally accepted accounting principles.

(8) "Bad debts" ((=)) means amounts considered to be uncollectable from accounts and notes receivable.

(9) "Beds" ((=)) means, unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

(10) "Beneficial owner" ((=)) means any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised: PROVIDED, That

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection (10)(b) of this section; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or direct the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

(11) "Capitalization" ((=)) means the recording of an expenditure as an asset.

(12) "Capitalized lease" ((=)) means a lease which is required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

(13) "Cash method of accounting" ((=)) means a method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

(14) "Change of ownership" ((=)) means a change in the individual or legal organization which is responsible for the daily operation of a nursing home.

(a) Events which change ownership include but are not limited to the following:

(i) The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home business enterprise is transferred by the contractor to another party;

(iii) ~~((The nursing home enterprise is leased, or an existing lease is terminated;~~

~~((iv)))~~ Where the contractor is a partnership, any event occurs which dissolves the partnership;

~~((v)))~~ (iv) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation; or

(v) Any other event occurs which results in a change of operating entity.

(b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating decisions;

(ii) If the contractor is a corporation, some or all of its stock is transferred; or

(iii) The real property or personal property assets associated with the nursing home change ownership or are leased, or a lease of them is terminated, without a change of operating entity.

(15) "Charity allowances" ((=)) means reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

(16) "Contract" ((=)) means a contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.

(17) "Contractor" ((=)) means an entity which contracts with the department to deliver care services to medical care recipients in a facility and which entity is responsible for operational decisions.

(18) "Courtesy allowances" ((=)) means reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

(19) "CSO" ((=)) means the local community services office of the department.

(20) "Department" ((=)) means the department of social and health services (DSHS) and employees.

(21) "Depreciation" ((=)) means the systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.

(22) "Donated asset" ((=)) means an asset which the contractor acquired without making any payment for the asset in the form of cash, property, or services. An asset

is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

(23) "Entity" ((=)) means an individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

(24) "Equity capital" ((=)) means total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

(25) "Exceptional care recipient" ((=)) means a medical care recipient determined by the department to require exceptionally heavy care.

(26) "Facility" ((=)) means a nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

(27) "Fair market value" ((=)) means prior to January 1, 1985, the price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell. Beginning January 1, 1985, the replacement cost of an asset, less observed physical depreciation, on the date the fair market value is being determined.

(28) "Financial statements" ((=)) means statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.

(29) "Fiscal year" ((=)) means the operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

(30) "Generally accepted accounting principles" ((=)) means accounting principles approved by the financial accounting standards board (FASB).

(31) "Generally accepted auditing standards" ((=)) means auditing standards approved by the American institute of certified public accountants (AICPA).

(32) "Goodwill" ((=)) means the excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. Also, the excess of the price paid for an asset over the fair market value of the asset.

(33) "Historical cost" ((=)) means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

(34) "ICF" ((=)) means, when referring to a nursing home, an intermediate care facility. When referring to a level of care, intermediate care. When referring to a patient, a patient requiring intermediate care.

(35) "Imprest fund" ((=)) means a fund which is regularly replenished in exactly the amount expended from it.

(36) "Interest" ((=)) means the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

(37) "Intermediate care facility" ((=)) means a licensed facility certified to deliver intermediate care services to medical care recipients.

(38) "Joint facility costs" ((=)) means any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

(39) "Lease agreement" ((=)) means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.

(40) "Levels of care" ((=)) means the classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

(41) "Medical care program" ((=)) means medical assistance provided under RCW 74.09.500 or authorized state medical care services.

(42) "Medical care recipient" ((=)) means an individual determined eligible by the department for the services provided in chapter 74.09 RCW.

(43) "Multiservice facility" ((=)) means a facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

(44) "Net book value" ((=)) means the historical cost of an asset less accumulated depreciation.

(45) "Net invested funds" ((=)) means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year. Assets associated with central or home offices or otherwise not on the nursing home premises are not included in net invested funds.

(46) "Nonadministrative wages and benefits" means wages, benefits, and corresponding payroll taxes paid for nonadministrative personnel, not to include administrator, assistant administrator, or administrator-in-training.

(47) "Nonallowable costs" ((=)) means same as "unallowable costs."

((47)) (48) "Nonrestricted funds" ((=)) means funds which are not restricted to a specific use by the donor, e.g., general operating funds.

((48)) (49) "Nursing home" ((=)) means a home, place, or institution, licensed in accordance with chapter 18.51 RCW, in which skilled nursing and/or intermediate care services are delivered.

((49)) (50) "Operating lease" ((=)) means a lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

((50)) (51) "Owner" ((=)) means a sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

((51)) (52) "Ownership interest" ((=)) means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

((52)) (53) "Patient day" ((=)) means a calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when he or she is assigned a bed and a patient medical record is opened.

((53)) (54) "Per diem (per patient day) costs" ((=)) means total allowable costs for a fiscal period divided by total patient days for the same period.

((54)) (55) "Professionally designated real estate appraiser" ((=)) means an individual regularly engaged in the business of providing real estate valuation services for a fee, and deemed qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the writing of real estate valuation reports as well as the passing of written examination on valuation practice and theory, and, by virtue of membership in such organization, required to subscribe and adhere to certain standards of professional practice as such organization prescribes.

((55)) (56) "Prospective daily payment rate" ((=)) means the rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

((56)) (57) "Qualified therapist":

(a) An activities specialist having specialized education, training, or at least one year's experience in organizing and conducting structured or group activities;

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional, either a qualified therapist or a therapist, approved by the department having specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker graduated from a school of social work;

(f) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; or

(h) An occupational therapist graduated from a program in occupational therapy, or having the equivalent of such education or training, and meeting all requirements of state law.

((57)) (58) "Recipient" ((=)) means a medical care recipient.

((58)) (59) "Records" ((=)) means those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, invoices, schedules, summaries, and transaction documentation, however such data are maintained.

((59)) (60) "Regression analysis" ((=)) means a statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

((60)) (61) "Related care" ((=)) means includes the director of nursing services, activities and social services programs, medical and medical records specialists, and consultation provided by medical directors, pharmacists, occupational, physical, speech, and other therapists, and mental health professionals as defined in law and regulation.

((61)) (62) "Related organization" ((=)) means an entity under common ownership and/or control with, or which has control of or is controlled by, the contractor. Common ownership exists if an entity has a five percent or greater beneficial ownership interest in the contractor and any other entity. Control exists if an entity has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or institution, whether or not the power is legally enforceable and however exercisable or exercised.

((62)) (63) "Relative" ((=)) means spouse; natural parent, child, or sibling; adopted child or adoptive parent; stepparent, stepchild, stepbrother, stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

((63)) (64) "Restricted fund" ((=)) means a fund for which the use of the principal and/or income is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the contractor has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

((64)) (65) "Secretary" ((=)) means the secretary of the department of social and health services (DSHS).

((65)) (66) "Skilled nursing facility" ((=)) means a licensed facility certified to deliver skilled nursing care services to medical care recipients.

((66)) (67) "SNF" ((=)) means when referring to a facility, a skilled nursing facility. When referring to a

level of care, skilled nursing care. When referring to a patient, a patient requiring skilled nursing care.

~~((67))~~ (68) "Start-up costs" ~~((=))~~ means the one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

~~((68))~~ (69) "Title XIX" ~~((=))~~ means the 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

~~((69))~~ (70) "Unallowable costs" ~~((=))~~ means costs which do not meet every test of an allowable cost.

~~((70))~~ (71) "Uniform chart of accounts" ~~((=))~~ means a list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

~~((71))~~ (72) "Vendor number" ~~((=))~~ means a number assigned to each contractor delivering care services to medical care recipients.

~~((72))~~ (73) "Working capital" ~~((=))~~ means total current assets necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities necessary, ordinary, and related to patient care from the most recent cost report.

AMENDATORY SECTION (Amending Order 2270, filed 8/19/85)

WAC 388-96-204 FIELD AUDITS. (1) The department shall conduct a field audit of all cost reports for calendar year 1982 ~~((shall be field audited by the department))~~.

(2) The department may have auditors employed by the department or under contract field audit cost reports for years subsequent to 1982 ~~((may be field audited by auditors employed by or under contract with the department))~~.

(3) Beginning with field audits for calendar year 1983, the department shall audit up to one hundred percent of submitted contractor cost reports and patient care trust fund accounts ~~((shall be audited))~~.

(4) ~~((An))~~ The department may audit ~~((of))~~ any or all schedules of a facility's cost report ~~((may be performed))~~. The department shall audit the cost report ~~((; in its entirety, will be audited))~~ at least once every three years.

(5) Beginning with cost reports for calendar year 1983, facilities selected for audit shall be notified within one hundred twenty days after submission of a complete and correct cost report of the department's intent to audit. Such audits shall be completed within one year after notification of the department's intent to audit unless the contractor fails to allow access to records and documentation or otherwise prevents the audit from being completed in a timely manner.

(6) ~~((The department or an auditor under contract with the department, if the department or such auditor deems it necessary))~~ To assure the accuracy of cost reports, the department or an auditor under contract with the department may require a contractor to submit

~~((and may))~~ for departmental review any underlying financial statements or other records including income tax returns ~~((, which relate))~~ relating to the cost report directly or indirectly.

(7) ~~((Regarding))~~ The department shall audit all submitted contractor cost reports ~~((; of))~~ of such facilities ~~((meeting the following conditions will be audited))~~ as follows:

(a) The department shall audit facilities terminating their Medicaid service contracts with the department ~~((to provide Medicaid services will be audited))~~ when the audits are conducted for the calendar year in which the contract is terminated. Schedule preference will be given to conduct closing audits as soon as possible;

(b) The department shall audit facilities contracting in any given calendar year ~~((shall be audited))~~ for that partial or full year, and facilities contracting for the first time ~~((shall be audited annually))~~ for the first ~~((two))~~ full calendar ~~((years))~~ year;

(c) ~~((Facilities whose last completed audit had an audit adjustment of ten thousand dollars or more in expenses, twenty thousand dollars or more in equity, one thousand dollars or more in revenue/interim payments, and/or fifty days or more in total patient days shall be audited;))~~

~~((d))~~ The department shall audit facilities under investigation by the Internal Revenue Service, Securities Exchange Commission, Department of Health and Human Services, Medicaid fraud control unit, or any other federal, state, or municipal agency for alleged fiscal and/or patient account impropriety ~~((shall be audited))~~ for:

(i) The year ~~((during which))~~ such investigation is commenced ~~((; for))~~;

(ii) Each year the investigation is continued ~~((; for))~~;

(iii) The year ~~((during which))~~ the investigation is concluded ~~((;))~~; and ~~((for))~~

(iv) Two full calendar years following the year the investigation is terminated ~~((;))~~.

~~((e))~~ (d) The department shall audit facilities ~~((whose costs in one or more cost centers for the current year exceeds the industry average by one standard deviation, and such costs exceed prior year allowable costs, facilities whose costs in one or more cost centers exceeds inflation increases for the year in question, facilities with questionable costs in excess of ten thousand dollars, if requested by))~~ that the manager, residential rate ~~((management))~~ program, ~~((bureau of nursing home affairs, shall))~~ aging and adult services, requests be audited.

(8) If a facility has a home or central office and such central office or any associated facility meets any of the criteria set forth in subsection (7) of this section, the department shall audit such facility ~~((shall be audited))~~ as provided in subsection (7) of this section.

(9) The department shall audit patient care trust fund accounts ~~((shall be audited))~~ annually if:

(a) Two or more findings were reported in the previous trust fund audit of a facility, or ~~((if;))~~

(b) In the opinion of the department, a single finding reported in the previous trust fund audit materially impacts the patient trust fund accounts maintained by the facility.

(10) The department may select for audit on a random or other basis reported costs and trust fund accounts of facilities ((may be selected for audit on a random or other basis)).

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-221 PRELIMINARY SETTLEMENT. (1) In the proposed preliminary settlement submitted ((by a contractor)) pursuant to WAC 388-96-220(2), a contractor shall compare the prospective rates at which the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect, to the contractor's allowable costs for the reporting period. The contractor shall take into account all authorized shifting, cost savings, and upper limits to rates ((shall be taken into account)) on a cost center basis.

(2) Within one hundred twenty days after a proposed preliminary settlement is received, the department shall:

(a) Review ((it)) proposed preliminary settlement for accuracy, and

(b) Either accept or reject the proposal of the contractor. If accepted, the proposed preliminary settlement shall become the preliminary settlement report. If rejected, the department shall issue, by cost center, a preliminary settlement report ((by cost center which shall)) fully ((substantiate)) substantiating disallowed costs, refunds, or underpayments due and adjustments to the proposed preliminary settlement.

(3) A contractor shall have thirty days after receipt of a preliminary settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, the department shall not review a preliminary settlement report ((shall not be subject to review)).

(4) If no audit is scheduled by the department or if a scheduled audit is not performed within two years of the scheduled date, the department shall perform the preliminary settlement review described in this section with the following exceptions:

(a) For cost centers, the department shall use desk-reviewed costs as the contractor allowable costs for the reporting period;

(b) The department shall calculate the variable portion of return on investment as calculated in the prospective rate;

(c) The department shall base the financing allowance portion of return on investment on audited costs in compliance with provisions contained in this chapter. If audited costs are not available, the department shall use the financing allowance used for rate setting. If an audited financing allowance is later determined, the department shall revise the final settlement to reflect audited financing allowance if payment is changed by \$1,000 or more; and

(d) When a complete audit was not performed and audited information is needed for purposes of calculating return on investment, the department may do a partial audit of current or prior year cost report.

AMENDATORY SECTION (Amending Order 2240, filed 6/18/85)

WAC 388-96-224 FINAL SETTLEMENT. (1) If an audit is conducted, the department shall issue a final settlement report to the contractor after completion of the audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations. The department shall prepare the final settlement ((shall be)) by cost center and shall fully substantiate disallowed costs, refunds, underpayments, or adjustments to the cost report and financial statements, reports, and schedules submitted by the contractor. For the final settlement report, the department shall compare:

(a) The prospective rate ((at which)) the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect as verified by audit, to

(b) The contractor's audited allowable costs for the reporting period.

The department shall take into account all authorized shifting, cost savings, and upper limits to rates ((shall be taken into account)) on a cost center basis. If the contractor is pursuing in good faith an administrative or judicial review or appeal ((in good faith regarding)) of audit findings or determinations, the department may issue a partial final settlement report in order to recover overpayments based on audit findings or determinations not in dispute on review or appeal.

(2) For the 1981 cost report period, the department shall issue one settlement for the year ((which shall be)) composed of two parts:

(a) One relating to January 1, 1981, through June 30, 1981((;)); and

(b) One relating to July 1, 1981, through December 31, 1981.

(3) For the first six months of 1981, the department shall compute the settlement ((shall be computed taking into account)) in accordance with the court order and agreement between the department and Medicaid contractors for the UNH II and III period (January 1, 1978, through June 30, 1981).

(4) For the second six months of 1981, the department shall compute the settlement ((shall be computed)) in accordance with principles and instructions contained in regulations applicable to 1981 settlements, except for the requirement that a settlement cover an entire cost report year.

((3)) (5) A contractor shall have thirty days after receipt of a final settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, the department shall not review a final settlement report ((shall not be subject to review)).

((4)) If no audit is conducted by the department, the preliminary settlement report shall become the final settlement report.

~~(5))~~ (6) The department shall reopen a final settlement ~~((will be reopened by the department))~~ if it is necessary to make adjustments based upon findings resulting from an audit performed pursuant to RCW 74.46.105. The department may also reopen a final settlement ~~((may also be reopened))~~ to recover an industrial insurance dividend or premium discount under RCW 51.16.035 in proportion to a contractor's medical care recipients, pursuant to RCW 74.46.180(5).

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 2025, filed 9/16/83)

WAC 388-96-226 SHIFTING PROVISIONS. In computing a preliminary or final settlement, a contractor may shift savings ~~((t))~~ and/or overpayment~~((t))~~ in a cost center ~~((may be shifted))~~ to cover a deficit ~~((t))~~ and/or underpayment~~((t))~~ in another cost center up to the amount of the savings, provided ~~((that))~~:

(1) Contractors may not shift more than twenty percent of the rate in a cost center ~~((may be shifted))~~ into that cost center; ~~((and))~~

(2) ~~((No shifting))~~ Contractors may ~~((be made))~~ not shift into the property cost center;

(3) Beginning January 1, 1988, contractors may not shift out of the nursing services cost center;

(4) Beginning January 1, 1988, contractors may shift savings and/or overpayments in the food cost center only to cover deficits and/or underpayments in the nursing services cost center; and

(5) Beginning January 1, 1988, contractors shall shift payments in the enhancement cost center shown to have been spent for legislatively authorized enhancements to nonadministrative wages and benefits to the nursing services and administration and operations cost centers, as appropriate. Such funds shall be shifted for no other purpose.

AMENDATORY SECTION (Amending Order 2270, filed 8/19/85)

WAC 388-96-228 COST SAVINGS. (1) ~~((In the patient care and food cost areas and in the administration and operations and property cost areas prior to July 1, 1983, the))~~ Contractors shall refund all payments ~~((received for medical care recipients))~~ in excess of allowable costs ~~((for those recipients in those cost centers;))~~:

(a) Received prior to July 1, 1983;

(b) For medical care recipients; and

(c) For patient care, food, administration and operations, and property cost areas, taking into account any authorized shifting.

(2) Beginning July 1, 1983, ((in the administration and operations and property cost areas;)) contractors shall be permitted to retain a portion of payments received in the administration and operations and property cost areas for recipients, in excess of allowable costs for those recipients, according to the following procedures:

(a) Based upon the latest information available, the department shall, by December 31st of each year, notify contractors of the fiftieth percentile rates in the administration and operations and property cost areas for the period July 1st through December 31st.

(b) A contractor shall be permitted to retain, after allowable shifting, seventy-five percent of cost savings in the administration and operations cost area or the property cost area, multiplied by medical care recipient days of service, if the average rate for the cost report period, computed according to department instructions in such cost area, is at or below the fiftieth percentile rate.

(c) A contractor shall be permitted to retain, after allowable shifting, fifty percent of cost savings in the administration and operations cost area or property cost area, multiplied by medical care recipient days of service, if the average rate for the cost report period, computed according to department instructions in such cost area, is above the fiftieth percentile rate.

(d) ~~((No))~~ Contractors may not retain cost savings for calendar year 1985 and subsequently ~~((shall be retained))~~ if the sum of the reported costs in the property cost center and the administration and operations cost center exceed audited allowable costs in those cost centers by ten cents or more per patient day.

(3) The department shall recover cost savings attributable to any industrial insurance dividend or premium discount under RCW 51.16.035 ~~((shall be recovered by the department))~~ in proportion to the ratio of medical care recipients to other patients at the facility.

(4) For the 1983 cost reporting period, the department shall compute cost savings ~~((shall be computed))~~ but shall prorate allowable savings ~~((shall be prorated))~~ by the proportion of Medicaid patient days reported for July 1st through December 31st to the total number of Medicaid patient days reported for the year.

(5) The department shall compute cost savings calculated for the final settlement on closing cost reports using property costs without consideration of any gain or loss on the sale of assets in the report year.

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-229 PROCEDURES FOR OVERPAYMENTS AND UNDERPAYMENTS. (1) The department shall make payment of underpayments determined by preliminary or final settlement within thirty days after the preliminary or final settlement report is submitted to the contractor.

(2) A contractor found to have received overpayments or payments in error as determined by preliminary or final settlement shall refund such payments to the department within thirty days after receipt of the preliminary or final settlement report as applicable. Contractors shall refund to the department funds reimbursed in the enhancement cost center, but not spent in the legislatively authorized manner.

(3) If a contractor fails to comply with subsection (2) of this section, the department shall:

(a) Deduct from current monthly amounts due the contractor the refund due the department and interest

on the unpaid balance at the rate of one percent per month; or

(b) If the contract has been terminated:

(i) Deduct from any amounts due the contractor the refund due the department and interest on the unpaid balance at the rate of one percent per month; or

(ii) Pursue, as authorized by law and regulation, recovery of the refund due and interest on the unpaid balance at the rate of one percent per month.

(4) ~~((f))~~ A facility ~~((is))~~ pursuing a timely filed administrative or judicial ~~((remedies))~~ remedy in good faith regarding a proposed ~~((preliminary settlement report which was rejected or a final))~~ settlement report ~~((; the contractor))~~ need not refund ~~((nor shall))~~ overpayments. The department shall not withhold from current amounts due the facility any refund or interest the department claims to be due from the facility, provided the refund is specifically disputed by the contractor on review or appeal. Portions of refunds due the department ~~((which are))~~, not specifically disputed by the contractor on review or appeal, are subject to recovery and assessment of interest as provided in subsection (3) of this section. If the administrative or judicial remedy sought by the facility is not granted or is granted only in part after exhaustion or mutual termination of all appeals, the facility shall refund all amounts due the department within sixty days after the date of decision or termination plus interest as payable on judgments from the date the review was requested pursuant to WAC 388-96-901 and 388-96-904 to the date the repayment is made.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-384 LIQUIDATION OF TRUST FUND. (1) Expired patient. The provider ~~((with))~~ shall obtain a receipt from next of kin, guardian, or duly qualified agent when releasing the balance of money held in trust. If there is no identified next of kin, guardian, or duly qualified agent, the contractor shall contact the CSO ~~((is to be contacted))~~ in writing within seven days for assistance in the release of the money held in trust. A check or other document showing payment to such next of kin, guardian, or duly qualified agent will serve as a receipt.

(2) Patient, unable to locate. In situations where the patient leaves the nursing home without authorization and his or her whereabouts are unknown:

(a) The nursing home ~~((with))~~ shall make a reasonable attempt to locate the missing patient. This includes ~~((:))~~ contacting:

- (i) Friends,
- (ii) Relatives,
- (iii) Police,
- (iv) The guardian, and
- (v) The community services office in the area.

(b) If the patient cannot be located after ninety days, the nursing home ~~((must))~~ shall notify the department of revenue of the existence of "abandoned property," outlined in chapter 63.28 RCW. The nursing home ~~((will be required to))~~ shall deliver to the department of revenue the balance of the patient's trust fund account within twenty days following such notification.

(3) Prior to the sale or other transfer of ownership, the contractor shall:

(a) Provide each resident or resident representative with a written accounting of any personal funds held by the contractor;

(b) Provide the new owner with a written accounting of all resident funds being transferred; and

(c) Obtain a written receipt for those funds from the new owner.

AMENDATORY SECTION (Amending Order 2372, filed 5/7/86, effective 7/1/86)

WAC 388-96-502 INDIRECT AND OVERHEAD COSTS. If a contractor provides goods or services not reimbursable under this chapter, any indirect or overhead costs associated with their provision must be allocated to such goods or services on a reasonable basis approved by the department and must not be reported as allowable costs. Such goods and services include, but are not limited to, compensation to administrative personnel and management fees in excess of limits established in this chapter.

AMENDATORY SECTION (Amending Order 2172, filed 12/4/84)

WAC 388-96-505 OFFSET OF MISCELLANEOUS REVENUES. (1) The contractor shall reduce allowable costs ~~((shall be reduced by the contractor))~~ whenever the item, service, or activity covered by such costs generates revenue or financial benefits (e.g., purchase discounts or rebates) other than through the contractor's normal billing for care services; except ~~((that))~~, the department shall not deduct from the allowable costs of a nonprofit facility unrestricted grants, gifts, and endowments, and interest therefrom ~~((; will not be deducted from the allowable costs of a nonprofit facility))~~.

(2) The contractor shall reduce allowable costs ~~((will be reduced))~~ for hold-bed revenue in the property and administration and operations cost areas only. In the property cost area, the amount of reduction will be determined by dividing allowable property costs by total patient days and multiplying the result by total hold-room days. In the administration and operations cost area, the amount of reduction will be determined by dividing allowable administration and operations costs minus dietary, laundry, and nursing supply costs by the total patient days and multiplying the result by total hold-room days.

(3) Where goods or services are sold, the amount of the reduction shall be the actual cost relating to the item, service, or activity. In the absence of adequate documentation of cost, it shall be the full amount of the revenue received. Where financial benefits such as purchase discounts or rebates are received, the amount of the reduction shall be the amount of the discount or rebate.

(4) Only allowable costs shall be recovered under this section. Costs allocable to activities or services ~~((which are))~~ not included in SNF or ICF services (e.g., costs of vending machines ~~((; patients' personal laundry;))~~ and services specified in chapter 388-86 WAC ~~((which are))~~

not included in SNF or ICF services) are nonallowable costs.

AMENDATORY SECTION (Amending Order 2372, filed 5/7/86, effective 7/1/86)

WAC 388-96-533 MAXIMUM ALLOWABLE COMPENSATION OF CERTAIN ADMINISTRATIVE PERSONNEL. (1) Compensation for administrative personnel shall be an allowable cost, subject to the limits promulgated pursuant to subsection (5) of this section.

(2) Total compensation of the licensed administrator for services actually rendered to a nursing home on a full-time basis (at least forty hours per week, including reasonable vacation, holiday, and sick time) ~~((with))~~ shall be allowable at the lower of:

- (a) Actual compensation received, or
- (b) The amount in the table promulgated pursuant to subsection (5) of this section corresponding to the number of beds in the nursing home.

Compensation of the licensed administrator ~~((with only))~~ shall be allowable only if the department is given written notice of ~~((his or her))~~ the administrator's employment within ten days after the employment begins.

(3) Total compensation of not more than one full-time licensed assistant administrator ~~((with))~~ shall be allowable if there are at least eighty beds in the nursing home, at the lower of:

- (a) Actual compensation received, or
- (b) Seventy-five percent of the appropriate amount in the table promulgated pursuant to subsection (5) of this section.

(4) Total compensation of not more than one full-time registered administrator-in-training ~~((with))~~ shall be allowable at the lower of:

- (a) Actual compensation received, or
- (b) Sixty percent of the appropriate amount in the table promulgated pursuant to subsection (5) of this section.

(5)

TABLE

Maximum Allowable Total Compensation for Licensed Administrators—Calendar Year ~~((1986))~~ 1987

Bed Size	
1 - 79	\$ ((32,471)) <u>33,672</u>
80 - 159	\$ ((35,935)) <u>37,265</u>
160 and up	\$ ((38,202)) <u>39,615</u>

~~((Tables to be promulgated in writing by))~~ The department ~~((for subsequent years))~~ shall determine maximum total compensation for licensed administrators of nursing facilities in the various bed size categories in subsequent years based on tables to be issued annually in writing. For 1987 and subsequent years, tables shall reflect calendar year 1986 maximums increased by any inflation adjustment authorized by the legislature.

(7) If the licensed administrator, licensed assistant administrator, or registered administrator-in-training regularly work fewer than forty hours per week, allowable compensation shall be the lower of:

- (a) Actual compensation received, or

(b) The appropriate amount in the table promulgated pursuant to subsection (5) of this section~~((:))~~:

~~((i))~~ Multiplied by the ~~((percentage derived from the division of the))~~ actual hours worked, plus reasonable vacation, holiday, and sick time normally available to employees working similar hours~~((:))~~; and

~~((ii))~~ Divided by forty hours per week for each week covered by the cost report. Further discounting is required if the person was not licensed or registered and/or worked for less than the entire report period.

(8) The contractor shall maintain time records which are adequate for audit for the licensed administrator, assistant administrator, and/or administrator-in-training. The contractor shall include in such records ~~((must verify))~~ verification of the actual hours of service performed for the nursing home.

(9) The department shall limit total reimbursement for administrative and management services ~~((shall be limited in total amount))~~ to allowable compensation for administrative personnel set forth in this section. This policy shall apply regardless of the provisions of any employment, management or consultation agreement, or other arrangement ~~((which exists))~~ existing between the contractor and persons or organizations providing such services.

(10) The department shall not consider costs of an administrator-in-training ~~((shall not be considered))~~ for the purpose of setting the administration and operations prospective rate. The costs of an approved administrator-in-training program shall be reimbursed by an adjustment to current rate. To obtain an adjustment, the contractor ~~((must))~~ shall submit a request for an increase in current rate together with necessary documentation which shall include:

(a) A copy of the department of licensing approval of the administrator-in-training program, and

(b) A schedule indicating the commencement date, expected termination date, salary or wage, hours, and costs of benefits. The contractor shall notify the department, at least thirty days in advance, of the actual termination date of the administrator-in-training program. Upon termination of the program, the department shall reduce the current rate ~~((shall be reduced))~~ by an amount corresponding to the cost of the program.

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

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-534 DISCLOSURE AND APPROVAL OF JOINT FACILITY COST ALLOCATION. (1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs ~~((which represent))~~ representing allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) The contractor shall demonstrate in such disclosure ~~((shall demonstrate that))~~:

(a) The services involved are necessary and nonduplicative; and

(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(3) The contractor shall make such disclosure (~~((shall be made))~~) not later than September 30th for each year; except ~~((that))~~, a new contractor shall submit the first year's disclosure together with the submissions required by WAC 388-96-026. ~~((Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify no change will be made in lieu of the disclosure required in subsection (1) of this section.))~~

(4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter.

(5) An amendment or revision to an approved methodology shall be submitted to the department for approval at least ninety days prior to the effective date of the amendment or revision.

(6) Where a contractor will begin to incur joint facility costs at some time other than the beginning of the calendar year, the contractor shall provide the information required in subsections (1) and (2) of this section at least ninety days prior to the date ~~((at which))~~ the cost will first be incurred.

(7) Joint facility costs not disclosed, allocated, and reported in conformity with this section are nonallowable costs.

AMENDATORY SECTION (Amending Order 2372, filed 5/7/86, effective 7/1/86)

WAC 388-96-535 MANAGEMENT AGREEMENTS, MANAGEMENT FEES, AND CENTRAL OFFICE SERVICES. (1) If a contractor intends to enter into a management agreement with an individual or firm ~~((which will manage))~~ managing the nursing home as an agent of the contractor, the contractor shall send a copy of the agreement ~~((must be received by))~~ to the department at least sixty days before the agreement is to become effective. A contractor shall send a copy of any amendment to a management agreement ~~((must be received by))~~ to the department at least thirty days in advance of the date the amendment is to become effective. ~~((No))~~ The department shall not allow management fees for periods prior to the time the department receives a copy of the applicable agreement ~~((will be allowable)).~~ When necessary for the health and safety of medical care recipients, the department may waive the sixty-day notice requirement ~~((may be waived,))~~ in writing ~~((by the department)).~~

(2) The department shall allow management fees ~~((will be allowed))~~ only if:

(a) A written management agreement both:

(i) Creates a principal and/or agent relationship between the contractor and the manager ~~((;))~~; and

(ii) Sets forth the items, services, and activities to be provided by the manager ~~((; and))~~;

(b) Documentation demonstrates the services contracted for were actually delivered.

~~((To be))~~ Fees are allowable ~~((, fees must be))~~ only for necessary, nonduplicative services.

(3) Allowable fees for general management services, including corporate or business entity management and board of director's fees and including ~~((the portion of a))~~ management ~~((fee))~~ fees ~~((which is))~~ not allocated to specific services ~~((such as accounting))~~, are limited to:

(a) The maximum allowable compensation under WAC 388-96-533 of the licensed administrator and, if the facility has at least eighty beds, of an assistant administrator, less

(b) Actual compensation received by the licensed administrator and by the assistant administrator and administrator-in-training, if any. In computing maximum allowable compensation under WAC 388-96-533 for a facility with at least eighty set-up beds, include the maximum compensation of an assistant administrator even if no assistant administrator is employed.

(4) A management fee paid to or for the benefit of a related organization ~~((with))~~ shall be allowable to the extent the fee does not exceed the lesser of:

(a) The limits set out in subsection (3) of this section; or

(b) The lower of the actual cost to the related organization of providing necessary services related to patient care under the agreement, or the cost of comparable services purchased elsewhere. Where costs to the related organization represent joint facility costs, the ~~((measurement of))~~ department shall comply with WAC 388-96-534 in measuring such costs ~~((shall comply with WAC 388-96-534)).~~

(5) Central office costs, owner's compensation, and other fees or compensation, including joint facility costs, for general administrative and management services, including the ~~((portion of a))~~ management expense ~~((which is))~~ not allocated to specific services, shall be subject to the management fee limits determined in subsections (3) and (4) of this section.

(6) Necessary travel and housing expenses of nonresident staff working at a contractor's nursing facility ~~((are))~~ shall be considered allowable costs if the visit does not exceed three weeks. Travel and housing expenses necessary for visits in excess of three weeks are management costs and shall be subject to the management fee limits determined in subsections (3) and (4) of this section.

(7) Bonuses paid to employees at a contractor's nursing facility ~~((are))~~ shall be considered compensation. Bonuses paid to employees:

(a) At a contractor's central office or ~~((otherwise not employed))~~ elsewhere other than at the nursing facility, and

(b) Who are not engaged in nonmanagerial services such as accounting, are management costs and shall be subject to the management fee limits determined in subsections (3) and (4) 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.

AMENDATORY SECTION (Amending Order 2485, filed 4/29/87 [4/20/87]):1

WAC 388-96-710 PROSPECTIVE REIMBURSEMENT RATE FOR NEW CONTRACTORS.

(1) The department shall establish a prospective reimbursement rate for a new contractor (~~((will be established))~~) within sixty days following receipt by the department of a properly completed projected budget (see WAC 388-96-026). (~~((It will be effective))~~) The rate shall take effect as of the effective date of the contract.

(2) The department shall base this prospective reimbursement rate (~~((will be based))~~) on the contractor's projected cost of operations, and on costs and payment rates of the prior contractor, if any, and/or of other contractors in comparable circumstances. This rate shall comply with all the provisions of rate setting contained in this chapter and shall comply with all lids and maximums set forth in this chapter. Subject to such provisions, lids, and maximums, the department shall follow the procedures set forth in this section (~~((shall be followed))~~).

(a) The department shall select from department records a sample comprised of all the current contractors in the same county in similar circumstances:

(i) For facilities not operated by a Medicaid contractor for the period of operation immediately prior to the effective date of the new contract, and

(ii) For new facilities going into operation for the first time (~~((a sample comprised of all the current contractors in the same county in similar circumstances shall be selected from departmental records))~~). Similar circumstances shall consist of the same bed capacity, plus or minus twenty-five beds, and whether licensed or not to provide skilled nursing care or intermediate care. The department shall exclude from the sample facilities against which the department has assessed a civil penalty for health or safety violations or proposed licensed revocation, stop placement or decertification for health or safety violations within six months preceding the effective date of the new contract (~~((shall be excluded from the sample))~~). If the county-wide sample does not include at least six facilities, the department shall include in the sample all facilities in similar circumstances in the adjoining county or counties (~~((shall also be included))~~). Based upon the most recent information in its files relating to the topics set forth below, the department shall determine:

~~((i))~~ (A) The average sample debility score;

~~((ii))~~ (B) The average sample nursing services wages and hours; and

~~((iii))~~ (C) The average sample costs for nursing services, food, and administration and operations cost centers inflated in accordance with the provisions of this chapter.

~~((A))~~ (I) Nursing services. The department shall follow the projected budget (~~((shall be followed))~~) for rate setting to the extent it does not exceed the sample average wages, hours, and inflated costs plus ten percent of such wages, hours, and inflated costs. The department

shall allow a budget (~~((shall be allowed))~~) above the sample averages plus ten percent only to the extent anticipated debility of the patient population to be served exceeds or is likely to exceed the sample average debility as demonstrated and documented by the contractor. In such cases, rate funding shall not exceed predicted staffing (~~((of))~~) for the anticipated debility. The department shall determine actual debility when sufficient data is available and shall recover any overpayment under rules relating to errors and omissions.

~~((B))~~ (II) Food. The food rate shall be the rate per patient day of other Medicaid contractors established in accordance with this chapter.

~~((C))~~ (III) Administration and operations. The department shall follow the projected budget (~~((shall be followed))~~) for rate setting to the extent it does not exceed:

(aa) The sample average inflated costs as determined under subsection (2)(a) of this section for administration and operations, plus

(bb) Ten percent of such costs. The department shall allow a budget (~~((shall be allowed))~~) above the sample average inflated costs plus ten percent only to the extent costs are likely to exceed the inflated sample average plus ten percent as demonstrated by the contractor(~~((;))~~). However, the department shall allow budgeted salaries of administrators and assistant administrators (~~((shall be allowed))~~) if not in excess of maximums set forth in this chapter.

~~((D))~~ (IV) Property. The property rate shall be set in accordance with the provisions of this chapter.

~~((E))~~ (V) Return on investment. The department shall set the return on investment rate (~~((shall be set))~~) in accordance with the provisions of this chapter (~~((and))~~). The department shall use budgeted food cost (~~((will be used))~~) in computing the financing allowance to the extent it does not exceed the inflated sample average food cost. The department shall allow a budget (~~((will be allowed))~~) above the inflated sample average only to the extent food cost is likely to exceed the inflated sample average as demonstrated and documented by the contractor.

(b) (~~((For facilities operated by a Medicaid contractor for the period of operation, if any, immediately prior to the effective date of the new contract,))~~) The department shall follow the procedures set forth in subsection (2)(a) of this section (~~((shall be followed, except that,))~~) for facilities operated by a Medicaid contractor, if any, for the period of operation immediately prior to the effective date of the new contract. However, the department shall use data used to set the preceding contractor's rate (~~((shall be used))~~) rather than data from a sample average plus ten percent. (~~((However,))~~) The department shall not use data used to set the preceding contractor's rate (~~((shall not be used))~~) if the department has assessed a civil penalty against such contractor for health or safety violations or has proposed licensed revocation, stop placement, or decertification for health or safety violations within six months preceding the effective date of the new contract. In such cases, the department shall use sample average data (~~((shall be used))~~).

(c) The department shall follow the procedures set forth in subsection (2)(a) of this section for existing facilities constructing additions or making renovations after obtaining certificate of need approval(;;) if:

(i) The operating entity for the period prior to the effective date of the new contract was not a Medicaid contractor(;;); or ((if))

(ii) The department assessed a civil penalty against the facility for health or safety violations or proposed license revocation, stop-placement, or decertification for health or safety violations within six months prior to the effective date of the new contract(~~(, the department shall follow the procedures set forth in subsection (2)(a) of this section)~~). Otherwise, the department shall follow the procedures indicated in subsection (2)(b) of this section (~~(shall be followed, except that,)~~). However, data used to set the preceding contractor's rate shall be adjusted to reflect increased bed capacity, if any.

(3) If the department has not received a properly completed projected budget (~~(is not received)~~) at least sixty days prior to the effective date of the contract, the department (~~(will)~~) shall establish a (~~(preliminary)~~) rate based on the other factors specified in subsection (2) of this section. This (~~(preliminary)~~) initial prospective rate (~~(will)~~) shall remain in effect until (~~(an initial)~~) a prospective rate can be set according to WAC 388-96-713.

(4) (~~(Where)~~) If a change of ownership (~~(is involved which)~~) is not an arm's-length transaction as defined in WAC 388-96-010, the department shall set the new contractor's prospective rates in the administration and operation and property cost areas (~~(will be)~~) no higher than the rates of the old contractor, adjusted if necessary to take into account economic trends.

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

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

AMENDATORY SECTION (Amending Order 2172, filed 12/4/84)

WAC 388-96-716 COST AREAS. A contractor's overall reimbursement rate for medical care recipients (~~(consists)~~) shall consist of the total of (~~(five)~~) six component rates, each covering one cost area. The (~~(five)~~) six cost areas are:

- (1) Nursing services;
- (2) Food;
- (3) Administration and operations;
- (4) Property; (~~(and)~~)
- (5) Return on investment; and
- (6) Enhancement.

AMENDATORY SECTION (Amending Order 2270, filed 8/19/85)

WAC 388-96-719 METHOD OF RATE DETERMINATION. (1) The department shall take data used in determining rates (~~(will be taken)~~) from the most recent complete, desk-reviewed annual cost report submitted by contractors.

(2) The department shall exclude data containing obvious errors (~~(will be excluded)~~) from the determination of predicted costs and rate upper limits for WAC 388-96-735.

(3) The department shall apply inflation adjustments (~~(shall be applied)~~) as follows:

(a) (~~(In the nursing services and administration and operations cost areas)~~) For July rate setting, a percentage adjustment determined by the legislature shall be applied to allowable costs (~~(in these)~~) in the nursing services and administration and operations cost areas if the cost report for a contractor covers all twelve months of the cost report period. If the cost report covers less than twelve months, the department shall reduce the inflation factor (~~(shall be reduced)~~) to reflect the shorter period.

(b) (~~(In the food cost area,)~~) The department shall apply an inflation factor of 2.5 percent (~~(shall be applied)~~) to the January 1, 1983, food cost area rate for all contractors to determine the July 1, 1983, food cost center rate. For July rate setting in subsequent years, the department shall apply the adjustment factor determined annually by the legislature (~~(shall be applied)~~) to the (~~(previous July)~~) January 1, 1983, rate.

(c) The department shall not adjust property (~~(and)~~),₂ return on investment, and enhancement rates (~~(will not be adjusted)~~) for inflation.

(4) The department shall compute the occupancy level for each facility (~~(shall be computed)~~) by dividing the actual number of patient days by the product of the numbers of licensed beds and calendar days in the report period. (~~(For prospective rate computations, as well as determining lids for property and administration and operations reimbursement,)~~) If a facility's occupancy is below eighty-five percent, the department shall compute, per patient day (~~(cost shall be computed)~~), property and administration and operation prospective rates and lids utilizing patient days at the eighty-five percent occupancy level. The department shall use actual occupancy level (~~(shall be utilized)~~) for facilities at or above eighty-five percent occupancy.

(5) If a nursing home provides residential care to individuals other than skilled or intermediate care patients(;;):

(a) The facility may request in writing, and

(b) The department may grant in writing an exception to the requirements of subsection (4) of this section by including such other residents in computing occupancy. Exceptions granted (~~(will)~~) shall be revocable effective ninety days after written notice of revocation is received from the department. No exception (~~(will)~~) shall be granted unless the contractor submits with the annual cost report a certified statement of occupancy including all residents of the facility and their status or level of care.

AMENDATORY SECTION (Amending Order 2372 [2485], filed 5/7/86 [4/20/87], effective 7/1/86 [5/20/87])

WAC 388-96-722 NURSING SERVICES COST AREA RATE. (1) The nursing services cost area reimbursement rate (~~(will)~~) shall reimburse for the necessary

and ordinary costs of providing routine nursing and related care to recipients. The cost of one-to-one care provided by qualified therapists and their employees are included only to the extent the costs are not covered by Medicare, part B, or any other coverage.

(2) Nursing service costs ~~((with))~~ shall be subject to two reasonableness tests:

(a) A test for nursing staff hours; and

(b) A test for cost increases between the current and preceding report period.

~~((i))~~ (3) The test for nursing staff hours ~~((with))~~ shall use a regression of hours reported by facilities for registered nurses, licensed practical nurses, and nurses' ~~((aids))~~ assistants, including:

(a) Purchased and allocated nursing and ~~((aid))~~ assistant staff time, and

(b) The average Battelle patient debility score for the corresponding facilities as computed by the department. The department shall take data for the regression ~~((shall be taken))~~ from:

(i) Correctly completed cost reports, and ~~((from))~~

(ii) Patient assessments completed by the department for the corresponding calendar report year ~~((, which are))~~ and available at the time the regression equation is computed. Effective January 1, 1988, the department shall not include the hours associated with off-site or class room training of nursing assistants and the supervision of such training for nursing assistants in the test for nursing staff hours. The department shall calculate and set for each facility a limit on nursing and nursing ~~((aid))~~ assistant staffing hours ~~((will be calculated and set for each facility))~~ at predicted staffing hours plus 1.75 standard errors, utilizing the regression equation calculated by the department. The department shall reduce costs for facilities with reported hours exceeding the limit ~~((will be reduced))~~ by an amount equivalent to:

(A) The hours exceeding the limit;

(B) Times the average wage rate for nurses and ~~((aids))~~ assistants indicated on cost reports for the year in question, including benefits and payroll taxes allocated to such staff. The department shall provide contractors' reporting hours exceeding the limit ~~((shall receive))~~ the higher of their January 1983 patient care rate or the nursing services rate computed for them according to the provisions of this subsection, plus applicable inflation adjustments.

~~((i))~~ (4) The test for cost increases shall compare:

(a) The percentage change in allowable nursing services cost for the facility between the most recent cost report period and the next prior cost report period ~~((allowable nursing service costs for the facility))~~;

(b) Against the percentage change in the medical care component of the consumer price index for all urban consumers between July of the most recent cost report period and July of the next prior cost report period ~~((medical care component of the consumer price index for urban consumers nationwide))~~. The department shall limit facilities reporting increases greater than the medical care component of the consumer price index ~~((shall be limited))~~ to a rate determined by their adjusted patient care costs for the period immediately preceding the

most recent cost report period, inflated by the medical care component of the consumer price index.

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

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

AMENDATORY SECTION (Amending Order 2485, filed 4/20/87)

WAC 388-96-745 PROPERTY COST AREA REIMBURSEMENT RATE. (1) The department shall determine the property cost area rate for each facility ~~((shall be determined))~~ by dividing ~~((the sum of))~~:

(a) The prior period depreciation costs subject to the provisions of this chapter, adjusted for any capitalized addition or replacements approved by the department ~~((and)), plus~~

(b) The retained savings from the property cost center as provided in WAC 388-96-228, by

(c) Total patient days for the facility in the prior period. Allowable depreciation costs are defined as the costs of depreciation of tangible assets meeting the criteria specified in WAC 388-96-557, regardless of whether owned or leased by the contractor. The department shall not reimburse depreciation of leased office equipment ~~((shall not be reimbursable))~~.

(2) If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the department shall adjust the prior period total patient days used in computing the property cost center rate ~~((shall be adjusted))~~ to anticipated patient day level.

(3) When a new facility is constructed after obtaining a certificate of need, the department shall determine allowable land cost and building construction cost. Reimbursement for such allowable costs, determined pursuant to the provisions of this chapter, shall not exceed the maximums set forth in this subsection and in subsections (4) and (5) of this section. The department shall determine construction types ~~((shall be determined by the department))~~ through examination of building plans submitted to the department and/or on-site inspections ~~((utilizing))~~. The department shall use definitions and criteria contained in the marshall valuation service published by the marshall swift publication company, ~~((provided))~~. Buildings of excellent quality construction shall be considered to be of good quality, without adjustment, for the purpose of applying these maximums.

(4) Construction costs shall be final labor, material, and service costs to the owner or owners and shall include:

(a) Architect's fees;

(b) Engineers' fees (including plans, plan check and building permit, and survey to establish building lines and grades);

(c) Interest on building funds during period of construction and processing fee or service charge;

(d) Sales tax on materials;

(e) Site preparation (including excavation for foundation and backfill);

- (f) Utilities from structure to lot line;
- (g) Contractors' overhead and profit (including job supervision, workmen's compensation, fire and liability insurance, unemployment insurance, etc.); and
- (h) Other items included by the marshall swift valuation service when deriving the calculator method costs.

The department shall allow such construction costs ~~((shall be allowed))~~, at the lower of actual costs or the maximums shown in the following tables, adjusted to the average date of construction for any changes in construction costs shown by relevant cost indexes published by marshall swift. The average date of construction shall be the midpoint date between award of the construction contract and completion of construction.

BASE COSTS PER BED FOR ALL BEDS IN THE FACILITY BY FACILITY CLASS, QUALITY, AND SIZE:

Class and Quality	0 to 60 Beds	61 to 120 Beds	Over 120 Beds
A-good	\$(39,014 50,139	\$37,023 42,079	\$33,682) 39,006
A-average	((31,902 40,967	30,274 34,381	27,543)) 31,870
B-good	((37,332 48,104	35,427 40,371	32,231)) 37,422
B-average	((30,905 39,786	29,329 33,389	26,682)) 30,951
C-good	((27,592 35,939	26,184 30,161	23,822)) 27,959
C-average	((21,576 27,924	20,475 23,435	18,628)) 21,723
C-low	((17,011 22,019	16,143 18,479	14,687)) 17,130
D-good	((25,051 32,622	23,773 27,377	21,628)) 25,378
D-average	((19,501 25,221	18,506 21,167	16,836)) 19,621
D-low	((15,297 19,796	14,516 16,613	13,206)) 15,400

ADDITIONS TO BASE COSTS BY FACILITY CLASS, QUALITY, AND SIZE:

Class and Quality	Add to Base Cost for All Facilities	Add for Each Bed from 61 to 120 Beds	Add for Each Bed Over 120 Beds
A-good	\$(228,577 239,773	\$2,679 2,810	\$1,897) 1,990
A-average	((186,900 195,908	2,190 2,296	1,551)) 1,626
B-good	((218,726 230,041	2,563 2,696	1,816)) 1,910
B-average	((181,064 190,261	2,122 2,230	1,503)) 1,579
C-good	((161,649 171,866	1,894 2,014	1,342)) 1,427
C-average	((126,403 133,537	1,481 1,565	1,049)) 1,108
C-low	((99,676 105,299	1,168 1,234	827)) 874
D-good	((146,780 156,003	1,720 1,828	1,218)) 1,295
D-average	((114,258 120,612	1,339 1,413	948)) 1,001
D-low	((89,620 94,667	1,050 1,109	744)) 786

(5) Subject to provisions regarding allowable land contained in this chapter, allowable costs for land shall be the lesser of:

(a) Actual cost per square foot, or ~~((at the time of purchase of the land in question,))~~

(b) The average per square foot land value of the ten nearest urban or rural nursing homes ~~((depending upon))~~ at the time of purchase of the land in question. The average land value shall depend on classification of the home in question, assessed for purposes of taxation.

(6) If allowable costs for construction or land are determined to be less than actual costs pursuant to subsection (3) and (4) of this section, ~~((they))~~ the department may ~~((be increased))~~ increase the amount if the owner or contractor is able to show unusual or unique circumstances ~~((which have))~~ having substantially impacted the costs of construction or land. Actual costs ~~((with))~~ shall be allowed to the extent they resulted from such circumstances up to a maximum of ten percent above levels determined under subsections (3) and (4) for construction or land. An adjustment under this subsection shall be granted only if requested by the contractor. The contractor shall submit documentation of the unusual circumstances and an analysis of their financial impact ~~((must accompany))~~ with the request.

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.

NEW SECTION

WAC 388-96-756 ENHANCEMENT COST AREA RATE. (1) The enhancement cost area reimbursement rate shall reimburse for specific legislatively authorized enhancements for nonadministrative wages and benefits when funds have been appropriated for such enhancements by the legislature.

(2) Based on information provided by contractors, in the form required by the department and certified by the contractor or nursing home administrator, the department shall identify nursing homes paying wages less than the minimum wages established in WAC 388-96-768. The contractor shall submit documentation and verification of actual hours reimbursed for regular, vacation, sick, holiday, and over time. Documentation shall include a written policy regarding payment of vacation, sick, holiday, and over time. Effective January 1, 1988, and January 1, 1989, the department shall grant a prospective rate revision to fund the additional cost of increasing wages to the minimum established in WAC 388-96-768.

(3) On or before January 1, 1988 and January 1, 1989, contractors shall increase wages below the minimum wages established in WAC 388-96-768 by any inflation adjustment granted under WAC 388-96-719, beginning with the July 1, 1987 inflation adjustment.

(4) Reimbursement for minimum hourly wage requirements shall be based on the highest level paid in any of the three preceding cost years. Contractors shall provide justification if average hourly wages, as reported to the department on cost report schedules, decrease over time.

(5) Effective January 1, 1990, providers shall pay wages equal to those established in WAC 388-96-768 and shall be reimbursed for this cost only through the prospective reimbursement rate.

(6) Effective January 1, 1988 and January 1, 1989, the department shall allocate to all facilities a proportionate share of dollars appropriated by the legislature to enhance nonadministrative wages ~~((and))~~, benefits, and/or hours above the moneys necessary to fund the minimum wage established in WAC 388-96-768. The department shall not reimburse or allocate dollars in excess of those specified in the biennial appropriation. Dollars shall be allocated to each home based on hours worked by employees in the home earning more than the minimum wage established in WAC 388-96-768.

(7) Beginning October 1, 1987, the department may verify forms submitted by facilities for calculation of enhancement cost center reimbursement rates.

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

Reviser's note: The unnecessary underscoring and deletion marks in the new section above occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 388-96-768 MINIMUM WAGE. Effective January 1, 1988, contractors shall adjust and maintain wages for all employees to conform to no less than the minimum hourly wage established by the legislature. This wage is four dollars and seventy-six cents an hour beginning January 1, 1988, and five dollars and fifteen cents an hour beginning January 1, 1989. If moneys are appropriated by the legislature, costs to prospectively fund these minimum wage requirements shall be reimbursed in the enhancement cost center.

AMENDATORY SECTION (Amending Order 2270 [2485], filed 8/19/85 [4/20/87])

WAC 388-96-774 PROSPECTIVE RATE REVISIONS. (1) The department shall determine each contractor's reimbursement rates ~~((will be determined))~~ prospectively at least once each calendar year, to be effective July 1st. The department shall determine all prospective reimbursement rates for 1984 and thereafter ~~((shall be determined utilizing))~~ using the prior year's desk-reviewed cost reports. Prospective rates shall be maximum payment rates for contractors for the periods to which they apply ~~((and))~~. Revisions may be granted for inflation only as authorized in WAC 388-96-719(3) ~~((and))~~. Other revisions for cost increases may be granted only as authorized in this section. The department shall not grant rate adjustments for wage increases except as authorized in WAC 388-96-756 and not for increases in use of temporary employment services providing direct patient care. This section shall apply to rate revision requests and periods subsequent to May 20, 1985.

(2) The department shall adjust rates ~~((shall be adjusted))~~ for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department may adjust rates ~~((may be adjusted as determined by the department))~~ for the following:

(a) Variations ~~((of more than ten percent))~~ in the distribution of patient classifications or changes in patient characteristics from:

- (i) The prior reporting year, or ~~((from))~~
- (ii) Those used to set the rate for a new contractor, or ~~((which correspond))~~
- (iii) Corresponding to the nursing staff funded for a new contractor.

(b) Program changes required by the department.

(c) Changes in staffing levels at a facility required by the department.

~~((d) Changes required by survey.))~~

(4) Contractors requesting an adjustment ~~((must))~~ shall submit:

- (a) A financial analysis showing:
 - (i) The increased cost, and
 - (ii) An estimate of the rate increase, computed according to allowable methods, necessary to fund the cost;
- (b) A written justification for granting the rate increase; and

(c) A certification and supporting documentation ~~((which shows))~~ showing the changes in staffing have commenced, or other commenced or completed improvements ~~((have been commenced or completed))~~.

(5) Contractors receiving prospective rate increases pursuant to this section ~~((must))~~ shall submit quarterly reports, beginning the first day of the month following the date the increase is granted, showing how the additional rate funds were spent. If the funds were not spent for changes or improvements approved by the department in granting the adjustment, they shall be subject to immediate recovery by the department.

(6) A contractor requesting an adjustment pursuant to subsection (3)(a) of this section shall submit a written plan specifying:

- (a) Additional staff to be added,
- (b) Changes in Medicaid patient characteristics requiring the additional staff, and

(c) The ~~((patient care needs the facility has been unable to meet due to lack of sufficient staff))~~ predicted improvements in patient care services which will result. The department shall respond to such requests within sixty days following the receipt of a properly completed request.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider one or more of the following:

(a) Whether additional staff requested by a contractor is ~~((appropriate in meeting))~~ necessary to meet patient care needs~~((:));~~

(b) Comparisons of staffing ~~((levels))~~ patterns of facilities having similar size and patient characteristics~~((:));~~

(c) The physical layout of the facility~~((:));~~

(d) ~~((Supervision and management of current staff:))~~ Nursing service planning and management for maximum efficiency;

(e) Historic trends in underspending of a facility's nursing services component rate.

(f) Numbers and positions of existing staff;
 (g) Increases in acuity (debility) levels of contractors' residents;

(h) Survey, inspection of care, and department consultation results; and

(i) Facility's ability to fund staffing request through existing nursing services and food rates.

(8) If a request made under subsection (3) of this section is approved by the department, the cost of funding the additional staff may be reduced for rate revision purposes by amounts shifted out of nursing services in 1986 or 1987, as reflected in the preliminary or final settlement reports for 1986 and 1987;

(9) Rates may also be adjusted to cover costs associated with placing a nursing home in receivership for costs not covered by the rate of the former contractor, including:

(a) Compensation of the receiver,

(b) Reasonable expenses of receivership and transition of control, and

(c) Costs incurred by the receiver in carrying out court instructions or rectifying deficiencies found.

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

AMENDATORY SECTION (Amending Order 2076, filed 2/17/84)

WAC 388-96-904 ADMINISTRATIVE REVIEW PROCESS. (1) Within thirty days after a contractor is notified of an action or determination it wishes to challenge, ((it)) the contractor shall request, in writing, that the appropriate director or his or her designee review such determination. The contractor shall send the request ~~((shall be forwarded))~~ to the ~~((director, audit division,))~~ office of contracts management if the challenge pertains to audit findings (adjusting journal entries or AJEs) or other audit matters ~~((, or to the director, bureau of nursing home affairs (director, BNHA)))~~. For other matters (such as rates, desk reviews, and settlements), the contractor shall send the request to the director, residential rates and licensure services (director, RRLS). The ~~((request shall be signed by the))~~ contractor or the licensed administrator of the facility(;) shall:

(a) Sign the request,

(b) Identify the challenged determination and the date thereof, and ~~((shall))~~

(c) State as specifically as practicable the issues and regulations involved and the grounds for its contention that the determination is erroneous. The contractor shall include with the request copies of any documentation ((on which)) the contractor intends to rely on to support ((is)) its position ((shall be included with the request)).

(2) After receiving a timely request meeting the criteria of this section, the department ~~((with))~~ shall contact the contractor to schedule a conference for the earliest mutually convenient time. The department shall schedule the conference ((shall be scheduled)) for no earlier than fourteen days after the contractor was notified of the conference and no later than ninety days after a

properly completed request is received, unless both parties agree in writing to a specific later date. The conference may be conducted by telephone unless either the department or the contractor requests, in writing ~~((that)),~~ the conference be held in person.

(3) The contractor and appropriate representatives of the department shall participate in the conference. In addition, representatives selected by the contractor may participate. The contractor shall bring to the conference, or provide to the department in advance of the conference'(:);

(a) Any documentation requested by the department which the contractor is required to maintain for audit purposes pursuant to WAC 388-96-113, and

(b) Any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, the parties shall schedule a second session of the conference ((shall be scheduled)) for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) Regardless of whether agreement has been reached at the conference, the director of residential rates and licensure services or designee or the director of the office of nursing home audit or designee shall furnish a written decision ((by the appropriate director or his or her designee will be furnished)) to the contractor within sixty days after the conclusion of the conference.

(5) A contractor ~~((who is)),~~ aggrieved by a decision of the director, may appeal the decision in an administrative hearing.

(a) A contractor ~~((who desires))~~ desiring an administrative hearing shall file a written request for a hearing with the department's Office of Hearings ~~((mailing address)),~~ P.O. Box 2465, Olympia, ~~((WA))~~ Washington 98504(()). The contractor shall file the request for hearing ~~((must be filed))~~ within thirty days of the date the contractor received the decision of the director that he or she desires to appeal(;;),

(b) Attach a copy of the director's decision being appealed ((must be attached)) to the request for hearing ((The request shall be signed by the contractor or))

(c) Sign the request or have the licensed administrator of the facility sign it, ((and shall))

(d) State as specifically as practicable the issue or issues and regulation or regulations involved, ((and))

(e) State the grounds for contending the director's decision is erroneous(;;), and

(f) Include copies of any documentation on which the contractor intends to rely to support its position ((shall be included)) with the request.

~~((b))~~ (g) Sections of chapter 388-08 WAC not conflicting with this section shall apply to a hearing requested under WAC 388-96-904(5).

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

Reviser's note: RCW 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 88-02-001
NOTICE OF PUBLIC MEETINGS
MEDICAL DISCIPLINARY BOARD
BOARD OF MEDICAL EXAMINERS
 [Memorandum—December 21, 1987]

In addition to the meeting dates previously submitted the Medical Disciplinary Board is scheduled to meet on the following dates:

- January 16, 1988 West Seattle Community Hospital
9:00 a.m. - ? Seattle
- February 20, 1988 St. Francis Community Hospital
9:00 a.m. - ? Federal Way

The Board of Medical Examiners has made the following changes to its board meeting schedule:

New meeting dates

- January 23, 1988 Department of Licensing
9:00 a.m. 1300 Quince Street
Olympia
- June 3 and 4, 1988 Department of Licensing
9:00 a.m. 1300 Quince Street
Olympia

Cancellation

- May 27, 1988 Department of Licensing
9:00 a.m. 1300 Quince Street
Olympia

WSR 88-02-002
NOTICE OF PUBLIC MEETINGS
THE EVERGREEN STATE COLLEGE
 [Memorandum—December 11, 1987]

Following are the dates of regular meetings of the board of trustees for 1988:

- Wednesday, January 6, 1988 1:30 p.m.
- Wednesday, February 10, 1988 1:30 p.m.
- Wednesday, March 9, 1988 1:30 p.m.
- Wednesday, April 13, 1988 1:30 p.m.
- Wednesday, May 11, 1988 1:30 p.m.
- Wednesday, June 8, 1988 1:30 p.m.
- Wednesday, July 13, 1988 1:30 p.m.
- Wednesday, August 10, 1988 1:30 p.m.
- Wednesday, September 14, 1988 1:30 p.m.
- Wednesday, October 12, 1988 1:30 p.m.
- Wednesday, November 9, 1988 1:30 p.m.
- Wednesday, December 9, 1988 9:00 a.m.

Each of these meetings will be held on the campus of The Evergreen State College in Room 3112 of the Daniel J. Evans Library Building.

WSR 88-02-003
NOTICE OF PUBLIC MEETINGS
LEGAL FOUNDATION OF WASHINGTON
 [Memorandum—December 22, 1987]

Following is the revised meeting schedule of dates and locations for 1988:

- January 22, 1988 Triples Restaurant
Seattle
- March 25, 1988 Sea-Tac Airport
Executive Conference
Room
- April 7, 1988 Arnold's Restaurant
Olympia
- September 12, 1988 Westin Hotel
Vancouver, BC
- October 28, 1988 Sheraton Hotel
Spokane
- November 18, 1988 Sea-Tac Airport
Executive Conference
Room

WSR 88-02-004
ADOPTED RULES
LOTTERY COMMISSION
 [Order 106—Filed December 24, 1987]

Be it resolved by the Washington State Lottery, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

- New WAC 315-11-300 Definitions for Instant Game Number 30 ("Quick Silver").
- New WAC 315-11-301 Criteria for Instant Game Number 30.
- New WAC 315-11-302 Ticket validation requirements for Instant Game Number 30.

This action is taken pursuant to Notice No. WSR 87-21-093 filed with the code reviser on October 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 RCW 67.70.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 4, 1987.

By Evelyn Y. Sun
 Director

NEW SECTION

WAC 315-11-300 DEFINITIONS FOR INSTANT GAME NUMBER 30 ("QUICK SILVER").
 (1) Play symbols: The following are the "play symbols": "5", "10", "25", and "50". One of these play symbols

appears under each of the five rub-off spots on the front of the ticket.

(2) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 30, the captions which correspond with and verify the play symbols are:

<u>PLAY NUMBER</u>	<u>CAPTION</u>
5	NICK
10	DIME
25	QUAR
50	HALF

(3) Prize symbols: The following are the "prize symbols": "\$1.00"; "\$2.00"; "\$5.00"; "10.00"; "20.00"; "50.00"; and "\$2500". One of these symbols appears under the scratch-off material covering the prize box.

(4) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that prize symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 30, the captions which correspond with and verify the play symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE\$
\$2.00	TWO\$
\$5.00	FIVE
\$10.00	TEN\$
\$20.00	TTNY
\$50.00	FIFTY
\$2500	25HUN

(5) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(6) Pack-ticket number: The ten-digit number of the form 0000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 30 constitute the "pack number" which starts at 0000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 30, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of eight locations among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00
FIV	\$5.00
TEN	\$10.00
TTY	\$20.00

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-301 CRITERIA FOR INSTANT GAME NUMBER 30. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) Winning tickets: Add the five play symbols on the ticket. If the total exceeds 1.00 (\$1.00), the ticket is a winner of the prize determined by the "prize symbol" in the prize box. The "prize symbols" have the following instant prize values:

- \$1.00 prize symbol – Win \$1.00
- \$2.00 prize symbol – Win \$2.00
- \$5.00 prize symbol – Win \$5.00
- \$10.00 prize symbol – Win \$10.00
- \$20.00 prize symbol – Win \$20.00
- \$50.00 prize symbol – Win \$50.00
- \$2500 prize symbol – Win \$2,500.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 30 set forth in WAC 315-11-302, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 30; and/or
- (b) Vary the number of tickets sold in Instant Game Number 30 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-302 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 30. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 30 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the five rub-off spots on the main portion of the ticket and exactly one prize symbol must appear under the "prize box" rub-off spot on the ticket.

(b) Each of the five play symbols and the prize symbol must have a caption underneath, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every

respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Ealing 15 point font
Captions	5 x 12 Matrix font
Pack-Ticket Number	9 x 12 Matrix font
Validation Number	9 x 12 Matrix font
Retail Verification Code	7 x 12 Matrix font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-300(1) and each of the captions must be exactly one of those described in WAC 315-11-300(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

WSR 88-02-005
EMERGENCY RULES
LOTTERY COMMISSION
 [Order 105—Filed December 24, 1987]

Be it resolved by the Washington State Lottery, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

- Amd WAC 315-11-290 Definitions for Instant Game Number 29 ("Windfall").
- Amd WAC 315-11-291 Criteria for Instant Game Number 29.

We, the Washington State Lottery Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the \$20.00 prize level and the twenty dollar verification code were inadvertently not put into the rules in question at the time they were adopted in August 1987. The Windfall Game, Game Number 29, will commence January 8, 1988, instant tickets for the game have already been produced and received by the lottery and the twenty dollar prize level has been included. There was not sufficient time between discovery of the error and the beginning of the game to provide all of the notice required for amendment of WAC 315-11-290 and 315-11-291.

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

This rule is promulgated pursuant to RCW 67.70.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 4, 1987.

By Evelyn Y. Sun
 Director

AMENDATORY SECTION (Amending Order 104, filed 8/18/87)

WAC 315-11-290 DEFINITIONS FOR INSTANT GAME NUMBER 29 ("WINDFALL"). (1) *Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$5.00"; "10.00"; "20.00"; "50.00"; and "\$2500." One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.*

(2) *Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 29, the captions which correspond with and verify the play symbols are:*

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE \$
\$2.00	TWO \$
\$5.00	FIVE
10.00	TEN \$
<u>20.00</u>	<u>TWENTY</u>
<u>50.00</u>	<u>FIFTY</u>
\$2500	25-HUN

(3) *Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.*

(4) *Pack-ticket number: The ten-digit number of the form 9000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 29 constitute the "pack number" which starts at 9000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.*

(5) *Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 29, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The agent verification codes are:*

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00
FIV	\$5.00
TEN	\$10.00
<u>TTY</u>	<u>\$20.00</u>

(6) *Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.*

AMENDATORY SECTION (Amending Order 104, filed 8/18/87)

WAC 315-11-291 CRITERIA FOR INSTANT GAME NUMBER 29. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three \$1.00 play symbols - Win \$1.00
- Three \$2.00 play symbols - Win \$2.00
- Three \$5.00 play symbols - Win \$5.00
- Three 10.00 play symbols - Win \$10.00
- Three 20.00 play symbols - Win \$20.00
- Three 50.00 play symbols - Win \$50.00
- Three \$2500 play symbols - Win \$2,500.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 29 set forth in WAC 315-11-292, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 29, and/or

(b) Vary the number of tickets sold in Instant Game Number 29 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

WSR 88-02-006

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF COMMUNITY DEVELOPMENT

(Fire Protection Services Division)

[Memorandum—December 23, 1987]

The following is a schedule of regular meetings that will be held by the Fire Protection Policy Board for 1988:

- January 21 Olympia
- March 17 Sea-Tac
- May 19 Sea-Tac

In the past, the board meetings were held every four months, on the third Thursday of the month. At the November 19, 1987, meeting, the board resolved to meet bimonthly in 1988 until the May meeting, at which time they would decide if they would continue with that pattern or set a new one. A revision will be filed in May with the State Register to reflect their decision.

WSR 88-02-007

**NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER**

[Memorandum—December 23, 1987]

Following is the 1988 regular meeting schedule of the Washington State Convention and Trade Center board of directors. Meetings are held at 3:00 p.m., at the Plymouth Congregational Church, 1217 Sixth Avenue, Seattle, Washington.

- January 21
- February 11
- March 10
- April 14
- May 12
- June 9
- July 14
- September 8
- October 13
- November 10
- December 8

The board of directors desires to establish the 1988 schedule for regular meetings of the board to be held at Plymouth Congregational Church; and desires to change its regular meeting date to the second Thursday of every month except August.

WSR 88-02-008

ADOPTED RULES

DEPARTMENT OF REVENUE

[Order PT 87-8—Filed December 28, 1987]

I, William R. Wilkerson, director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Senior citizen and disabled persons exemption—Amount of exemption, amendatory section WAC 458-16-050.

This action is taken pursuant to Notice No. WSR 87-23-014 filed with the code reviser on November 10, 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 84.36.389 which directs that the Department of Revenue has authority to implement the provisions of RCW 84.36.381 through 84.36.389.

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

APPROVED AND ADOPTED December 22, 1987.

By Trevor W. Thompson
Assistant Director

AMENDATORY SECTION (Amending Order PT 83-5, filed 9/14/83)

WAC 458-16-050 SENIOR CITIZEN AND DISABLED PERSONS EXEMPTION—AMOUNT OF

EXEMPTION. The amount that the person shall be exempt from an obligation to pay, shall be calculated on the basis of the combined disposable income of the person claiming the exemption and his or her spouse or co-tenant, for the preceding calendar year in accordance with the following schedule:

~~((1984 Taxes~~

~~INCOME RANGE~~

~~\$12,000 or less = Exempt from regular property taxes on up to \$20,000 valuation, plus 100% of excess levies.~~

~~\$12,001 to \$15,000 = Exempt from 100% of excess levies.)~~

1985 through 1988 Taxes ((and Thereafter))

INCOME RANGE

\$9,000 or less - Exempt from regular property taxes on \$25,000 or 50% of the valuation, whichever is greater, plus exemption from 100% of excess levies.

\$9,001 to \$12,000 - Exempt from regular property taxes on \$20,000 or 30% of the valuation, whichever is greater, not to exceed \$40,000 plus exemption from 100% of excess levies.

\$12,001 to \$15,000 - Exempt from 100% of excess levies.

1989 Taxes and Thereafter

INCOME RANGE

\$12,000 or less - Exempt from regular property taxes on \$28,000 or 50% of the valuation, whichever is greater, plus exemption from 100% of excess levies.

\$12,001 to \$14,000 - Exempt from regular property taxes on \$24,000 or 30% of the valuation, whichever is greater, not to exceed \$40,000 plus exemption from 100% of excess levies.

\$14,001 to \$18,000 - Exempt from 100% of excess levies.

WSR 88-02-009

ADOPTED RULES

DEPARTMENT OF REVENUE

[Order PT 87-9—Filed December 28, 1987]

I, William R. Wilkerson, director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to apportionment of operating property to the various counties and taxing districts, amendatory section WAC 458-50-100.

This action is taken pursuant to Notice No. WSR 87-23-016 filed with the code reviser on November 10, 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 84.12.390 which directs that the Department of Revenue has authority to implement the provisions of chapter 84.12 RCW.

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

APPROVED AND ADOPTED December 22, 1987.

By Trevor W. Thompson
Assistant Director

AMENDATORY SECTION (Amending Order PT 75-2, filed 3/19/75)

WAC 458-50-100 APPORTIONMENT OF OPERATING PROPERTY TO THE VARIOUS COUNTIES AND TAXING DISTRICTS. ((+)) In general. The department shall apportion the value of all public utility companies to the various counties in such a manner as will reasonably reflect the true cash value of the operating property located within each county and taxing district. Since it is impossible to determine with mathematical precision the precise value of each item of property located within each county and taxing district, the department shall apportion the value of operating property on the following basis:

((A)) (1) Railroad companies - The ratio that mileage of track, as classified by the department, situated within each county and taxing district bears to the total mileage of track within the state as of January 1 of the assessment year. In the event there exists operating property of railroad companies in counties or taxing districts not having track mileage, the department shall situs such property and apportion value directly on the basis of cost as determined in accordance with the cost approach set forth in WAC 458-50-080(A).

((B)) (2) Pipeline companies - The ratio that inch-equivalent of miles of pipeline situated within each county or taxing district bears to the total inch-equivalent of miles of pipeline within the state as of January 1 of the assessment year. In the event there exists operating property of pipeline companies in counties or taxing districts not having pipeline mileage, the department shall situs such property and apportion value to such county or taxing district directly on the basis of cost as

determined in accordance with the cost approach set forth in WAC 458-50-080(A).

~~((E))~~ (3) Telegraph companies - The ratio that the cost (historical or original) of operating property situated within each county and taxing district bears to the cost (historical or original) of all operating property within the state as of January 1 of the assessment year.

~~((D))~~ Motor vehicle transportation companies - The ratio that the cost (historical or original) of tangible operating property situated within each county or taxing district bears to the total cost (historical or original) of all tangible operating property within the state as of January 1 of the assessment year: PROVIDED, that intangible property shall be apportioned on the basis of the ratio that mileage operated over franchised route within a county or taxing district bears to the total mileage operated over such franchised route within the state during the previous calendar year.

(E)) (4) Telephone companies - The ratio that the cost (historical or original) of operating property situated within each county or taxing district bears to the total cost (historical or original) of all operating property within the state as of January 1 of the assessment year.

~~((F))~~ (5) Electric light and power companies - The ratio that cost (historical or original) of operating property situated within each county and taxing district bears to the total cost (historical or original) of all operating property within the state as of January 1 of the assessment year.

~~((G))~~ (6) Gas companies - The ratio that cost (historical or original) of operating property situated within each county and taxing district bears to the total cost (historical or original) of all operating property within the state as of January 1 of the assessment year: PROVIDED, The value of pipeline shall be allocated on the basis of the ratio that inch-equivalent of miles of pipeline situated within each county or taxing district bears to the total inch-equivalent of miles of pipeline within the state as of January 1 of the assessment year.

~~((H))~~ (7) Airplane companies - The ~~((ration))~~ ratio that cost (historical or original) of operating property situated within each county and taxing district bears to the total cost (historical or original) of operating property within the state as of January 1 of the assessment year: PROVIDED, That the value of aircraft shall be apportioned on the basis of the ratio that landings and take-offs of such aircraft within each county and taxing district bears to the total landings and take-offs within the state during the previous calendar year.

~~((I))~~ (8) Steamboat companies - The ratio that cost (historical or original) of operating property situated within each county and taxing district bears to the total cost (historical or original) of operating property within the state as of January 1 of the assessment year: PROVIDED, That the value of watercraft shall be apportioned on the basis of the ratio that calls of such watercraft at ports within each county and taxing district bears to the total calls at all ports of call within the state during the previous calendar year.

WSR 88-02-010

ADOPTED RULES

DEPARTMENT OF REVENUE

[Order PT 87-10—Filed December 28, 1987]

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

Amd WAC 458-16-210 Nonprofit, nonsectarian organizations.
Amd WAC 458-16-260 Day care centers, libraries, orphanages, homes for the aged, homes for the sick or infirm, hospitals.

This action is taken pursuant to Notice No. WSR 87-23-015 filed with the code reviser on November 10, 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 84.36.865 which directs that the Department of Revenue has authority to implement the provisions of RCW 84.36.030 and 84.36.040.

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

APPROVED AND ADOPTED December 22, 1987.

By Trevor W. Thompson
Assistant Director

AMENDATORY SECTION (Amending Order PT 86-2, filed 5/30/86)

WAC 458-16-210 NONPROFIT, NONSECTARIAN ORGANIZATIONS. (1) The real and personal property owned by nonsectarian organizations is exempt from taxation, provided that: (a) The organization is nonprofit and is organized and conducted primarily for nonsectarian purposes, (b) the property is, except as provided in RCW 84.36.805 and subsections (2) and (4) of this section, used for character-building, benevolent, protective ((σ)), rehabilitative social services directed at persons of all ages((;)) or used by a student loan agency and (c) if these organizations were not conducting these activities the government would provide this service.

These are the primary uses and the word "fraternal" is not among them, therefore, organizations whose main function is fraternal would not qualify under this section.

This exemption extends to property of nonprofit, nonsectarian organizations which are used for benevolent, protective or rehabilitative social services and those which are actually related to those purposes. If any portion of the property of the organization is used for commercial rather than nonsectarian purposes, that portion must be segregated and taxed. Thrift store operations, restricted to the sale of "donated merchandise" will not jeopardize the exemption if the claimant can verify the proceeds are directed to an exempt purpose.

Organizations claiming exemption on property used to provide short-term emergency shelter to homeless persons will upon request provide complete financial information regarding the claimed property, and will also

provide the policy used in screening clients, the maximum term of stay, the fee schedule and the number of persons housed.

(2) The loan or rental of the property does not subject the property to tax if (a) the rents and donations received for the use of the portion of the property are reasonable and do not exceed the maintenance and operation expenses attributable to the portion of the property loaned or rented, and (b) the property would be exempt from tax if owned by the organization to which it is loaned or rented. (RCW 84.36.805): PROVIDED, HOWEVER, That the loan or rental of property to other nonprofit organizations, for periods of less than fifteen days shall not be subject to the restrictions of (a) of this subsection so long as all income received therefrom is devoted exclusively to exempt purposes. Maintenance and operating expenses means those items of rental expense as allowed and defined in generally accepted accounting principles. Property rented or leased for the purpose of deriving revenue from it, shall not be exempt and must be segregated and taxed whether or not such revenue is devoted to exempt purposes. For purposes of this subsection the term "revenue" means income received from the loan, lease or rental of property when such income exceeds the amount of the maintenance and operation expenses attributable to the term and portion of the property loaned or rented.

(3) Programs provided under a personal service contract will not jeopardize the exemption if the following conditions are met:

(a) The contract is written to clearly reflect all receipts and expenses are to be administered by the exempt organization.

(b) The financial records of the exempt organization will identify all receipts and expenses of the programs.

(c) The program is compatible and consistent with the purposes of the exempt organization.

(d) A summary of all receipts and expenses of the program will be provided to the department upon request.

Programs provided under a personal service contract, whereby the contractor will reimburse the organization for expenses pertaining to the program will be viewed as a rental agreement between the exempt organization and an individual or for profit user and will subject that portion of property to tax.

(4) The use of the property for fund-raising activities sponsored by the exempt organization does not subject the property to tax if the fund-raising activities are consistent with the purposes for which exemption is granted. The term "fund raising" means any revenue-raising activity limited to less than five days in length including but not limited to art auctions, use of the property by professional organizations for conferences, seminars, or other activities which enhance the reputation of the organization.

AMENDATORY SECTION (Amending Order PT 85-1, filed 2/15/85)

WAC 458-16-260 DAY CARE CENTERS, LIBRARIES, ORPHANAGES, HOMES FOR THE

AGED, HOMES FOR SICK OR INFIRM, HOSPITALS. Buildings, grounds, and other real and personal property to the extent used, except as provided for in RCW 84.36.805 and subsections ~~((8))~~ (9) and ~~((10))~~ (11) of this section, by the following institutions are exempt from taxation:

(1) Day care centers, as defined by RCW 74.15.020;

(2) Preschools;

(3) Free public libraries;

(4) Orphanages and orphan asylums;

(5) Homes for the aged;

(6) Homes for the sick or infirm;

(7) Hospitals for the sick including any portion of the hospital building or other buildings used as a nurse's home or residence for hospital employees, or operated as a portion of the hospital unit;

(8) Outpatient dialysis facilities.

Any portion of property owned by an organization which is used in a manner not furthering the purposes of the institution, (for example, hospital property used by a physician for private practice) must be segregated and taxed. (AGO 7-3-1935)

Property owned by an organization exempt under this rule which is irrevocably dedicated to the purposes of the organization is included in this exemption: PROVIDED, That the organization can evidence irrevocable intent to put the property to a qualifying use. The forms of proof set forth in WAC 458-16-200 may be utilized for this purpose. To be exempted, the property must be in use or under construction which is designed for use.

The superintendent or manager of the organization claiming exemption under this statute shall allow the department of revenue access to the books and records of the organization and shall make, under oath, a report to the department showing that the income and receipts thereof, including donations to it, have been applied to the actual expenses of operating and maintaining it, or for its capital expenses and to no other purposes, also including a statement of the receipts and the disbursements of said organization.

An exemption may be granted to the real or personal property leased or rented by any organization, corporation, or association exempted under the provisions of RCW 84.36.040 and used exclusively by it: PROVIDED, That the benefit of the exemption inures to the user. Such property must be specifically identified as leased in filing for exemption.

For the purposes of this rule a "hospital" is an organization primarily engaged in providing medical, surgical, nursing and/or related health care services in the prevention, diagnosis or treatment of human disease, pain, injury, disability, deformity or physical condition, or mental illness or retardation, and the equipment and facilities used by such organization to deliver such services on an inpatient basis. This definition shall include any portion of a hospital building, or other buildings used in connection therewith, and the equipment therein, operated as a portion of the hospital unit, or used as a residence for persons engaged or employed in the operation of a hospital.

~~((8))~~ (9) The loan or rental of this property does not subject the property to tax if (a) the rents and donations

received for the use of the portion of the property are reasonable and do not exceed the maintenance and operation expenses attributable to the portion of the property loaned or rented; and (b) the property would be exempt from tax if owned by the organization to which it is loaned or rented. (RCW 84.36.805) Maintenance and operating expenses means those items of rental expense as allowed and defined in generally accepted accounting principles.

~~((9))~~ (10) Programs provided under a personal service contract will not jeopardize the exemption if the following conditions are met:

(a) The contract is written to clearly reflect all receipts and expenses are to be administered by the exempt organization.

(b) The financial records of the exempt organization will identify all receipts and expenses of the programs.

(c) The program is compatible and consistent with the purposes of the exempt organization.

(d) A summary of all receipts and expenses of the program will be provided to the department upon request.

Programs provided under a personal service contract, whereby the contractor will reimburse the organization for expenses pertaining to the program will be viewed as a rental agreement between the exempt organization and an individual or for profit user and will subject that portion of property to tax.

~~((10))~~ (11) The use of the property for fund-raising activities sponsored by the exempt organization does not subject the property to tax if the fund-raising activities are consistent with the purposes for which exemption is granted. The term "fund raising" means any revenue-raising activity limited to less than five days in length including but not limited to art auctions, use of the property by professional organizations for conferences, seminars, or other activities which enhance the reputation of the organization.

WSR 88-02-011

EMERGENCY RULES

DEPARTMENT OF REVENUE

[Order 87-10—Filed December 29, 1987]

I, Greg Pierce, deputy director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to hazardous substance tax, new section WAC 458-20-252.

I, Greg Pierce, 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 chapter 82.22 RCW, which imposes a new hazardous substance tax in this state effective January 1, 1988, must be implemented by WAC 458-20-252 on an emergency basis. The rule was originally filed on November 18, 1987. A public hearing was conducted on December 22, 1987, resulting in substantive changes to

Rule 252 as originally filed. The rule being filed under this order of transmittal contains those changes and, pursuant to RCW 34.04.025, will again be published in the State Register with full opportunity for interested persons to comment on the rule.

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

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 82.32.300.

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

APPROVED AND ADOPTED December 29, 1987.

By Greg Pierce
Deputy Director

NEW SECTION

WAC 458-20-252 HAZARDOUS SUBSTANCE TAX. (1) *Introduction. Under the provisions of chapter 82.22 RCW a hazardous substance tax is imposed, effective January 1, 1988, upon the wholesale value of certain substances and products, with specific credits and exemptions provided. This tax is an excise tax upon the privilege of possessing hazardous substances or products in this state. It is imposed in addition to all other taxes of an excise or property tax nature and is not in lieu of any other such taxes.*

(a) *RCW 82.22.020 defines certain specific substances as being hazardous and includes other substances by reference to Federal legislation governing such things. It also provides authority to the director of the State Department of Ecology to designate any substances or products as hazardous which could present a threat to human health or the environment. The Department of Ecology, by duly published rule, defines and enumerates hazardous substances and products and otherwise administers the provisions of the law relating to hazardous and toxic or dangerous materials, waste, disposal, clean-up, remedial actions, and monitoring. (See Chapter 173-340 of the Washington Administrative Code).*

(b) *Chapter 82.22 RCW consists of the tax provisions relating to hazardous substances and products which are administered exclusively under this section. The tax provisions relate exclusively to the possession of hazardous substances and products. The tax provisions do not relate to waste, releases or spills of any materials, cleanup, compensation, or liability for such things, nor does tax liability under the law depend upon such factors. The incidence or privilege which incurs tax liability is simply the possession of the hazardous substance or product, whether or not such possession actually causes any hazardous or dangerous circumstance.*

(c) *The hazardous substance tax is imposed upon any possession of a hazardous substance or product in this state by any person who is not expressly exempt of the tax. However, it is the intent of the law that the economic burden of the tax should fall upon the first such possession in this state. Therefore, the law provides that if the tax has not been paid upon any hazardous substance*

or product the department may collect the tax from any person who has had possession. The amount of tax paid then constitutes a debt owed by the first person having had taxable possession to the person who pays the tax. The provisions of parts (10) and (11) of this section reduce the tax payment obligations of successive possessors of hazardous substances and products to the greatest extent allowable under the law.

(2) Definitions. For purposes of this section the following terms will apply.

(a) "Tax" means the hazardous substance tax imposed by RCW 82.22.030.

(b) "Hazardous substance" means anything designated as such by the provisions of WAC 173-340, administered by the State Department of Ecology, as adopted and thereafter amended. In addition, the law defines this term to include:

(i) any substance that, on January 1, 1988, is a hazardous substance under section 101(14) of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by Public Law 99-499. These substances consist of chemicals and elements in their purest form. Products containing CERCLA chemicals and/or elements as ingredients will not be taxable unless specifically designated as hazardous substances by the Department of Ecology.

(ii) petroleum products (further defined below);

(iii) pesticide products required to be registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); and

(iv) anything else enumerated as a hazardous substance in Chapter 173-340 WAC by the Department of Ecology.

(v) Until April 1, 1988, "hazardous substance" does not include substances or products packaged as a household product and distributed for domestic use.

(c) "Product(s)" means any item(s) containing a combination of ingredients, some of which are hazardous substances and some of which are not hazardous substances.

(d) "Petroleum product" means any plant condensate, lubricating oil, gasoline, aviation fuel, kerosene, diesel motor fuel, benzol, fuel oil, asphalt base, liquified or liquefiable gases, such as butane, ethane and propane, and every other product derived from the refining of crude oil, but the term does not include crude oil.

(i) The term "derived from the refining of crude oil" as used herein, means produced because of and during petroleum processing. "Petroleum processing" includes all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to crude oil or any byproduct of crude oil so that as a result thereof a fuel or lubricant is produced for sale or commercial or industrial use. "Fuel" includes all combustible gases and liquids suitable for the generation of energy. The term "derived from the refining of crude oil" does not mean petroleum products which are manufactured from refined oil derivatives, such as petroleum jellies, cleaning solvents, asphalt paving, etc. Such further manufactured products become hazardous substances only when expressly so designated by the Director of Ecology.

(e) "Possession" means control of a hazardous substance located within this state and includes both actual and constructive possession.

(i) "Control" means the power to sell or use a hazardous substance or to authorize the sale or use by another.

(ii) "Actual possession" occurs when the person with control has physical possession.

(iii) "Constructive possession" occurs when the person with control does not have physical possession.

(f) "Previously taxed hazardous substance" means a hazardous substance upon which the tax has been paid and which has not been remanufactured or reprocessed in any manner.

(i) Remanufacturing or reprocessing does not include the mere repackaging or recycling for beneficial reuse. Rather, these terms embrace activities of a commercial or industrial nature involving the application of skill or labor by hand or machinery so that as a result, a new or different substance or product is produced.

(ii) "Recycling for beneficial reuse" means the recapturing of any used substance or product, for the sole purpose of extending the useful life of the original substance or product in its previously taxed form, without adding any new, different, or additional ingredient or component.

(iii) Example: Used motor oil drained from a crankcase, filtered, and containerized for reuse is not remanufactured or reprocessed. If the tax was paid on possession of the oil before use, the used oil is a previously taxed substance.

(iv) Possessions of used hazardous substances by persons who merely operate recycling centers or collection stations and who do not reprocess or remanufacture the used substances are not taxable possessions.

(g) "Wholesale value" is the tax measure or base. It means:

(i) the price paid by a wholesaler or retailer to a manufacturer, or

(ii) the price paid by a retailer to a wholesaler when the price represents the value at the time of first possession in this state.

(iii) In cases where no sale has occurred, wholesale value means the fair market wholesale value, determined as nearly as possible according to the wholesale selling price at the place of use of similar substances of like quality and character. In such cases the wholesale value shall be the "value of the products" as determined under the alternate methods set forth in WAC 458-20-112.

(iv) It is the intent of the law that the "wholesale value," which is the tax measure, should be as uniform and constant as possible throughout the chain of distribution from manufacture to retail sale. For special tax reporting formulas for retailers, see Part (11) of this section.

(h) "Selling price" means consideration of any kind expressed in terms of money paid or delivered by a buyer to a seller, without any deductions for any costs whatsoever. Bona fide discounts actually granted to a buyer result in reductions in the selling price rather than deductions.

(i) "State," for purposes of the credit provisions of the hazardous substance tax, means:

- (i) the state of Washington,
- (ii) states of the United States or any political subdivisions of such other states,
- (iii) the District of Columbia,
- (iv) territories and possessions of the United States,
- (v) any foreign country or political subdivision thereof.

(j) "Person" means any natural or artificial person, including a business organization of any kind, and has the further meaning defined in RCW 82.04.030.

(i) The term "natural person," for purposes of the tax exemption provided by RCW 82.22.040(2) regarding substances used for personal or domestic purposes, means human beings in a private, as opposed to a business sense.

(k) Except as otherwise expressly defined in this section, the definitions of terms provided in chapters 82.04, 82.08, and 82.12 RCW apply equally for this section. Other terms not expressly defined in these chapters or this section are to be given their common and ordinary meanings.

(3) Tax rate and measure. The tax is imposed upon the privilege of possessing hazardous substances in this state. The tax rate is eight tenths of one percent (.008). The tax measure or base is the wholesale value of the substance, as defined herein.

(4) Exemptions. The following are expressly exempt from the tax:

(a) Any successive possessions of any previously taxed hazardous substances are tax exempt.

(i) Any person who possesses a hazardous substance which has been acquired from any other person who is registered with the department of revenue and doing business in this state may take a written statement certifying that the tax has been previously paid. Such certifications must be taken in good faith and must be in the form provided in the last part of this section. Blanket certifications may be taken, as appropriate, which must be renewed at intervals not to exceed four years. These certifications may be used for any single hazardous substance or any broad classification of hazardous substances, e.g., "all chemicals."

(ii) In the absence of taking such certifications, the person who possesses any hazardous substance must prove that it purchased or otherwise acquired the substance from a previous possessor in this state and that the tax has been paid.

(iii) This exemption for taxes previously paid is available for any person in successive possession of a taxed hazardous substance even though the previous payment may have been satisfied by the use of credits or offsets available to the previous person in possession.

(iv) Example. Company A brings a substance into this state upon which it has paid a similar hazardous substance tax in another state. Company A takes a credit against its Washington tax liability in the amount of the other state's tax paid. It then sells the substance to Company B, and provides Company B with a Certificate of Previously Taxed Substance. Company B's possession is tax exempt even though Company A has not directly paid Washington's tax but has used a credit against its Washington liability.

(b) Any possession of a hazardous substance by a natural person for use of a personal or domestic nature rather than a business nature is tax exempt.

(i) This exemption extends to relatives, as well as other natural persons who reside with the person possessing the substance, and also to regular employees of that person who use the substance for the benefit of that person.

(ii) This exemption does not extend to possessions by any independent contractors hired by natural persons, which contractors themselves provide the hazardous substance.

(iii) Examples: Possessions of spray materials by an employee-gardener or soaps and cleaning solvents by an employee-domestic servant, when such substances are provided by the natural person for whose domestic benefit such things are used, are tax exempt. Also, possessions of fuel by private persons for use in privately owned vehicles are tax exempt.

(c) Any possessions of the following substances are tax exempt:

- (i) alumina, natural gas, or petroleum coke,
- (ii) liquid fuel or fuel gas used in processing petroleum;

(iii) petroleum products that are exported for use or sale outside this state as fuel.

(iv) The exemption for possessions of petroleum products for export sale or use as fuel may be taken by any person within the chain of distribution of such products in this state. To perfect its entitlement to this exemption the person possessing such substance(s) must take from its buyer or transferee of the substance(s) a written certification in substantially the following form:

Certificate of Tax Exempt Export Petroleum Products

I hereby certify that the petroleum products specified herein, purchased by or transferred to the undersigned, from (seller or transferor), are for export for use or sale outside Washington state as fuel. I will become liable for and pay any hazardous substance tax due upon all or any part of such products which are not so exported outside Washington state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion.

Registration No. _____ Type of Business _____
(If applicable)

Firm Name _____ Registered Name _____
(If different)

Authorized Signature _____

Title _____

Identity of Petroleum Product _____
(Kind and amount by volume)

Date _____

(v) Each successive possessor of such petroleum products must, in turn, take a certification in this form from any other person to whom such petroleum products are sold or transferred in this state. Failure to take and keep such certifications as part of its permanent records will incur hazardous substance tax liability by such sellers or transferors of petroleum products.

(vi) Persons in possession of such petroleum products who themselves export or cause the exportation of such products to persons outside this state for further sale or use as fuel must keep the proofs of actual exportation required by WAC 458-20-193, Parts A or C. Example: Carriers who will purchase fuel in this state to be taken out of state in the fuel tanks of any ship, airplane, truck, or other carrier vehicle will provide their fuel suppliers with this certification. Then such carriers will directly report and pay the tax only upon the portion of such fuel actually consumed by them in this state. (With respect to fuel brought into this state in fuel tanks and partially consumed here, see the credit provisions of Part (5)(b) of this section.

(d) Persons or activities which the state is prohibited from taxing under the United States Constitution are tax exempt.

(i) This exemption extends to the U.S. Government, its agencies and instrumentalities, and to any possession the taxation of which has been expressly reserved or preempted under the laws of the United States.

(ii) The tax will not apply with respect to any possession of any hazardous substance purchased, extracted, produced or manufactured outside this state which is shipped or delivered into this state until the interstate transportation of such substance has finally ended in this state. Thus, out of state sellers or producers need not pay the tax on substances shipped directly to customers in this state. The customers must pay the tax upon their first possession unless otherwise expressly exempt.

(iii) Out of state sellers or producers will be subject to tax upon substances shipped or delivered to warehouses or other in state facilities owned, leased, or otherwise controlled by them.

(iv) However, the tax will not apply with respect to possessions of substances which are only temporarily stored or possessed in this state in connection with through, interstate movement of the substances from points of origin to points of destination both of which are outside of this state.

(e) Any possession of any hazardous substances which were already possessed before January 1, 1988 are tax exempt. This exemption extends to current inventories and stocks of hazardous substances on hand on January 1, 1988 when the tax first takes effect. The intent is that the hazardous substance tax has no retroactive application.

(i) It is the intent, under the law, that this exemption will apply to the substances throughout their succeeding chain of distribution, in the possession of any person, for the life of those substances. That is, hazardous substances already possessed as of December 31, 1987 will not incur tax liability in the possession of any person at any time.

(ii) Persons who already possess any hazardous substances on December 31, 1987 must use a first-in-first-out (FIFO) accounting method for depleting such supplies, supported by their purchase, sales, or transfer records.

(iii) Because this exemption will follow the hazardous substances into the possession of any subsequent or succeeding possessors, sellers of such exempt current inventory substances should provide their registered buyers in this state with the Certificate of Previously Taxed Hazardous Substance set forth in Part (15) of this section.

(5) Credits. There are three distinct kinds of tax credits against liability which are available under the law.

(a) A credit may be taken by any manufacturer or processor of a hazardous substance produced from ingredients or components which are themselves hazardous substances, and upon which the hazardous substance tax has been paid by the same person or is due for payment by the same person.

(i) Example. A manufacturer possesses hazardous chemicals which it combines to produce an acid which is also designated as a hazardous substance or product. When it reports the tax upon the wholesale value of the acid it may use a credit to offset the tax by the amount of tax it has already paid or reported upon the hazardous chemical ingredients or components. In this manner the intent of the law to tax hazardous substances only once is fulfilled.

(ii) Under circumstances where the hazardous ingredient and the hazardous end product are both possessed by the same person during the same tax reporting period, the tax on the respective substances must be computed and the former must be offset against the latter so that the tax return reflects the tax liability after the credit adjustment.

(iii) This credit may be taken only by manufacturers who have the first possession in this state of both the hazardous ingredients and the hazardous end product.

(b) A credit may be taken in the amount of the hazardous substance tax paid upon the value of fuel which is carried from this state in the fuel tank of any airplane, ship, truck, or other vehicle.

(i) The purpose of this credit is to extend the same tax exclusion which exists for exported fuel (part (4)(c) above) to fuel which is possessed and partly used in this state before crossing the boundaries of this state in any fuel tank attached to any transportation vehicle powered by such fuel.

(ii) The credit may be claimed only for the amount of tax actually paid on the fuel, not the amount representing the value of the fuel.

(iii) The nature of this credit is such that it generally has application only for interstate carriers whose fuel tanks contain fuel which was not first possessed by some other person in this state who paid the tax. The credit is limited to the person who carries the fuel from this state and cannot be claimed by any person who previously possessed the fuel in this state and paid the tax.

(iv) Interstate carriers who purchase fuel in this state do not require, and may not use this credit in respect to such locally purchased fuel. Instead, the export fuel exemption set forth at part (4)(c)(iii) will be used. Thus, this fuel-in-tanks credit is applicable only for fuel brought into this state in fuel tanks, part of which is then taken out of this state in the fuel tanks. The intent

is that the tax will apply only to so much of such fuel as is consumed by such carriers in this state.

(v) Example. An airline company enters this state with its fuel tanks partially full of fuel which has not been possessed and taxed earlier in this state. The fuel in the tanks is, therefore, first possessed in this state by the airline company, has not been previously taxed, and the possession is not expressly tax exempt. Only the amount of fuel actually used in this state is subject to the tax because this credit may be taken for the tax paid on the portion of fuel allocated to use after the airplane exits this state.

(c) A credit may be taken against the tax owed in this state in the amount of any other state's hazardous substance tax which has been paid by the same person measured by the wholesale value of the same hazardous substance.

(i) In order for this credit to apply, the other state's tax must be significantly similar to Washington's tax in all its various respects. The taxable incident must be possessing the substance; the tax purpose must be that the substance is hazardous; and the tax measure must be stated in terms of the wholesale value of the substance, without deductions for costs of doing business, such that the other state's tax does not constitute an income tax or added value tax.

(ii) This credit may be taken for the amount of any other state's qualifying tax which has actually been paid either before or after Washington State's tax is paid.

(iii) The amount of credit is limited to the amount of tax paid in this state upon possession of the same hazardous substance in this state. Also, the credit may not be applied against any tax paid or owed in this state other than the hazardous substance tax imposed by RCW 82.22.030.

(iv) Exchange agreements under which hazardous substances or products possessed in this state are exchanged through any accounts crediting system with like substances possessed in other states do not qualify for this credit. The substance taxed in another state, and for which this credit is sought, must be actually, physically possessed in this state.

(v) Persons claiming this credit must maintain records necessary to verify that the credit taking qualifications have been met. See WAC 458-20-19301, part (9) for recordkeeping requirements. The department of revenue will publish an Excise Tax Bulletin listing other states' taxes which qualify for this credit.

(6) Newly defined hazardous substances. The Director of Ecology may identify and designate things as being hazardous substances after January 1, 1988. Also, things designated as hazardous substances may be deleted from this definition. Such actions are done by the adoption and subsequent periodic amendments to rules of the Department of Ecology under the Washington Administrative Code.

(a) The law allows the addition or deletion of substances as hazardous by rule amendments, no more often than twice in any calendar year.

(b) When such definitions are changed, they do not take effect for tax purposes until the first day of the following month which is at least thirty days after the effective date of rule action by the Department of Ecology.

(i) Example. The Department of Ecology adopts or amends the rule by adding a new substance and the effective date of the amendment is January 15. Possession of the substance does not become taxable until March 1.

(ii) The exemption for current inventories and stocks on hand explained at part (5)(e) of this section does not apply to possessions of hazardous substances newly added by rule. The tax is owed by any person who has possession of the newly designated hazardous substance upon the tax effective date as explained herein. It is immaterial that the person in possession on that date was not the first person in possession of the substance in this state before it was designated as hazardous.

(7) Recurrent tax liability. It is the intent of the law that all hazardous substances possessed in this state should incur this tax liability only once unless they are expressly exempt. This is true of hazardous ingredients of products as well as the manufactured end product itself, if designated as a hazardous substance. The exemption for previously taxed hazardous substances does not apply to "products" which have been manufactured or remanufactured simply because an ingredient or ingredients of that product may have already been taxed when possessed by the manufacturer. Instead of an exemption, manufacturers in possession of both the hazardous ingredient(s) and end product(s) should use the credit provision explained at Part (5)(a) of this section.

(a) However, the term "product" is defined to mean only an item or items which contain a combination of both hazardous substance(s) and non-hazardous substance(s). The term does not include combinations of only hazardous substances. Thus, possessions of substances produced by combining other hazardous substances upon all of which the tax has previously been paid will not again be taxable.

(b) When any hazardous substance(s) is first produced during and because of any physical combination or chemical reaction which occurs in a manufacturing or processing activity, the intermediate possession of such substance(s) within the manufacturing or processing plant is not considered a taxable possession if the substance(s) becomes a component or ingredient of the product being manufactured or processed or is otherwise consumed during the manufacturing or processing activity.

(i) However, when any intermediate hazardous substance is first produced during a manufacturing or processing activity and is withdrawn for sale or transfer outside of the manufacturing or processing plant, a taxable first possession occurs.

(c) Concentrations or dilutions for shipment or storage. The mere addition or withdrawal of water or other nonhazardous substances to or from hazardous substances designated under CERCLA or FIFRA for the sole purpose of transportation, storage, or the later manufacturing use of such substances does not result in any new hazardous product.

(8) *How and when to pay tax.* The tax must be reported on a special line of the combined excise tax return designated "hazardous substances." It is due for payment together with the timely filing of the return upon which it is reported, covering the tax reporting period during which the hazardous substance(s) is first possessed within this state. Any person who is not expressly exempt of the tax and who possesses any hazardous substance in this state, without having proof that the tax has previously been paid on that substance, must report and pay the tax.

(a) It may be that the person who purchases a hazardous substance will not have billing information from which to determine the wholesale value of the substance when the tax return for the period of possession is due. In such cases the tax is due for payment no later than the next regular reporting due date following the reporting period in which the substance(s) is first possessed.

(b) The taxable incident or event is the possession of the substance. Tax is due for payment by the purchaser of any hazardous substance whether or not the purchase price has been paid in part or in full.

(c) *Special provision for manufacturers, refiners, and processors.* Because it is not possible to know, at the time of first possession in this state, whether a hazardous substance may be used or sold in a manner which would entitle the first possession to tax exemption, manufacturers, refiners, and processors who possess hazardous substances are required to report the tax and take any available exemptions and credits only at the time that such hazardous substances are withdrawn from storage for purposes of their sale, transfer, remanufacture, or consumption.

(9) *How and when to claim credits.* Credits should be claimed and offset against tax liability reported on the same excise tax return when possible. The tax return form provides a line for reporting tax on hazardous substances and a line for taking credits as an offset against the tax reported. It is not required that any documents or other evidences of entitlement to credits be submitted with the report. Such proofs must be retained in permanent records for the purpose of verification of credits taken.

(10) *Successive possessions of the same hazardous substance.* The law provides that the department of revenue may collect the tax from any person who has had possession of a hazardous substance in this state, if the tax has not already been paid by any person. The law also provides that the tax measure, wholesale value, should be as uniform as possible throughout the chain of possession. Wholesale value is determined by the wholesale selling price.

(a) When tax is collected by the department from any person having successive possession of a substance, because no tax was previously paid on that same substance, the wholesale selling price means the price paid to any manufacturer or wholesaler who first had possession in this state.

(b) In determining this wholesale selling price, the charges for shipping, delivery, warehousing, or any other such charges representing cost increments accrued after the first wholesale sale in this state are not included.

Thus, the tax collected from any person having successive possession should be no greater than what the tax would have been if collected from the person who had first possession of the substance in this state.

(11) *Formulary or percentage tax reporting.* The law provides that when the burden of the tax falls upon retailers, when they are the first persons in possession in this state, the tax burden should be equal to the same burden when it falls upon manufacturers or first level wholesalers earlier in the distribution chain. Because the tax measure is the wholesale value of the substance when first possessed in this state, that measure should remain constant regardless of who is the first person in possession. This is true even when the first person in possession is a retailer or any other purchaser or transferee of a hazardous substance from any out-of-state seller or transferor other than the out of state manufacturer of the substance.

(a) It may be that the retailer or other importer first in possession will not have access to records reflecting the manufacturer's wholesale value of a hazardous substance. RCW 82.22.030 provides that in such cases the tax may be imposed upon a "percentage of sales" for any class of retailer so as to equalize the tax burden for all persons in possession of hazardous substances. Therefore, in order to derive a tax measure which will reasonably approximate the manufacturer's wholesale selling price, retailers or other importers who are first persons in possession of hazardous substances in this state may report and pay the tax under one of the following methods:

(i) measured by manufacturer's wholesale value as shown upon any actual accounting records available; or,

(ii) measured by sixty percent (60%) of gross receipts from retail sales of hazardous substances which have not been previously taxed; or,

(iii) measured by the possessor's cost, less twenty percent (20%), of all such substances not previously taxed; or,

(iv) under circumstances where none of the above methods fairly reflects what the wholesale value would have been at the time and place of first possession by a manufacturer in this state, then the retailer may submit a percentage of sales formula for prior approval by the department of revenue.

(v) It is not the intent of these formulary tax measurement provisions to derive any tax measure below or less than the manufacturer's wholesale value.

(b) *Special provision for consumer/first possessors.* Under circumstances where the consumer is the first person in possession of any non-exempt hazardous substance (e.g., substances imported by the consumer), or where the consumer is the person who must pay the tax upon substances previously possessed in this state (fuel purchased for export in fuel tanks) the consumer's tax measure will be sixty percent (60%) of its retail purchase price. This provision, again, is intended to equalize the tax measure for all taxable persons possessing hazardous substances.

(12) *Hazardous substances or products on consignment.* Consignees who possess hazardous substances or products in this state with the power to sell such things,

in their own name or on behalf of a disclosed or undisclosed consignor are liable for payment of the tax. The exemption for previously taxed substances is available for such consignees only if the consignors have paid the tax and the consignee has retained the certification or other proof of previous tax payment referred to in part (4)(i) and (ii) of this section. Possession of consigned hazardous substances by a consignee does not constitute constructive possession by the consignor.

(13) Hazardous substances untraceable to source. Various circumstances may arise whereby a person will possess hazardous substances in this state, some of which have been previously taxed in this or other states and some of which may not. In such cases the formulary tax reporting of part (11) of this section may be used, including the request for a special ruling by the department of revenue.

(a) Example. Fungible petroleum products from sources both within and outside this state are commingled in common storage facilities. Formulary reporting is appropriate based upon volume percentages reflecting the ratio of in-state production to out-of-state production or other form of acquisition.

(14) Administrative provisions. The provisions of chapter 82.32 RCW regarding due dates, reporting periods, tax return requirements, interest and penalties, tax audits and limitations, disputes and appeals, and all such general administrative provisions apply equally to the hazardous substance tax. Special requested rulings covering unique circumstances generally will be issued within sixty days from the date upon which complete information is provided to the department of revenue.

(15) Certification of previously taxed hazardous substance. Certification that the hazardous substance tax has already been paid by a person previously in possession of the substance(s) may be taken in substantially the following form:

I hereby certify that this purchase - all purchases of _____ (omit one) _____ by _____ (identify substance(s) purchased) (name of purchaser) who possesses registration no. _____ (buyer's number, if registered)

consists of the purchase of hazardous substance(s) or product(s) upon which the tax imposed by RCW 82.22.030 has been paid in full by a person previously in possession of the substance(s) or product(s) in this state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion, and with the full knowledge and agreement that the undersigned hereby assumes any liability for hazardous substance tax which has not been previously paid because of possession of the hazardous substance(s) or product(s) identified herein.

- The registered seller named below personally paid the tax upon possession of the hazardous substances.
— A person in possession of the hazardous substances prior to the possession of the registered seller named below paid the tax.
(Check the appropriate line.)

Name of registered seller _____ Registration No. _____
Firm name _____ Address _____
Type of business _____
Authorized signature _____ Title _____
Date _____

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 88-02-012
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed December 29, 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 hazardous substance tax, new section WAC 458-20-252.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 26, 1988.

The authority under which these rules are proposed is RCW 82.32.300.

The specific statute these rules are intended to implement is all of chapter 82.22 RCW consisting of five separate sections, RCW 82.22.010 through 82.22.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Friday, February 19, 1988.

This notice is connected to and continues the matter in Notice No. WSR 87-23-059 filed with the code reviser's office on November 18, 1987.

Dated: December 29, 1987
By: Greg Pierce
Deputy Director

NEW SECTION

WAC 458-20-252 HAZARDOUS SUBSTANCE TAX. (1) Introduction. Under the provisions of chapter 82.22 RCW a hazardous substance tax is imposed, effective January 1, 1988, upon the wholesale value of certain substances and products, with specific credits and exemptions provided. This tax is an excise tax upon the privilege of possessing hazardous substances or products in this state. It is imposed in addition to all other taxes of an excise or property tax nature and is not in lieu of any other such taxes.

(a) RCW 82.22.020 defines certain specific substances as being hazardous and includes other substances by reference to Federal legislation governing such things. It also provides authority to the director of the State Department of Ecology to designate any substances or products as hazardous which could present a threat to human health or the environment. The Department of Ecology, by duly published rule, defines and enumerates hazardous substances and products and otherwise administers the provisions of the law relating to hazardous and toxic or dangerous materials, waste, disposal, cleanup, remedial actions, and monitoring. (See Chapter 173-340 of the Washington Administrative Code).

(b) Chapter 82.22 RCW consists of the tax provisions relating to hazardous substances and products which are administered exclusively under this section. The tax provisions relate exclusively to the possession of hazardous substances and products. The tax provisions do not relate to waste, releases or spills of any materials, cleanup, compensation, or liability for such things, nor does tax liability under the law depend upon such factors. The incidence or privilege which incurs tax liability is simply the possession of the hazardous substance or product,

whether or not such possession actually causes any hazardous or dangerous circumstance.

(c) The hazardous substance tax is imposed upon any possession of a hazardous substance or product in this state by any person who is not expressly exempt of the tax. However, it is the intent of the law that the economic burden of the tax should fall upon the first such possession in this state. Therefore, the law provides that if the tax has not been paid upon any hazardous substance or product the department may collect the tax from any person who has had possession. The amount of tax paid then constitutes a debt owed by the first person having had taxable possession to the person who pays the tax. The provisions of parts (10) and (11) of this section reduce the tax payment obligations of successive possessors of hazardous substances and products to the greatest extent allowable under the law.

(2) Definitions. For purposes of this section the following terms will apply.

(a) "Tax" means the hazardous substance tax imposed by RCW 82.22.030.

(b) "Hazardous substance" means anything designated as such by the provisions of WAC 173-340, administered by the State Department of Ecology, as adopted and thereafter amended. In addition, the law defines this term to include:

(i) any substance that, on January 1, 1988, is a hazardous substance under section 101(14) of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by Public Law 99-499. These substances consist of chemicals and elements in their purest form. Products containing CERCLA chemicals and/or elements as ingredients will not be taxable unless specifically designated as hazardous substances by the Department of Ecology.

(ii) petroleum products (further defined below);

(iii) pesticide products required to be registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); and

(iv) anything else enumerated as a hazardous substance in Chapter 173-340 WAC by the Department of Ecology.

(v) Until April 1, 1988, "hazardous substance" does not include substances or products packaged as a household product and distributed for domestic use.

(c) "Product(s)" means any item(s) containing a combination of ingredients, some of which are hazardous substances and some of which are not hazardous substances.

(d) "Petroleum product" means any plant condensate, lubricating oil, gasoline, aviation fuel, kerosene, diesel motor fuel, benzol, fuel oil, asphalt base, liquified or liquefiable gases, such as butane, ethane and propane, and every other product derived from the refining of crude oil, but the term does not include crude oil.

(i) The term "derived from the refining of crude oil" as used herein, means produced because of and during petroleum processing. "Petroleum processing" includes all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to crude oil or any byproduct of crude oil so that as a result thereof a fuel or lubricant is produced for sale or commercial or industrial use. "Fuel" includes all combustible gases and liquids suitable for the generation of energy. The term "derived from the refining of crude oil" does not mean petroleum products which are manufactured from refined oil derivatives, such as petroleum jellies, cleaning solvents, asphalt paving, etc. Such further manufactured products become hazardous substances only when expressly so designated by the Director of Ecology.

(e) "Possession" means control of a hazardous substance located within this state and includes both actual and constructive possession.

(i) "Control" means the power to sell or use a hazardous substance or to authorize the sale or use by another.

(ii) "Actual possession" occurs when the person with control has physical possession.

(iii) "Constructive possession" occurs when the person with control does not have physical possession.

(f) "Previously taxed hazardous substance" means a hazardous substance upon which the tax has been paid and which has not been remanufactured or reprocessed in any manner.

(i) Remanufacturing or reprocessing does not include the mere repackaging or recycling for beneficial reuse. Rather, these terms embrace activities of a commercial or industrial nature involving the application of skill or labor by hand or machinery so that as a result, a new or different substance or product is produced.

(ii) "Recycling for beneficial reuse" means the recapturing of any used substance or product, for the sole purpose of extending the useful life of the original substance or product in its previously taxed form,

without adding any new, different, or additional ingredient or component.

(iii) Example: Used motor oil drained from a crankcase, filtered, and containerized for reuse is not remanufactured or reprocessed. If the tax was paid on possession of the oil before use, the used oil is a previously taxed substance.

(iv) Possessions of used hazardous substances by persons who merely operate recycling centers or collection stations and who do not reprocess or remanufacture the used substances are not taxable possessions.

(g) "Wholesale value" is the tax measure or base. It means:

(i) the price paid by a wholesaler or retailer to a manufacturer, or

(ii) the price paid by a retailer to a wholesaler when the price represents the value at the time of first possession in this state.

(iii) In cases where no sale has occurred, wholesale value means the fair market wholesale value, determined as nearly as possible according to the wholesale selling price at the place of use of similar substances of like quality and character. In such cases the wholesale value shall be the "value of the products" as determined under the alternate methods set forth in WAC 458-20-112.

(iv) It is the intent of the law that the "wholesale value," which is the tax measure, should be as uniform and constant as possible throughout the chain of distribution from manufacture to retail sale. For special tax reporting formulas for retailers, see Part (11) of this section.

(h) "Selling price" means consideration of any kind expressed in terms of money paid or delivered by a buyer to a seller, without any deductions for any costs whatsoever. Bona fide discounts actually granted to a buyer result in reductions in the selling price rather than deductions.

(i) "State," for purposes of the credit provisions of the hazardous substance tax, means:

(i) the state of Washington,

(ii) states of the United States or any political subdivisions of such other states,

(iii) the District of Columbia,

(iv) territories and possessions of the United States,

(v) any foreign country or political subdivision thereof.

(j) "Person" means any natural or artificial person, including a business organization of any kind, and has the further meaning defined in RCW 82.04.030.

(i) The term "natural person," for purposes of the tax exemption provided by RCW 82.22.040(2) regarding substances used for personal or domestic purposes, means human beings in a private, as opposed to a business sense.

(k) Except as otherwise expressly defined in this section, the definitions of terms provided in chapters 82.04, 82.08, and 82.12 RCW apply equally for this section. Other terms not expressly defined in these chapters or this section are to be given their common and ordinary meanings.

(3) Tax rate and measure. The tax is imposed upon the privilege of possessing hazardous substances in this state. The tax rate is eight tenths of one percent (.008). The tax measure or base is the wholesale value of the substance, as defined herein.

(4) Exemptions. The following are expressly exempt from the tax:

(a) Any successive possessions of any previously taxed hazardous substances are tax exempt.

(i) Any person who possesses a hazardous substance which has been acquired from any other person who is registered with the department of revenue and doing business in this state may take a written statement certifying that the tax has been previously paid. Such certifications must be taken in good faith and must be in the form provided in the last part of this section. Blanket certifications may be taken, as appropriate, which must be renewed at intervals not to exceed four years. These certifications may be used for any single hazardous substance or any broad classification of hazardous substances, e.g., "all chemicals."

(ii) In the absence of taking such certifications, the person who possesses any hazardous substance must prove that it purchased or otherwise acquired the substance from a previous possessor in this state and that the tax has been paid.

(iii) This exemption for taxes previously paid is available for any person in successive possession of a taxed hazardous substance even though the previous payment may have been satisfied by the use of credits or offsets available to the previous person in possession.

(iv) Example. Company A brings a substance into this state upon which it has paid a similar hazardous substance tax in another state. Company A takes a credit against its Washington tax liability in the amount of the other state's tax paid. It then sells the substance to

Company B, and provides Company B with a Certificate of Previously Taxed Substance. Company B's possession is tax exempt even though Company A has not directly paid Washington's tax but has used a credit against its Washington liability.

(b) Any possession of a hazardous substance by a natural person for use of a personal or domestic nature rather than a business nature is tax exempt.

(i) This exemption extends to relatives, as well as other natural persons who reside with the person possessing the substance, and also to regular employees of that person who use the substance for the benefit of that person.

(ii) This exemption does not extend to possessions by any independent contractors hired by natural persons, which contractors themselves provide the hazardous substance.

(iii) Examples: Possessions of spray materials by an employee-gardener or soaps and cleaning solvents by an employee-domestic servant, when such substances are provided by the natural person for whose domestic benefit such things are used, are tax exempt. Also, possessions of fuel by private persons for use in privately owned vehicles are tax exempt.

(c) Any possessions of the following substances are tax exempt:

(i) alumina, natural gas, or petroleum coke;

(ii) liquid fuel or fuel gas used in processing petroleum;

(iii) petroleum products that are exported for use or sale outside this state as fuel.

(iv) The exemption for possessions of petroleum products for export sale or use as fuel may be taken by any person within the chain of distribution of such products in this state. To perfect its entitlement to this exemption the person possessing such substance(s) must take from its buyer or transferee of the substance(s) a written certification in substantially the following form:

Certificate of Tax Exempt Export Petroleum Products

I hereby certify that the petroleum products specified herein, purchased by or transferred to the undersigned, from (seller or transferor), are for export for use or sale outside Washington state as fuel. I will become liable for and pay any hazardous substance tax due upon all or any part of such products which are not so exported outside Washington state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion.

Registration No. _____ Type of Business _____
(If applicable)

Firm Name _____ Registered Name _____
(If different)

Authorized Signature _____

Title _____

Identity of Petroleum Product _____
(Kind and amount by volume)

Date _____

(v) Each successive possessor of such petroleum products must, in turn, take a certification in this form from any other person to whom such petroleum products are sold or transferred in this state. Failure to take and keep such certifications as part of its permanent records will incur hazardous substance tax liability by such sellers or transferors of petroleum products.

(vi) Persons in possession of such petroleum products who themselves export or cause the exportation of such products to persons outside this state for further sale or use as fuel must keep the proofs of actual exportation required by WAC 458-20-193, Parts A or C. Example: Carriers who will purchase fuel in this state to be taken out of state in the fuel tanks of any ship, airplane, truck, or other carrier vehicle will provide their fuel suppliers with this certification. Then such carriers will directly report and pay the tax only upon the portion of such fuel actually consumed by them in this state. (With respect to fuel brought into this state in fuel tanks and partially consumed here, see the credit provisions of Part (5)(b) of this section.

(d) Persons or activities which the state is prohibited from taxing under the United States Constitution are tax exempt.

(i) This exemption extends to the U.S. Government, its agencies and instrumentalities, and to any possession the taxation of which has been expressly reserved or preempted under the laws of the United States.

(ii) The tax will not apply with respect to any possession of any hazardous substance purchased, extracted, produced or manufactured outside this state which is shipped or delivered into this state until the

interstate transportation of such substance has finally ended in this state. Thus, out of state sellers or producers need not pay the tax on substances shipped directly to customers in this state. The customers must pay the tax upon their first possession unless otherwise expressly exempt.

(iii) Out of state sellers or producers will be subject to tax upon substances shipped or delivered to warehouses or other in state facilities owned, leased, or otherwise controlled by them.

(iv) However, the tax will not apply with respect to possessions of substances which are only temporarily stored or possessed in this state in connection with through, interstate movement of the substances from points of origin to points of destination both of which are outside of this state.

(e) Any possession of any hazardous substances which were already possessed before January 1, 1988 are tax exempt. This exemption extends to current inventories and stocks of hazardous substances on hand on January 1, 1988 when the tax first takes effect. The intent is that the hazardous substance tax has no retroactive application.

(i) It is the intent, under the law, that this exemption will apply to the substances throughout their succeeding chain of distribution, in the possession of any person, for the life of those substances. That is, hazardous substances already possessed as of December 31, 1987 will not incur tax liability in the possession of any person at any time.

(ii) Persons who already possess any hazardous substances on December 31, 1987 must use a first-in-first-out (FIFO) accounting method for depleting such supplies, supported by their purchase, sales, or transfer records.

(iii) Because this exemption will follow the hazardous substances into the possession of any subsequent or succeeding possessors, sellers of such exempt current inventory substances should provide their registered buyers in this state with the Certificate of Previously Taxed Hazardous Substance set forth in Part (15) of this section.

(5) Credits. There are three distinct kinds of tax credits against liability which are available under the law.

(a) A credit may be taken by any manufacturer or processor of a hazardous substance produced from ingredients or components which are themselves hazardous substances, and upon which the hazardous substance tax has been paid by the same person or is due for payment by the same person.

(i) Example. A manufacturer possesses hazardous chemicals which it combines to produce an acid which is also designated as a hazardous substance or product. When it reports the tax upon the wholesale value of the acid it may use a credit to offset the tax by the amount of tax it has already paid or reported upon the hazardous chemical ingredients or components. In this manner the intent of the law to tax hazardous substances only once is fulfilled.

(ii) Under circumstances where the hazardous ingredient and the hazardous end product are both possessed by the same person during the same tax reporting period, the tax on the respective substances must be computed and the former must be offset against the latter so that the tax return reflects the tax liability after the credit adjustment.

(iii) This credit may be taken only by manufacturers who have the first possession in this state of both the hazardous ingredients and the hazardous end product.

(b) A credit may be taken in the amount of the hazardous substance tax paid upon the value of fuel which is carried from this state in the fuel tank of any airplane, ship, truck, or other vehicle.

(i) The purpose of this credit is to extend the same tax exclusion which exists for exported fuel (part (4)(c) above) to fuel which is possessed and partly used in this state before crossing the boundaries of this state in any fuel tank attached to any transportation vehicle powered by such fuel.

(ii) The credit may be claimed only for the amount of tax actually paid on the fuel, not the amount representing the value of the fuel.

(iii) The nature of this credit is such that it generally has application only for interstate carriers whose fuel tanks contain fuel which was not first possessed by some other person in this state who paid the tax. The credit is limited to the person who carries the fuel from this state and cannot be claimed by any person who previously possessed the fuel in this state and paid the tax.

(iv) Interstate carriers who purchase fuel in this state do not require, and may not use this credit in respect to such locally purchased fuel. Instead, the export fuel exemption set forth at part (4)(c)(iii) will be used. Thus, this fuel-in-tanks credit is applicable only for fuel brought into this state in fuel tanks, part of which is then taken out of this state in the fuel tanks. The intent is that the tax will apply only to so much of such fuel as is consumed by such carriers in this state.

(v) Example. An airline company enters this state with its fuel tanks partially full of fuel which has not been possessed and taxed earlier in this state. The fuel in the tanks is, therefore, first possessed in this state by the airline company, has not been previously taxed, and the possession is not expressly tax exempt. Only the amount of fuel actually used in this state is subject to the tax because this credit may be taken for the tax paid on the portion of fuel allocated to use after the airplane exits this state.

(c) A credit may be taken against the tax owed in this state in the amount of any other state's hazardous substance tax which has been paid by the same person measured by the wholesale value of the same hazardous substance.

(i) In order for this credit to apply, the other state's tax must be significantly similar to Washington's tax in all its various respects. The taxable incident must be possessing the substance; the tax purpose must be that the substance is hazardous; and the tax measure must be stated in terms of the wholesale value of the substance, without deductions for costs of doing business, such that the other state's tax does not constitute an income tax or added value tax.

(ii) This credit may be taken for the amount of any other state's qualifying tax which has actually been paid either before or after Washington State's tax is paid.

(iii) The amount of credit is limited to the amount of tax paid in this state upon possession of the same hazardous substance in this state. Also, the credit may not be applied against any tax paid or owed in this state other than the hazardous substance tax imposed by RCW 82.22.030.

(iv) Exchange agreements under which hazardous substances or products possessed in this state are exchanged through any accounts crediting system with like substances possessed in other states do not qualify for this credit. The substance taxed in another state, and for which this credit is sought, must be actually, physically possessed in this state.

(v) Persons claiming this credit must maintain records necessary to verify that the credit taking qualifications have been met. See WAC 458-20-19301, part (9) for recordkeeping requirements. The department of revenue will publish an Excise Tax Bulletin listing other states' taxes which qualify for this credit.

(6) Newly defined hazardous substances. The Director of Ecology may identify and designate things as being hazardous substances after January 1, 1988. Also, things designated as hazardous substances may be deleted from this definition. Such actions are done by the adoption and subsequent periodic amendments to rules of the Department of Ecology under the Washington Administrative Code.

(a) The law allows the addition or deletion of substances as hazardous by rule amendments, no more often than twice in any calendar year.

(b) When such definitions are changed, they do not take effect for tax purposes until the first day of the following month which is at least thirty days after the effective date of rule action by the Department of Ecology.

(i) Example. The Department of Ecology adopts or amends the rule by adding a new substance and the effective date of the amendment is January 15. Possession of the substance does not become taxable until March 1.

(ii) The exemption for current inventories and stocks on hand explained at part (5)(e) of this section does not apply to possessions of hazardous substances newly added by rule. The tax is owed by any person who has possession of the newly designated hazardous substance upon the tax effective date as explained herein. It is immaterial that the person in possession on that date was not the first person in possession of the substance in this state before it was designated as hazardous.

(7) Recurrent tax liability. It is the intent of the law that all hazardous substances possessed in this state should incur this tax liability only once unless they are expressly exempt. This is true of hazardous ingredients of products as well as the manufactured end product itself, if designated as a hazardous substance. The exemption for previously taxed hazardous substances does not apply to "products" which have been manufactured or remanufactured simply because an ingredient or ingredients of that product may have already been taxed when possessed by the manufacturer. Instead of an exemption, manufacturers in possession of both the hazardous ingredient(s) and end product(s) should use the credit provision explained at Part (5)(a) of this section.

(a) However, the term "product" is defined to mean only an item or items which contain a combination of both hazardous substance(s) and non-hazardous substance(s). The term does not include combinations

of only hazardous substances. Thus, possessions of substances produced by combining other hazardous substances upon all of which the tax has previously been paid will not again be taxable.

(b) When any hazardous substance(s) is first produced during and because of any physical combination or chemical reaction which occurs in a manufacturing or processing activity, the intermediate possession of such substance(s) within the manufacturing or processing plant is not considered a taxable possession if the substance(s) becomes a component or ingredient of the product being manufactured or processed or is otherwise consumed during the manufacturing or processing activity.

(i) However, when any intermediate hazardous substance is first produced during a manufacturing or processing activity and is withdrawn for sale or transfer outside of the manufacturing or processing plant, a taxable first possession occurs.

(c) Concentrations or dilutions for shipment or storage. The mere addition or withdrawal of water or other nonhazardous substances to or from hazardous substances designated under CERCLA or FIFRA for the sole purpose of transportation, storage, or the later manufacturing use of such substances does not result in any new hazardous product.

(8) How and when to pay tax. The tax must be reported on a special line of the combined excise tax return designated "hazardous substances." It is due for payment together with the timely filing of the return upon which it is reported, covering the tax reporting period during which the hazardous substance(s) is first possessed within this state. Any person who is not expressly exempt of the tax and who possesses any hazardous substance in this state, without having proof that the tax has previously been paid on that substance, must report and pay the tax.

(a) It may be that the person who purchases a hazardous substance will not have billing information from which to determine the wholesale value of the substance when the tax return for the period of possession is due. In such cases the tax is due for payment no later than the next regular reporting due date following the reporting period in which the substance(s) is first possessed.

(b) The taxable incident or event is the possession of the substance. Tax is due for payment by the purchaser of any hazardous substance whether or not the purchase price has been paid in part or in full.

(c) Special provision for manufacturers, refiners, and processors. Because it is not possible to know, at the time of first possession in this state, whether a hazardous substance may be used or sold in a manner which would entitle the first possession to tax exemption, manufacturers, refiners, and processors who possess hazardous substances are required to report the tax and take any available exemptions and credits only at the time that such hazardous substances are withdrawn from storage for purposes of their sale, transfer, remanufacture, or consumption.

(9) How and when to claim credits. Credits should be claimed and offset against tax liability reported on the same excise tax return when possible. The tax return form provides a line for reporting tax on hazardous substances and a line for taking credits as an offset against the tax reported. It is not required that any documents or other evidences of entitlement to credits be submitted with the report. Such proofs must be retained in permanent records for the purpose of verification of credits taken.

(10) Successive possessions of the same hazardous substance. The law provides that the department of revenue may collect the tax from any person who has had possession of a hazardous substance in this state, if the tax has not already been paid by any person. The law also provides that the tax measure, wholesale value, should be as uniform as possible throughout the chain of possession. Wholesale value is determined by the wholesale selling price.

(a) When tax is collected by the department from any person having successive possession of a substance, because no tax was previously paid on that same substance, the wholesale selling price means the price paid to any manufacturer or wholesaler who first had possession in this state.

(b) In determining this wholesale selling price, the charges for shipping, delivery, warehousing, or any other such charges representing cost increments accrued after the first wholesale sale in this state are not included. Thus, the tax collected from any person having successive possession should be no greater than what the tax would have been if collected from the person who had first possession of the substance in this state.

(11) Formulary or percentage tax reporting. The law provides that when the burden of the tax falls upon retailers, when they are the first

persons in possession in this state, the tax burden should be equal to the same burden when it falls upon manufacturers or first level wholesalers earlier in the distribution chain. Because the tax measure is the wholesale value of the substance when first possessed in this state, that measure should remain constant regardless of who is the first person in possession. This is true even when the first person in possession is a retailer or any other purchaser or transferee of a hazardous substance from any out-of-state seller or transferor other than the out of state manufacturer of the substance.

(a) It may be that the retailer or other importer first in possession will not have access to records reflecting the manufacturer's wholesale value of a hazardous substance. RCW 82.22.030 provides that in such cases the tax may be imposed upon a "percentage of sales" for any class of retailer so as to equalize the tax burden for all persons in possession of hazardous substances. Therefore, in order to derive a tax measure which will reasonably approximate the manufacturer's wholesale selling price, retailers or other importers who are first persons in possession of hazardous substances in this state may report and pay the tax under one of the following methods:

- (i) measured by manufacturer's wholesale value as shown upon any actual accounting records available; or,
- (ii) measured by sixty percent (60%) of gross receipts from retail sales of hazardous substances which have not been previously taxed; or,
- (iii) measured by the possessor's cost, less twenty percent (20%), of all such substances not previously taxed; or,
- (iv) under circumstances where none of the above methods fairly reflects what the wholesale value would have been at the time and place of first possession by a manufacturer in this state, then the retailer may submit a percentage of sales formula for prior approval by the department of revenue.

(v) It is not the intent of these formulary tax measurement provisions to derive any tax measure below or less than the manufacturer's wholesale value.

(b) Special provision for consumer/first possessors. Under circumstances where the consumer is the first person in possession of any non-exempt hazardous substance (e.g., substances imported by the consumer), or where the consumer is the person who must pay the tax upon substances previously possessed in this state (fuel purchased for export in fuel tanks) the consumer's tax measure will be sixty percent (60%) of its retail purchase price. This provision, again, is intended to equalize the tax measure for all taxable persons possessing hazardous substances.

(12) Hazardous substances or products on consignment. Consignees who possess hazardous substances or products in this state with the power to sell such things, in their own name or on behalf of a disclosed or undisclosed consignor are liable for payment of the tax. The exemption for previously taxed substances is available for such consignees only if the consignors have paid the tax and the consignee has retained the certification or other proof of previous tax payment referred to in part (4)(i) and (ii) of this section. Possession of consigned hazardous substances by a consignee does not constitute constructive possession by the consignor.

(13) Hazardous substances untraceable to source. Various circumstances may arise whereby a person will possess hazardous substances in this state, some of which have been previously taxed in this or other states and some of which may not. In such cases the formulary tax reporting of part (11) of this section may be used, including the request for a special ruling by the department of revenue.

(a) Example. Fungible petroleum products from sources both within and outside this state are commingled in common storage facilities. Formulary reporting is appropriate based upon volume percentages reflecting the ratio of in-state production to out-of-state production or other form of acquisition.

(14) Administrative provisions. The provisions of chapter 82.32 RCW regarding due dates, reporting periods, tax return requirements, interest and penalties, tax audits and limitations, disputes and appeals, and all such general administrative provisions apply equally to the hazardous substance tax. Special requested rulings covering unique circumstances generally will be issued within sixty days from the date upon which complete information is provided to the department of revenue.

(15) Certification of previously taxed hazardous substance. Certification that the hazardous substance tax has already been paid by a

person previously in possession of the substance(s) may be taken in substantially the following form:

I hereby certify that this purchase - all purchases of _____
 (omit one)
 _____ by _____
 (identify substance(s) purchased) (name of purchaser)
 who possesses registration no. _____
 (buyer's number, if registered)

consists of the purchase of hazardous substance(s) or product(s) upon which the tax imposed by RCW 82.22.030 has been paid in full by a person previously in possession of the substance(s) or product(s) in this state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion, and with the full knowledge and agreement that the undersigned hereby assumes any liability for hazardous substance tax which has not been previously paid because of possession of the hazardous substance(s) or product(s) identified herein.

— The registered seller named below personally paid the tax upon possession of the hazardous substances.

— A person in possession of the hazardous substances prior to the possession of the registered seller named below paid the tax. (Check the appropriate line.)

Name of registered seller _____ Registration No. _____
 Firm name _____ Address _____
 Type of business _____
 Authorized signature _____ Title _____
 Date _____

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 88-02-013
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
 [Memorandum—December 29, 1987]

This notice is given pursuant to provisions of RCW 42.03.075 [42.30.075] and WAC 222-08-040.

The Washington Forest Practices Board has rescheduled its regular quarterly meeting from February 10, 1988, to March 30, 1988, to be held beginning at 1:00 p.m. at the County Courthouse, 5th and Main, 2nd Floor, Ellensburg, Washington.

Additional information may be obtained from the Division of Forest Regulation and Assistance, 120 East Union Avenue, Room 109, EK-12, Olympia, WA 98504, (206) 753-5315.

WSR 88-02-014
EMERGENCY RULES
ATTORNEY GENERAL'S OFFICE
 [Order 87-5—Filed December 29, 1987]

I, Kenneth O. Eikenberry, Attorney General, do promulgate and adopt at Olympia, Washington, the annexed rules relating to chapter 19.118 RCW.

- New WAC 44-10-010 Definitions.
- New WAC 44-10-030 Arbitration requests.
- New WAC 44-10-100 Subpoenas.
- New WAC 44-10-120 Withdrawal.
- New WAC 44-10-140 Representation by counsel.

New WAC 44-10-150 Predecision settlement of dispute.
 New WAC 44-10-170 Powers and duties of arbitrators.

I, Kenneth O. Eikenberry, 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 chapter 19.118 RCW, commonly known as the Lemon Law, becomes effective on January 1, 1988, and mandates the administration of arbitration hearings. Rules are necessary for the uniform conduct of the arbitration hearings.

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

This rule is promulgated pursuant to RCW 19.118.180 (2) and (7) which directs that the Attorney General's Office has authority to implement the provisions of chapter 19.118 RCW.

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

APPROVED AND ADOPTED December 29, 1987.

By Kenneth O. Eikenberry
 Attorney General

NEW SECTION

WAC 44-10-010 DEFINITIONS. *Terms, when used in this chapter, shall have the same meaning as terms used in chapter 19.118 RCW. The following definitions shall supplement or aid in the interpretation of the definitions set forth in chapter 19.118 RCW.*

(1) *The phrase "Arbitration Service" means the agency, firm, board, organization, individual or other entity selected by the Attorney General through a Request For Proposal to conduct the arbitrations provided under chapter 19.118 RCW.*

(2) *The phrase "Arbitration Special Master" means the individual or group of individuals selected by the Arbitration Service to hear and decide special issues brought before the Arbitration Service by the parties.*

(3) *The terms "Attorney General" or "Attorney General's Office" means the person duly elected to serve as Attorney General of the State of Washington and delegates authorized to act on his or her behalf.*

(4) *The term "person" includes every natural person, firm, partnership, corporation, association, or organization.*

NEW SECTION

WAC 44-10-030 ARBITRATION REQUESTS. *A consumer must submit a completed Request For Arbitration form with copies of supporting documentation to the Attorney General's Office, Lemon Law Administration in Seattle, in order to apply for the new motor vehicle arbitration process. The Request For Arbitration form will be supplied, upon request, by the Attorney General's Office.*

NEW SECTION

WAC 44-10-100 SUBPOENAS. (1) *A subpoena issued by the Attorney General, pursuant to chapter 19.118 RCW, shall identify the party causing the issuance of the subpoena, designate that the subpoena is issued by the Attorney General pursuant to RCW 19.118.080, state the purpose of the proceeding and shall command the person to whom it is directed to produce designated books, documents, or things under his or her control at the time and place set in the subpoena.*

(2) *A subpoena may be served by any suitable person over 18 years of age, by exhibiting and reading it to the person, or by giving a copy of the subpoena, or by leaving such copy at the place of his or her abode. When service is made by any other person than an office authorized to serve process, proof of service shall be made by affidavit.*

(3) *A person to whom a subpoena is directed may move to quash the subpoena. The motion to quash must be accompanied by a short memorandum or statement setting forth the foundation for the motion. Upon motion made promptly, and in any event at or before the time specified in the subpoena for compliance, by the person to whom the subpoena is directed (and upon notice to the party by whom the subpoena was issued) the Arbitration Special Master may quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter at issue.*

(4) *Any objection to the production of evidence shall be treated as a motion to quash to be decided by the Arbitration Special Master.*

(5) *If a person fails to obey a subpoena, upheld by the Arbitration Special Master, the Attorney General may petition the superior court of the county where the hearing is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask for an order of the court to compel the production of relevant evidence for the arbitration hearing. The court upon such petition shall enter an order directing the person to appear before the court at a time and place to be fixed in such order and then and there to show cause why the person has not responded to the subpoena or has refused to comply. A copy of the order shall be served upon the person. If it appears to the court that the subpoena was properly issued and upheld by the Arbitration Special Master, the court shall enter an order that the person appear at the time and place fixed in the order and produce the required evidence, and on failing to obey said order the person shall be dealt with as for contempt of court.*

(6) *The Arbitration Service shall have three business days from the receipt of the Manufacturer's Statement to determine whether to submit a request from itself or the parties, to the Attorney General to issue a subpoena for the production of evidence. The person subject to the subpoena must comply or submit a motion to quash before the Arbitration Special Master within five business days of receipt of the subpoena. The Arbitration Special Master shall have five business days to hear and rule on*

a motion to quash. If the Arbitration Special Master upholds a subpoena the person shall have five business days to comply with the subpoena. If the person does not comply the Attorney General may bring a show cause motion in superior court.

NEW SECTION

WAC 44-10-120 WITHDRAWAL. (1) A consumer may withdraw a request for arbitration at any time;

(a) A withdrawal requested at least three business days prior to the scheduled hearing shall be granted without prejudice, although upon withdrawal, the thirty month statute of limitations shall resume running. A consumer who has withdrawn may resubmit the claim for arbitration. However, if the consumer withdraws the second request, the withdrawal shall be considered a withdrawal with prejudice, with the same effect as a withdrawal under WAC 44-10-120 (1)(b).

(b) A withdrawal requested less than three business days prior to the scheduled hearing shall be granted with prejudice and the consumer shall not be allowed to resubmit the claim for arbitration.

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 44-10-140 REPRESENTATION BY COUNSEL. (1) Any party to the arbitration hearing may be represented by counsel. If either party opts to be so represented, said party shall immediately notify the Arbitration Service and the other party of the name and address of the attorney.

(2) The consumer may be represented by himself or herself or by legal counsel, but may not be represented by a non-attorney. However, a person, acting as an interpreter, may assist a party in the presentation of the case if such assistance is necessary because of a mental or physical handicap or language barrier which would preclude the party from adequately representing himself or herself pro se.

(3) A manufacturer may be represented by legal counsel or an appointed representative or agent of the manufacturer.

NEW SECTION

WAC 44-10-150 PRE-DECISION SETTLEMENT OF DISPUTE. (1) One or both of the parties shall notify the Arbitration Service and Attorney General if the dispute is settled at any time after the Request For Arbitration is received and before the decision is rendered. The Attorney General shall verify the terms of the settlement to which the parties have agreed. The disclosure of terms is for statutorily required record keeping only. The settlement is not subject to approval by the Arbitration Service or the Attorney General.

(2) Notice of settlement shall be treated procedurally as if the consumer had withdrawn from the arbitration process, as set forth in WAC 44-10-120.

NEW SECTION

WAC 44-10-170 POWERS AND DUTIES OF ARBITRATORS. (1) Arbitrators shall have the duty to conduct fair and impartial hearings, to take all necessary actions to avoid delay in the disposition of proceedings, to maintain order, and to meet the sixty day time frame required by RCW 19.118.090 for the rendering of a decision. They shall have all powers necessary to meet these ends including, but not limited to, the power:

(a) To consider any and all evidence offered by the parties which the arbitrator deems necessary to an understanding and determination of the dispute;

(b) to request the Attorney General to issue subpoenas to compel the production of documents, records, and things relevant to the dispute;

(c) to regulate the course of the hearings and the conduct of the parties, their representatives and witnesses;

(d) to schedule vehicle inspection by the technical experts, if deemed necessary, at such time and place as the arbitrator determines;

(e) to continue the arbitration hearing to a subsequent date if, at the initial hearing, the arbitrator determines that additional information is necessary in order for said arbitrator to render a fair and accurate decision. Such continuance shall be held within ten calendar days of the initial hearing.

(2) Arbitrators shall maintain their impartiality throughout the course of the arbitration proceedings.

(a) An arbitrator shall sign a written oath prior to the commencement of each arbitration hearing to which he or she has been assigned, attesting to his or her impartiality in that case.

(b) There shall be no direct communication between the parties and the arbitrators other than at the arbitration hearing. Any other oral or written communications between the parties and the arbitrators shall be channeled through the Arbitration Service for transmittal to the appropriate arbitrator. Any such prohibited contact shall be reported by the arbitrators to the Arbitration Service and noted in the case record.

WSR 88-02-015

PROPOSED RULES

**UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed December 30, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to telecommunications companies, WAC 480-120-056. The proposed amendatory section is shown below as Appendix A, Cause No. U-87-1611-R. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendment on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 9:00 a.m., Wednesday, February 17, 1988, in the Commission's Hearing Room, Second Floor, 1300 South Evergreen Park Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 2, 1988.

The authority under which these rules are proposed is RCW 80.01.040 and 80.36.460.

The specific statute these rules are intended to implement is RCW 80.36.460.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 29, 1988.

Dated: December 29, 1987

By: Steve McLellan
for Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of amending WAC 480-120-056 relating to telecommunications companies.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040 and 80.36.460 which direct that the commission has authority to implement the provisions of chapter 80.36 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to amend existing rules pertaining to customer deposits to conform with and implement the requirements of section 7, chapter 229, Laws of 1987, as codified in RCW 80.36.460.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040 and 80.36.460.

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

The rule change proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-242, Cause No. U-85-56, filed 11/7/85)

WAC 480-120-056 DEPOSITS. (1) ~~((Establishment of credit—Residential. An applicant for residential service may establish credit by demonstrating to the utility any one of the following subparagraphs (a), (b), or (c), subject to the provisions of subsection (3) of this section:~~

~~(a) Prior service with the utility in question of at least twelve months duration, ending no longer than one year prior to the date of application if service was not disconnected for failure to pay and no more than two delinquency notices were served upon the customer, or~~

~~(b) Prior service with a utility of the same type as that of which service is sought for at least twelve consecutive months with a satisfactory payment record as demonstrated in (1)(a) of this subsection; PROVIDED, That the reference may be quickly and easily checked, and the necessary information is provided, or~~

~~(c) Demonstrate three of the credit factors from the following factors:~~

~~(i) Full-time consecutive employment, with no more than two employers, or a regular source of income during the entire twenty-four months prior to the application for service, and the applicant is currently employed or has a regular source of income; or the applicant has a permanent, regular source of income;~~

~~(ii) Ownership of the premises to be served;~~

~~(iii) Has a savings account;~~

~~(iv) Has been issued a major charge card;~~

~~(v) Has been issued a major oil charge card;~~

~~(vi) Has been issued a local charge card;~~

~~(2) Establishment of credit—)) Nonresidential deposit requirements. An applicant for nonresidential service may be required to demonstrate satisfactory credit by reasonable means appropriate under the circumstances.~~

~~((3)) (2) Residential deposit requirements. A deposit may be required under the following circumstances:~~

~~(a) ((Where the applicant has failed to establish a satisfactory credit history as outlined above:~~

~~(b) In any event;)) A deposit may be required when, within the twelve months prior to the application, the applicant's service of a similar type has been disconnected for failure to pay amounts owing, when due; where applicant has an unpaid, overdue balance owing for service from the ((utility)) telecommunications company to which application is being made or any other telecommunications company; or where ((three)) four or more delinquency notices have been served upon the applicant by any other telecommunications company during the twelve months previous to the application for service. The telecommunications company shall provide written notice to the subscriber upon issuance of the third delinquency notice that a deposit may be required should it be necessary to issue the fourth delinquency notice.~~

~~((c)) (b) Installation or continuation of service to a residence where a prior subscriber still resides and where any balance for such service to that prior subscriber is past due or owing.~~

~~((d)) (c) When a subscriber (i) is initially provided service without a deposit on the basis of ((credit)) information supplied to the ((utility)) telecommunications company by the subscriber which is incorrect ((or cannot be verified by the utility)) and the subscriber would have otherwise been required to make a deposit; or (ii) ((has on two or more occasions in the previous twelve months tendered payment of due amounts with checks which have been dishonored; or (iii)) has an unpaid, overdue balance owing for the same class of ((telephone)) service from the ((utility)) telecommunications company providing that service, or any other telecommunications company, which becomes known to the serving ((utility)) telecommunications company after current service has been provided; ((or (iv) has given the utility cause to disconnect for nonpayment, but the utility has elected not to disconnect service;)) or ((e)) (iii) has incurred excessive toll charges as defined in subsection ((4)) (3)(b) of this section and the subscriber has elected not to make full payment of all proper toll charges as provided in subsection ((4)) (3)(b) of this section.~~

~~((e)) (d) Any new or additional deposit required under authority of these rules, except as may be provided for elsewhere in these rules, is due and payable on the sixth business day after written notice of the deposit requirement is mailed to the subscriber, or, if personal service is elected, by 5 p.m. of the first business day following notification.~~

~~((f)) (3) Amount of deposit.~~

~~(a) In instances where a deposit may be required by the ((utility)) telecommunications company, the deposit shall not exceed:~~

~~(i) For nonresidential service, two-twelfths of estimated annual billings;~~

~~(ii) For residential service, two months customary utilization ((for applicants or subscribers with previous verifiable service, or two months new line billings for all other residential subscribers in a reasonable amount established in the tariffs of the utility, based upon data presented for commission review)).~~

(b) Subscribers whose toll charges exceed ~~((the estimated amount by twenty dollars or by twenty percent, whichever is greater))~~ thirty dollars, or whose toll charges exceed customary utilization over the previous six months by ~~((a like amount when no estimate has been taken, or whose estimated toll or customary utilization is not available and the toll charges exceed fifty percent of the two months new line billing for all utility subscribers of the same class of service as established in the tariffs of the utility))~~ twenty dollars or by twenty percent, whichever is greater, may be required, upon written or verbal notice to the subscriber, to make payment of either of the following in the subscriber's election, before the close of the next business day following receipt of the notice:

(i) Full payment of outstanding toll charges specified in said notice; or all toll charges accrued to the time of payment providing the subscriber has been notified that he or she is liable for toll charges in addition to those charges specified in the notice which come to the attention of the ~~((utility))~~ telecommunications company between the time of notice and of payment.

(ii) Payment of a new or additional deposit in light of the subscriber's actual use based upon two months customary utilization.

(c) If the notice herein described is mailed, receipt may be presumed open the forth business day following date of mailing.

(d) At the time application is made for service, the ~~((utility))~~ telecommunications company may request an estimate of the applicant's greatest monthly toll usage during the ensuing twelve months. When such an estimate is asked and given, the applicant for service shall be advised that if the estimate is exceeded by twenty dollars or twenty percent, whichever is greater, immediate payment may be required, a deposit or additional deposit may be required, or service may be disconnected.

~~(5) ((Application of deposits. When the account of a subscriber is delinquent any amount on deposit on that account may be applied by the utility towards satisfaction of the past due amount before disconnection is effected. Written notice of such application of the deposit shall be promptly furnished to the subscriber. If an amount on deposit is applied toward satisfaction of any past due amount, the utility may require of the subscriber an additional deposit in the amount so applied and, if applicable, payment of any past due amounts still owing after application of the deposit. Application of a deposit as provided for herein shall not prevent disconnection of service for failure by a subscriber to pay any past due amount which may remain outstanding.~~

~~(6))~~ (6)) Transfer of deposit. Where a subscriber of whom a deposit is required transfers ~~((his))~~ service to a new location within the same utility's service area, the deposit, less any outstanding balance, shall be transferable and applicable to the new service location.

~~((7))~~ (6) Interest on deposits. Interest on deposits held shall be accrued at a rate based upon a simple average of the effective interest rate for new issues of one year treasury bills, computed from December 1 of each year, continuing through November 30 of the following year. Deposits would earn that interest rate during January 1 through December 31 of the subsequent year. Interest shall be computed from the time of deposit to the time of refund or total application of the deposit and shall be compounded annually.

~~((8))~~ (7) Extended payment on deposit. Where a subscriber or applicant for service of whom a deposit is required is unable to pay the entire amount of the deposit in advance of installation or continuation of service, the subscriber or applicant shall be allowed to pay fifty percent of the deposit amount prior to installation or continuation of service, with the remaining amount payable in equal amounts on the ~~((utility's))~~ telecommunications company's ordinary billing cycle during the following two months of service. A subscriber or applicant for service unable to meet this deposit requirement shall have the opportunity to receive service under subsection ~~((9))~~ (8), alternative to deposit, of this section.

~~((9))~~ (8) Alternative to deposit. A residential subscriber or applicant for residential service of whom a deposit is required, but who is unable to make a deposit, shall be allowed, as an alternative to the making of a deposit, to furnish a satisfactory guarantor to secure payment of bills for service requested in a specified amount not to exceed the amount of deposit which may be required.

~~((10))~~ (9) Receipt. Where payment is made by cash, a receipt shall be furnished to each applicant or subscriber for the amount deposited.

~~((11))~~ (10) Refund of deposit. Deposits shall be refunded under the following circumstances in the following form:

(a) Satisfactory payment. Where the subscriber has for twelve consecutive months paid for service ~~((when))~~ in a prompt and satisfactory manner as evidenced by the following:

(i) The ~~((utility))~~ telecommunications company has not initiated disconnection proceedings against the subscriber.

(ii) No more than ~~((two))~~ three notices of delinquency have been made to the subscriber by the ~~((utility))~~ telecommunications company.

(b) Termination of service. Upon termination of service, the ~~((utility))~~ telecommunications company shall return to the subscriber the amount then on deposit plus accrued interest, less any amounts due the ~~((utility))~~ telecommunications company by the subscriber for service rendered.

(c) Refunds - how made. Any deposit, plus accrued interest, shall be refunded to the subscriber either in the form of a check issued and mailed to the subscriber no longer than fifteen days following completion of twelve months' satisfactory payment as described above, or applied to the subscriber's bill for service in the thirteenth and, if appropriate, subsequent months, in accordance with the preference as to ~~((of))~~ refund indicated by the subscriber at the time of deposit, or as thereafter modified.

~~((12))~~ (11) Should a larger or new deposit be required, the reasons therefor shall be specified in writing to the subscriber. Any requirement for a new or larger deposit shall be in conformity with the standards set forth in this ~~((rule))~~ section.

**WSR 88-02-016
EMERGENCY RULES
STATE PATROL**

[Order 87-12-A—Filed December 30, 1987]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, AX-12, Olympia, Washington 98504, the annexed rules relating to Washington State Patrol criminal records; implementing chapter 486, Laws of 1987.

I, George B. Tellevik, 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 chapter 486, Laws of 1987, directs that after January 1, 1988, the agency must furnish transcripts of conviction records of crimes against persons, disciplinary board final decisions, and civil adjudications to certain businesses or organizations, for specified purposes, upon written request. These rules are adopted as emergency rules in order to establish a uniform procedure for processing records, to establish safeguards, and ensure privacy and security without delaying these anticipated requests.

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

This rule is promulgated pursuant to RCW 43.43.838, section 5, chapter 486, Laws of 1987, which directs that the Washington State Patrol has authority to implement the provisions of RCW 43.43.838, chapter 486, Laws of 1987.

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 30, 1987.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 80-2, filed 7/1/80)

WAC 446-20-020 DEFINITIONS. (1) The definitions in RCW 10.97.030 shall apply to these regulations.

(2) "Nonconviction data" has the meaning set forth in RCW 10.97.030(2), but shall not include dismissals following a period of probation, or suspension, or deferral of sentence.

(3) "The administration of criminal justice" has the meaning set forth in RCW 10.97.030(6), but does not include crime prevention activities (if that is the sole function of the program or agency) or criminal defense activities.

(4) The definitions as enumerated in chapter 486, Laws of 1987, "AN ACT Relating to child and adult abuse information", shall apply whenever applicable in these regulations.

NEW SECTION

WAC 446-20-285 EMPLOYMENT—CONVICTION RECORDS; CHILD AND ADULT ABUSE INFORMATION. After January 1, 1988, certain child and adult abuse conviction information will be furnished by the state patrol upon the submission of a written request of any applicant, business or organization, the state board of education, or the department of social and health services. This information will consist of the following:

- (1) Certain crimes against persons;
- (2) Department of licensing disciplinary board final decisions of specific findings of physical or sexual abuse or exploitation of a child; and
- (3) Civil adjudications of child abuse.

This information will be furnished, consistent with the provisions of chapter 486, Laws of 1987, on an approved Request for Criminal History Information form available from the Washington State Patrol, P. O. Box 2527, Olympia, Washington, 98507-2527. Legible reproductions of this form will be allowable.

The state patrol shall also furnish any similar records maintained by the Federal Bureau of Investigation or records in custody of the National Crime Information Center, if available, subject to their policies and procedures regarding such dissemination.

(a) For positive identification, the Request for Criminal History Information form may be accompanied by fingerprint cards of a type specified by the Washington state patrol identification section, and shall contain a certification by the applicant, the business or organization; the state board of education; or the department of social and health services, that the information is being requested and will be used only for the purposes as enumerated in chapter 486, Laws of 1987.

(b) The business or organization making such request shall not make an inquiry to the Washington state patrol or an equivalent inquiry to a federal law enforcement agency unless the business or organization has notified

the applicant who has been offered a position as an employee or volunteer that an inquiry may be made.

(c) In the absence of fingerprint cards, the applicant may provide a right thumb fingerprint impression in the area provided on the Request for Criminal History Information form. In the event of a possible match, where the applicant's name and date of birth as submitted varies from that of the record contained by the identification section, this fingerprint impression will be used for verification of positive identification or nonidentification. An exact name and date of birth match will be required for dissemination of conviction information in the absence of a fingerprint card or thumbprint impression for positive identification or verification of record.

(d) After processing a properly completed Request for Criminal History Information form, if the conviction record, disciplinary board final decision, adjudication record, or equivalent response from a federal law enforcement agency shows no evidence of crimes against persons, an identification declaring the showing of no evidence shall be issued to the applicant by the state patrol within fourteen days of receipt of the request. Possession of such identification shall satisfy future background check requirements for the applicant.

(e) The business or organization shall notify the applicant of the state patrol's response within ten days after receipt by the business or organization. The employer shall provide a copy of the response to the applicant and shall notify the applicant of such availability.

(f) The business or organization shall be immune from civil liability for failure to request background information on a prospective employee or volunteer unless the failure to do so constitutes gross negligence.

AMENDATORY SECTION (Amending Order 82-5, filed 10/22/82)

WAC 446-20-290 FEES. (1) A nonrefundable fee of ten dollars shall accompany each ((fingerprint card)) request for conviction records submitted pursuant to chapter 202, Laws of 1982 and chapter 486, Laws of 1987, unless through prior arrangement an account is authorized and established. Fees are to be made payable to the "Washington State Patrol", and are to be remitted only by cashier's check, money order or established commercial checking account. The Washington state patrol identification section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of ((this chapter)) these chapters are recovered.

(2) Pursuant to provisions of chapter 486, Laws of 1987, no fees will be charged to a nonprofit organization, including school districts and educational school districts, for the request for conviction records.

AMENDATORY SECTION (Amending Order 82-5, filed 10/22/82)

WAC 446-20-300 PRIVACY—SECURITY. (1) All employers or prospective employers receiving conviction records pursuant to chapter 202, Laws of 1982, shall comply with the provisions of WAC 446-20-210

through 446-20-250 relating to privacy and security of the records.

(2) Businesses or organizations, the state board of education, and the department of social and health services receiving conviction records of crimes against persons, disciplinary board final decision information, or a civil adjudication record pursuant to chapter 486, Laws of 1987, shall comply with the provisions of WAC 446-20-210 through 446-20-250 relating to privacy and security of the records.

(a) The business or organization shall use this record only in making the initial employment or engagement decision. Further dissemination or use of the record is prohibited. A business or organization violating this prohibition is subject to civil action for damages.

(b) No employee of the state, employee of a business or organization, or the organization is liable for defamation, invasion of privacy, negligence, or any other claim in connection with any lawful dissemination of information under sections 1 through 6, chapter 486, Laws of 1987, or RCW 43.43.760.

AMENDATORY SECTION (Amending Order 82-5, filed 10/22/82)

WAC 446-20-310 AUDITS. (1) All employers or prospective employers receiving conviction records pursuant to chapter 202, Laws of 1982, shall comply with the provisions of WAC 446-20-260 through 446-20-270 relating to audit of the record keeping system.

(2) Businesses or organizations, the state board of education and the department of social and health services receiving conviction records of crimes against persons, disciplinary board final decision information or civil adjudication records pursuant to chapter 486, Laws of 1987, shall comply with the provisions of WAC 446-20-260 through 446-20-270 relating to audit of the record keeping system.

WSR 88-02-017

ADOPTED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Order 164—Filed December 30, 1987—Eff. February 1, 1988]

Be it resolved by the Higher Education Personnel Board, acting at Room L131, Terry Lander Hall, University of Washington, Seattle, Washington, that it does adopt the annexed rules relating to:

- Amd WAC 251-01-175 Final examination score.
- Amd WAC 251-01-335 Provisional appointment.
- Amd WAC 251-01-415 Temporary appointment.
- Amd WAC 251-01-435 Trial service.
- Amd WAC 251-04-040 Exemptions.
- Amd WAC 251-06-080 Position reallocation—Effect on incumbent.
- Amd WAC 251-08-100 Periodic increment date.
- Amd WAC 251-08-150 Salary—Conversion of exempt position.
- Amd WAC 251-10-030 Layoff.
- Amd WAC 251-10-035 Layoff—Special employment programs.
- Amd WAC 251-10-055 Layoff lists—Institution-wide.
- Amd WAC 251-10-195 Trial service reversion.
- Amd WAC 251-12-072 Appeals from eligibility determinations.
- Amd WAC 251-12-240 Burden of proof.
- Amd WAC 251-12-500 Relief from effect of board's order.

- Amd WAC 251-22-060 Vacation leave—Accrual.
- Amd WAC 251-24-050 Training—General provisions.

This action is taken pursuant to Notice No. WSR 87-21-091 filed with the code reviser on October 21, 1987. These rules shall take effect at a later date, such date being February 1, 1988.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

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

APPROVED AND ADOPTED December 4, 1987.

By John A. Spitz
Director

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-175 FINAL EXAMINATION SCORE. An applicant's final passing score on an examination, plus any veterans preference or other applicable credits added in accordance with WAC ((251-18-130)) 251-17-150 and/or 251-18-180 (10)(b).

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-335 PROVISIONAL APPOINTMENT. Appointment made prior to establishment of an eligible list, per the provisions of WAC ((251-18-300)) 251-19-030. A person so appointed is required to apply through the competitive process to be considered for the position on a permanent basis.

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-415 TEMPORARY APPOINTMENT. (1) Work performed in the absence of an employee on leave for:

(a) Less than ninety consecutive calendar days (WAC ((251-18-350)) 251-19-120(4));

(b) Ninety or more consecutive calendar days (WAC ((251-18-350)) 251-19-120(2)); or

(2) Formal assignment of the duties and responsibilities of a higher level class for a period of less than ninety consecutive calendar days; or

(3) Performance of extra work required at a work load peak, a special project, or a cyclic work load which does not exceed one hundred seventy-nine consecutive calendar days.

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-435 TRIAL SERVICE. The initial period of employment following promotion, transfer, demotion, or lateral movement into a class in which the employee has not held permanent status at the institution or related board, beginning with the effective date

of the change and continuing for six months, unless interrupted as provided in these rules or extended as provided in WAC ((251-18-330)) 251-19-060(6).

AMENDATORY SECTION (Amending Order 154, filed 1/2/87, effective 2/1/87)

WAC 251-04-040 EXEMPTIONS. The following classifications, positions, and employees of higher education institutions/related boards are hereby exempted from coverage of this chapter.

(1) Members of the governing board of each institution/related board; all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2) Students employed by the institution at which they are enrolled (or related board) and who either:

(a) Work five hundred sixteen hours or less in any six consecutive months, exclusive of hours worked in a temporary position(s) during the summer and other breaks in the academic year, provided such employment does not:

(i) Take the place of a classified employee laid off due to lack of funds or lack of work; or

(ii) Fill a position currently or formerly occupied by a classified employee during the current or prior calendar or fiscal year, whichever is longer;

(b) Provided further that the hour limitation shall not apply to student employees who were hired before July 20, 1984, with an understanding of working more than the stated number of hours monthly, and also with an understanding of such employment continuing for the duration of their education. However, this exception shall apply only to students who are continuously enrolled and shall not extend beyond September 1, 1988. Students covered by this exception shall be identified to the director;

(c) Are employed in a position directly related to their major field of study to provide training opportunity; or

(d) Are elected or appointed to a student body office or student organization position such as student officers or student news staff members.

(3) Students participating in a documented and approved programmed internship which consists of an academic component and work experience.

(4) Students employed through the state or federal work/study programs.

(5) Persons employed in a position scheduled for less than twenty hours per week or on an intermittent employment schedule.

(6) Nonclassified employees filling positions identified in subsections (1)(a) and (3) of the definition of "temporary appointment" in WAC 251-01-415.

(7) Part-time professional consultants retained on an independent part-time or temporary basis such as physicians, architects, or other professional consultants employed on an independent contractual relationship for advisory purposes and who do not perform administrative or supervisory duties.

(8) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(9) The personnel director of the higher education personnel board and his confidential secretary.

(10) The governing board of each institution/related board may also exempt from this chapter, subject to the employee's right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trades services may be exempted by the higher education personnel board under this provision.

(11) Any employee who believes that any classification should or should not be exempt, or any employee because of academic qualifications which would enable such employee to teach and thus be exempt, may appeal to the board in the same manner as provided in WAC 251-12-080, et seq.

(12) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion, unless dismissed for just cause to the first vacancy occurring in the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to July 10, 1982, then the four-year period shall begin on July 10, 1982. Application for return to classified service must be made not later than thirty calendar days following the conclusion of the exempt appointment.

(13) When action is taken to convert an exempt position to classified status, the effect upon the incumbent of such position shall be as provided in WAC ((251-18-420)) 251-19-160.

AMENDATORY SECTION (Amending Order 70, filed 9/29/78, effective 11/1/78)

WAC 251-06-080 POSITION REALLOCATION—EFFECT ON INCUMBENT. (1) An employee occupying a position that is reallocated to a class with a higher salary range maximum, is affected as follows:

(a) When reallocation is a result of an accumulation of duties by the incumbent over a period of at least six months, the incumbent may elect to remain in the position following reallocation providing he/she meets the minimum qualifications for the class. The minimum

qualifications may be waived by the director if it is determined that the incumbent has demonstrated sufficient experience to satisfactorily perform the duties of the class. Successful completion of the higher level duties by the incumbent for at least six months satisfies the examination requirement and confers permanent status. Documentation of such service shall be kept on file for each reallocation request approved;

(b) When reallocation will require immediate changes in the duties of the position, it will be filled in accord with chapters 251-17 and 251-18 WAC. The incumbent will be given an opportunity to compete for the position. If the employee is not selected, or chooses not to compete, subsection (2)(a), (b), and (d) of this section will apply.

(2) An employee occupying a position which is reallocated to a class with a lower salary range maximum has the following options:

(a) Transfer to a vacant position within the current class;

(b) Be afforded such bumping rights and placement on layoff lists as would be provided in layoff;

(c) Demote with the position;

(d) In addition, the employee may make him/herself available for appointment on or before the effective date of the reallocation via the institution's transfer/lateral movement/voluntary demotion procedure.

(3) Establishment of salary and periodic increment following reallocation shall be as provided in WAC 251-08-100 and 251-08-112.

AMENDATORY SECTION (Amending Order 156, filed 7/1/87, effective 8/1/87)

WAC 251-08-100 PERIODIC INCREMENT DATE. (1) For purposes of payment of periodic increment increases, the effective date shall be determined as follows:

(a) The first of the current month for actions occurring between the first and the fifteenth of the month; or

(b) The first of the following month for actions occurring between the sixteenth and the end of the month.

(2) The periodic increment date of new employees or probationary employees who are reappointed to a new class during the probationary period shall be established:

(a) Upon completion of six months in the class for those appointed at the first step in the salary range. Probationary period employees on leave of absence without pay per the provisions of WAC 251-22-165(5) will have their periodic increment dates extended by one month which exceeds ten working days in any calendar month, or exceeds ten consecutive working days; or

(b) Upon completion of twelve months in the class for those appointed at a salary step above the first step in the salary range.

(3) The periodic increment date of all employees shall be changed as follows:

(a) Upon promotion, the existing periodic increment date will be eliminated and a new date established to be effective upon completion of the trial service period;

(b) Upon reappointment of a probationary employee during the probationary period, the former periodic increment date will be eliminated and a new date established as provided in ~~((WAC 251-08-100))~~ subsection (2) of this section;

(c) Upon reallocation under WAC 251-06-080 (1)(a) of an employee who is at the top step of the current salary range, the employee will be given a new periodic increment date which will be six months following the reallocation action;

(d) When a leave of absence without pay exceeds ten working days in any calendar month, or exceeds ten consecutive working days, the date will be extended by one month, except as provided by WAC 251-22-165(5), 251-22-180, and ~~((251-18-381))~~ 251-19-130;

(e) When employees return from layoff status, the date will be reestablished and extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff;

(f) When a cyclic year position leave of absence without pay exceeds ninety calendar days, the periodic increment date shall be extended on a month-for-month basis. Provisions of ~~((WAC 251-08-100 (3))~~(d) of this subsection shall apply to that period exceeding the ninety calendar days. Cyclic year position employees serving a probationary or trial service period will have their periodic increment dates extended by an amount of time equal to the period in which the employee is on leave of absence without pay;

(g) When employees are reverted from trial service following promotion (or return from alternate appointment), the periodic increment date held prior to promotion or layoff will be reestablished;

(h) When the board or the director order remedial action per WAC 251-12-600, the periodic increment date may be modified as part of the order.

(4) The periodic increment date of all employees shall remain unchanged for all other actions including, but not limited to, transfer within class, appointment to another class with the same or lower salary range maximum, and reallocations except as provided in ~~((WAC 251-08-100))~~ subsection (3)(c) of this section.

(5) The periodic increment date for incumbents of exempt positions which are converted to classified status shall be established as provided in WAC ~~((251-18-420))~~ 251-19-160.

AMENDATORY SECTION (Amending Order 64, filed 12/23/77)

WAC 251-08-150 SALARY-CONVERSION OF EXEMPT POSITION. The incumbent of an exempt position converted to classified status per the provisions of WAC ~~((251-18-420))~~ 251-19-160 shall be placed at the first step within the salary range or range extension which is not less than the current exempt salary.

AMENDATORY SECTION (Amending Order 154, filed 1/2/87, effective 2/1/87)

WAC 251-10-030 LAYOFF. (1) An appointing authority may separate or reduce the number of working

hours or the work year of an employee without prejudice because of lack of funds or lack of work.

(2) Each institution shall develop for approval by the director a layoff procedure based upon layoff seniority as defined in WAC 251-01-245, to include as a minimum:

(a) Clearly defined layoff unit(s), in order to minimize the disruption of an institution's total operation, and

(b) Provision for veterans preference for eligible veterans and their unmarried widows/widowers as defined in WAC 251-10-045.

(3) A permanent status employee scheduled for layoff shall receive written notice of any available options in lieu of layoff as provided in ~~((WAC 251-10-030))~~ subsections (5) and (6) of this section. The employee shall be given no less than three working days to select an option, if available, or to elect to be laid off and/or be placed on the appropriate institution-wide layoff list(s).

(4) Written notice of at least fifteen calendar days must be given to the employee after he/she has selected one of the options or upon completion of the option period.

(5) Within the layoff unit, a permanent status employee scheduled for layoff shall be offered employment options to comparable position(s), as determined by the personnel officer, in:

(a) Class(es) in which the employee has held permanent status which have the same or lower salary range maximum as the current class;

(b) Lower class(es) in those same class series for which the employee is qualified.

The employee may exercise either option ~~((WAC 251-10-030))~~ subsection (5)(a) or ~~((5))~~(b) of this section provided that the employee being replaced is the least senior in a comparable position in the class and has less layoff seniority than the employee replacing him/her. A vacant position, if available, should be considered to be the position in the class held by the least senior person. The employee may elect to have access to less-than-comparable positions by so notifying the personnel officer in writing.

(6) Except as provided in WAC 251-10-035, a permanent employee scheduled for layoff who has no options available under subsection (5) ~~((above))~~ of this section shall be offered position(s) as follows:

(a) The personnel officer will offer in writing not less than three positions from among the highest available classes (unless the total available is less than three); provided that any position(s) offered must be:

(i) At the same level or lower than the class from which the employee is being laid off; and

(ii) Vacant or held by a provisional, temporary, or probationary employee; and

(iii) In a class for which the employee being laid off meets the minimum qualifications and can pass the appropriate qualifying examination.

(b) The employee will be required to indicate within three working days his/her interest in a specific class(es) so that the personnel officer may schedule the appropriate examination(s).

(c) Upon satisfactory completion of the examination(s) the employee will be offered option(s) to specific position(s), including salary information.

(d) Employees appointed to positions through provisions of this subsection ~~((6))~~ will be required to serve a trial service period.

(7) In order to be offered a layoff option or return from layoff to a position for which specific position requirements have been documented in accordance with WAC 251-18-255(1), the employee must demonstrate a satisfactory level of knowledge, skill, or ability on the specific position requirements.

(8) In a layoff action involving a position for which a particular sex is a bona fide occupational requirement, as approved by the Washington state human rights commission, the most senior employee meeting the occupational requirements may be retained in the position over more senior employees in such class who do not meet the occupational requirement.

(9) When it is determined that layoffs will occur within a unit, the personnel officer will:

(a) Provide a copy of the institution's reduction in force procedure to all employees subject to layoff;

(b) Advise each employee in writing of available options in lieu of layoff;

(c) Advise each employee in writing of the specific layoff list(s) upon which he/she may be placed as required per WAC 251-10-055 and 251-10-035;

(d) Provide information about the process by which the employee may make application for state-wide layoff lists, as required per WAC 251-10-060(7);

(e) Advise each employee in writing of the right to appeal his/her layoff to the board per WAC 251-12-080.

(10) Layoff actions for employees of special employment programs as identified in WAC ~~((251-18-410))~~ 251-19-150 shall be administered as provided in WAC 251-10-035.

AMENDATORY SECTION (Amending Order 134, filed 7/31/85, effective 9/1/85)

WAC 251-10-035 LAYOFF—SPECIAL EMPLOYMENT PROGRAMS. (1) Institutions participating in special employment programs qualifying under the conditions identified in WAC ~~((251-18-410))~~ 251-19-150 shall establish a special employment program layoff unit.

(2) An appointing authority may separate or reduce the number of working hours or the work year of a special employment program employee without prejudice because of lack of funds or lack of work, or when an incumbent must be separated due to the salary or longevity requirements of Public Law 95-524.

(3) A permanent status special employment program employee scheduled for layoff shall receive written notice of any available options in lieu of layoff as provided in subsection (5) of this section. Employment options are limited to positions within the special employment program layoff unit and/or program for which the employee qualifies. The employee shall be given no less than three working days to select an option, if available, or to elect to be laid off and/or be placed on the appropriate special employment program layoff list(s).

(4) The appointing authority must provide the employee at least fifteen calendar days written notice beyond the date of selection of an option or the completion of the option period, whichever is sooner. The notice shall inform the employee of his/her right to appeal the layoff action to the board per WAC 251-12-080.

(5) Within the special employment program layoff unit, a permanent status employee scheduled for layoff shall be offered the following:

(a) Except as provided in ~~((subsection (5)))~~(b) of this ~~((section))~~ subsection, employees who are being laid off shall be offered options within the layoff unit and placement on special employment program layoff lists in class(es) with the same or lower salary range maximum that are:

(i) Class(es) in which the employee has held permanent status;

(ii) Lower class(es) in the same class series for which the employee is qualified.

The employee may exercise either option provided that the employee being replaced is the least senior in the class and has less layoff seniority than the employee replacing him/her.

(b) Employees who are being laid off due to the expiration of the maximum allowable period of subsidized employment as provided in Public Law 95-524 shall not be afforded layoff options but shall be placed on the special employment program layoff list(s) for which they are eligible.

(6) The provisions of WAC 251-10-030 (7) and (8) relative to specific position and bona fide occupational requirements shall apply to special employment program layoff actions.

(7) The names of employees scheduled for layoff or actually laid off from service within a class shall be placed on the special employment program layoff list as provided in WAC 251-18-180.

AMENDATORY SECTION (Amending Order 154, filed 1/2/87, effective 2/1/87)

WAC 251-10-055 LAYOFF LISTS—INSTITUTION-WIDE. (1) The names of persons identified in subsection (6) of this section, permanent and probationary employees who are scheduled for layoff, who have been laid off from service within a class or service to the institution, or who have accepted a lower option in lieu of layoff shall be placed on the institution-wide layoff list(s) for those class(es) in which they have held permanent status, probationary (if within the same class series as the list), or trial service appointment status within the current period of employment at the institution provided that:

(a) The employee has requested placement on the list;

(b) The employee has not been rejected, reverted, demoted or dismissed from such class(es); and

(c) The class has the same or lower salary range maximum as the class from which laid off.

In addition such employees shall be placed on institution-wide layoff list(s) for all lower class(es) in these same class series.

(2) Upon request, employees shall be placed on these lists at the completion of the three day option period or upon selection of an option, whichever is sooner.

(3) Layoff lists shall be institution-wide with eligibles ranked according to layoff seniority as defined in WAC 251-01-245.

(4) Eligibles certified from such lists shall be reemployed in preference to all other eligibles.

(5) Removal from the institution-wide layoff list shall be as provided below:

(a) Acceptance of a layoff option or appointment from a layoff list shall cause removal from the list(s) for all classes with the same or lower salary range maximum; except that, unless the employee so requests, he/she may not be removed via this procedure from the layoff list for the class from which laid off.

(b) Retirement, resignation, or dismissal from the institution shall cause removal from the list(s).

(c) Declination of appointment to three positions on shifts for which the employee has formally indicated availability.

(6) In addition to persons identified in subsection (1) of this section, institution-wide layoff lists shall also contain the names of former employees of the institution/related board who have not successfully completed a trial service period resulting from movement identified in WAC ~~((251-18-347))~~ 251-19-110. Such employees shall only have access to the list for the class in which they held permanent status prior to moving via WAC ~~((251-18-347))~~ 251-19-110.

AMENDATORY SECTION (Amending Order 154, filed 1/2/87, effective 2/1/87)

WAC 251-10-195 TRIAL SERVICE REVERSION. An employee, prior to completing a trial service period, may be reverted by an employing official for failure to perform satisfactorily in the class. When such reversion becomes necessary, the written notice and employee rights upon reversion will be as provided in WAC ~~((251-18-330))~~ 251-19-060(3). Trial service reversion is not appealable to the board when the conditions of WAC ~~((251-18-330))~~ 251-19-060(4) have been satisfied.

AMENDATORY SECTION (Amending Order 122, filed 11/30/84, effective 1/1/85)

WAC 251-12-072 APPEALS FROM ELIGIBILITY DETERMINATIONS. An applicant may appeal the following actions in accord with the provisions of WAC ~~((251-18-145))~~ 251-17-170:

(1) Rejection of his/her application; or

(2) The results of the institutional examination review process; or

(3) The conduct of the selection process and/or his/her examination results; or

(4) Failure to restore his/her name to an eligible list following the institutional review process; or

(5) Removal of his/her name from an eligible list for reasons other than those specified in WAC 251-18-200(2).

AMENDATORY SECTION (Amending Order 154, filed 1/2/87, effective 2/1/87)

WAC 251-12-240 BURDEN OF PROOF. (1) At any hearing on appeal from a layoff, demotion, suspension, reduction in salary, separation (except for voluntary resignation or retirement), or dismissal the institution shall have the burden of proof.

(2) At any hearing on appeal from an allocation, the burden of proof shall rest with the appellant.

(3) At any hearing on exceptions to a hearing examiner's recommended decision per the provisions of WAC 251-12-085 or to a director's determination per the provisions of WAC 251-12-075, 251-12-600, or ~~((251-18-145))~~ 251-17-170, the party filing the exceptions shall have the burden of proof.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-12-500 RELIEF FROM EFFECT OF BOARD'S ORDER. (1) Employees who incur loss of position, seniority, salary or otherwise are caused to suffer directly by action of the board pursuant to rules set forth in chapters 251-17, 251-18, and 251-19 WAC(;) may be considered to be aggrieved if the employee did not participate in the conditions as contributing to rules violation. Aggrieved employees may be provided by order of the board, such benefits as:

- (a) Permanent status when qualified by examination;
- (b) Salary maintenance or adjustment;
- (c) Seniority as appropriate;
- (d) Accrual of benefits.

(2) Upon receipt of written request for consideration from an employee, or upon initiation by the director, such action may be instituted as is required to provide appropriate relief under the rules for aggrieved employees when the employee is reduced in position or salary, laid off, or is otherwise caused to suffer as an indirect result of an order of the board and the employee was not a party to willful disregard of the rules. Such written request from the employee must be received within thirty calendar days of the action unless an extension in time is requested by the personnel officer.

(3) The director shall notify interested parties in writing of any recommended action and such order shall be binding unless a request for review is received by the higher education personnel board as provided in subsection (4) ~~((below))~~ of this section.

(4) Request for board review of the action of the director must be made in writing by the employee, his/her representative, or the institution within fifteen calendar days of the mailing of such notice and must contain the reasons for such review. Within thirty calendar days of receipt of the notice the board will issue its ruling either affirming or modifying the director's action. The board's order shall be final and binding.

AMENDATORY SECTION (Amending Order 134, filed 7/31/85, effective 9/1/85)

WAC 251-22-060 VACATION LEAVE—ACCRUAL. (1) Full-time employees eligible for vacation

leave shall accrue vacation leave, to be credited monthly, at the following rates:

(a) During the first year of continuous state employment – 12 days (8.0 hours per month);

(b) During the 2nd year of continuous state employment – 13 days (8 hours, 40 minutes per month);

(c) During the 3rd and 4th years of continuous state employment – 14 days (9 hours, 20 minutes per month);

(d) During the 5th through the 9th years of total state employment – 15 days (10 hours per month);

(e) During the 10th year of total state employment – 16 days (10 hours, 40 minutes per month);

(f) During the 11th year of total state employment – 17 days (11 hours, 20 minutes per month);

(g) During the 12th year of total state employment – 18 days (12 hours per month);

(h) During the 13th year of total state employment – 19 days (12 hours, 40 minutes per month);

(i) During the 14th year of total state employment – 20 days (13 hours, 20 minutes per month);

(j) During the 15th year of total state employment – 21 days (14 hours per month);

(k) During the 16th and succeeding years of total state employment – 22 days (14 hours, 40 minutes per month).

(2) Employees working less than full-time schedules shall accrue vacation leave credit on the same prorata basis that their appointment bears to a full time appointment.

(3) Per the provisions of WAC ~~((251-18-381))~~ 251-19-130(2), the scheduled period of cyclic year position leave of absence without pay shall not be deducted for purposes of computing the rate of vacation leave accrual for cyclic year position employees.

(4) The following shall apply for purposes of computing years of qualifying state employment:

(a) Employment in the legislative and/or the judicial branch shall not be credited;

(b) Employment exempt by the provisions of WAC 251-04-040(4) or employment under the state personnel board jurisdiction which is analogous to the conditions specified in WAC 251-04-040(4) shall not be credited;

(c) Each contract year of full-time faculty and/or administrative exempt employment within the higher education institutions shall be credited as a year of qualifying service;

(d) Employment in part time classified positions shall be credited as full-time service.

(5) Vacation leave credits shall not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, nor shall credit be given toward the rate of vacation leave accrual.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-24-050 TRAINING—GENERAL PROVISIONS. (1) Voluntary attendance in training courses outside of regular working hours does not constitute grounds for overtime or compensatory time off.

(2) Required attendance in courses which are outside of regular working hours and which are work related or

meet an identified institution need is considered "paid time training" and constitutes time worked.

(3) Upon completion of institution approved training programs, respective eligible lists may be opened to employees who meet the minimum qualifications and desire to be examined, as provided in WAC ((251-18-025)) 251-17-090(5).

WSR 88-02-018

ADOPTED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Order 165—Filed December 30, 1987—Eff. February 1, 1988]

Be it resolved by the Higher Education Personnel Board, acting at Room L131, Terry Lander Hall, University of Washington, Seattle, Washington, that it does adopt the annexed rules relating to:

- New WAC 251-17-010 Examination—Requirement—Responsibilities.
- New WAC 251-17-020 Promotional organization units—Establishment.
- New WAC 251-17-030 Eligible list—Related list.
- New WAC 251-17-040 Noncompetitive service.
- New WAC 251-17-050 Recruitment notice—Publicity—Duration.
- New WAC 251-17-060 Recruitment notices—Required content.
- New WAC 251-17-070 Application materials—Distribution to applicants.
- New WAC 251-17-080 Examinations—Employee release time.
- New WAC 251-17-090 Examination—Eligibility.
- New WAC 251-17-100 Application forms—Acceptance.
- New WAC 251-17-110 Examination administration.
- New WAC 251-17-120 Examinations—Evaluation of.
- New WAC 251-17-130 Application—Disqualification—Rejection.
- New WAC 251-17-140 Applicants—Anonymity.
- New WAC 251-17-150 Veterans preference.
- New WAC 251-17-160 Examination results—Notification—Institutional review.
- New WAC 251-17-170 Examination—Eligibility—Right of appeal.
- New WAC 251-17-180 Examination—Medical.
- New WAC 251-17-190 Examinations—Records requirements.
- New WAC 251-17-200 Modification of minimum qualifications.
- Amd WAC 251-18-180 Eligible lists—Definition—Composition.
- Amd WAC 251-18-200 Eligible lists—Removal of name—Notification.
- Amd WAC 251-18-255 Certification—Specific position requirements.
- New WAC 251-19-010 Returning employee provisions—Layoff.
- New WAC 251-19-020 Returning employee provisions—Reemployment.
- New WAC 251-19-030 Appointment—Provisional.
- New WAC 251-19-040 Appointment—Emergency.
- New WAC 251-19-050 Appointment—Probationary.
- New WAC 251-19-060 Trial service period.
- New WAC 251-19-070 Appointment—Alternate.
- New WAC 251-19-080 Appointment—Permanent status.
- New WAC 251-19-090 Reassignment.
- New WAC 251-19-100 Transfer—Lateral movement—Voluntary demotion.
- New WAC 251-19-110 Permanent classified employee interinstitutional and intersystem movement.
- New WAC 251-19-120 Appointment—Temporary.
- New WAC 251-19-130 Appointment—Cyclic year position.
- New WAC 251-19-140 Apprenticeship programs.
- New WAC 251-19-150 Special employment programs.
- New WAC 251-19-160 Appointment—Conversion of exempt position.
- Rep WAC 251-18-010 Examination—Requirement—Responsibilities.

- Rep WAC 251-18-011 Promotional organizational units—Establishment.
- Rep WAC 251-18-012 Eligible list—Related list.
- Rep WAC 251-18-015 Noncompetitive service.
- Rep WAC 251-18-020 Recruitment notice—Publicity—Duration.
- Rep WAC 251-18-035 Recruitment notices—Required content.
- Rep WAC 251-18-041 Application materials—Distribution to applicants.
- Rep WAC 251-18-050 Examinations—Employee release time.
- Rep WAC 251-18-060 Examination—Eligibility.
- Rep WAC 251-18-070 Application forms—Acceptance.
- Rep WAC 251-18-075 Examination administration.
- Rep WAC 251-18-095 Examinations—Evaluation of.
- Rep WAC 251-18-110 Application—Disqualification—Rejection.
- Rep WAC 251-18-130 Veterans preference.
- Rep WAC 251-18-140 Examination results—Notification—Institutional review.
- Rep WAC 251-18-145 Examination—Eligibility—Right of appeal.
- Rep WAC 251-18-160 Examination—Medical.
- Rep WAC 251-18-176 Modification of minimum qualifications.
- Rep WAC 251-18-290 Returning employee provisions—Layoff.
- Rep WAC 251-18-291 Returning employee provisions—Reemployment.
- Rep WAC 251-18-300 Appointment—Provisional.
- Rep WAC 251-18-310 Appointment—Emergency.
- Rep WAC 251-18-320 Appointment—Probationary.
- Rep WAC 251-18-330 Trial service period.
- Rep WAC 251-18-340 Appointment—Permanent status.
- Rep WAC 251-18-345 Reassignment.
- Rep WAC 251-18-346 Transfer—Lateral movement—Voluntary demotion.
- Rep WAC 251-18-347 Permanent classified employee movement between institutions/related boards or state agencies.
- Rep WAC 251-18-350 Appointment—Temporary.
- Rep WAC 251-18-381 Appointment—Cyclic year position.
- Rep WAC 251-18-400 Apprenticeship programs.
- Rep WAC 251-18-410 Special employment programs.
- Rep WAC 251-18-420 Appointment—Conversion of exempt position.

This action is taken pursuant to Notice No. WSR 87-21-090 filed with the code reviser on October 21, 1987. These rules shall take effect at a later date, such date being February 1, 1988.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

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

APPROVED AND ADOPTED December 4, 1987.

By John A. Spitz
Director

**Chapter 251-17 WAC
RECRUITMENT—EXAMINATION**

- WAC 251-17-010 Examination—Requirement—Responsibilities.
- 251-17-020 Promotional organizational units—Establishment.
- 251-17-030 Eligible list—Related list.
- 251-17-040 Noncompetitive service.

- 251-17-050 Recruitment notice—Publicity—Duration.
- 251-17-060 Recruitment notices—Required content.
- 251-17-070 Application materials—Distribution to applicants.
- 251-17-080 Examinations—Employee release time.
- 251-17-090 Examination—Eligibility.
- 251-17-100 Application forms—Acceptance.
- 251-17-110 Examination administration.
- 251-17-120 Examinations—Evaluation of.
- 251-17-130 Application—Disqualification—Rejection.
- 251-17-140 Applicants—Anonymity.
- 251-17-150 Veterans preference.
- 251-17-160 Examination results—Notification—Institutional review.
- 251-17-170 Examination—Eligibility—Right of appeal.
- 251-17-180 Examination—Medical.
- 251-17-190 Examinations—Records requirements.
- 251-17-200 Modification of minimum qualifications.

NEW SECTION

WAC 251-17-010 EXAMINATION—REQUIREMENT—RESPONSIBILITIES. (1) Appointment to positions in the classified service shall be made according to merit and suitability ascertained for each class by an appropriate examination.

(2) All job elements included in examinations developed or modified subsequent to January 1, 1986, shall be justified by documented job analysis.

(3) Personnel officers shall assist in conducting and/or conduct job analyses at their institutions.

(4) Job analysis methods shall meet professional standards and be approved by the director before they are used to develop examinations.

(5) System examinations shall be developed by the director with the assistance of the personnel officers and made available for the use of all institutions. The director shall periodically distribute an approved system job element examination list showing all current system examinations.

(6) Personnel officers shall use only the current versions of the examinations shown on the approved system job element examination list unless approval has been given by the director for examination modifications or the use of institutional examinations.

(7) Personnel officers may develop modifications to system examinations and/or institutional examinations to meet requirements which are unique to their institutions.

(8) Institutional examinations and modifications to system examinations shall be:

(a) Approved by the director before they are used;

(b) Used by institutions other than the developing institution only with the approval of the director.

(9) The personnel officer is responsible for determining when to open eligible lists and conduct examinations.

NEW SECTION

WAC 251-17-020 PROMOTIONAL ORGANIZATIONAL UNITS—ESTABLISHMENT. The personnel officer shall establish promotional organizational units based upon administrative unit and/or geographical location. Such units must be approved by the director.

NEW SECTION

WAC 251-17-030 ELIGIBLE LIST—RELATED LIST. (1) Should a vacancy occur in a class for which there is no existing eligible list, it shall be the responsibility of the personnel officer to recruit and develop an eligible list.

(2) If it is impractical to recruit in order to establish an eligible list for a class, the personnel officer may:

(a) Substitute an eligible list for a related class if he/she deems the classes to be sufficiently similar.

(b) Request the use of an eligible list established for the class at another institution.

NEW SECTION

WAC 251-17-040 NONCOMPETITIVE SERVICE. (1) All classes at an institution shall be considered to be in the competitive service unless a class has been specifically approved by the director to be in the noncompetitive service at that institution.

(2) For a class to be considered for approval for the noncompetitive service, the personnel officer must comply with the procedures established by the director and approved by the board for granting such approval.

NEW SECTION

WAC 251-17-050 RECRUITMENT NOTICE—PUBLICITY—DURATION. (1) Notice of examinations to establish eligible lists shall be made via public display, including institutional posting, of recruitment notices and such other publicity as the personnel officer deems to be warranted.

(2) Recruitment notices may be opened with or without specified closing dates:

(a) A recruitment notice with a specified closing date must allow for an application period of at least seven calendar days from the date of opening the notice, unless the personnel officer authorizes a shorter application period for an open competitive or noncompetitive recruitment notice.

(b) A recruitment notice without a specified closing date must state that the application period may be closed upon three calendar days prior notice. Public notice of at least three calendar days must be given prior to closing such a recruitment notice.

(3) The personnel officer shall develop and utilize a procedure by which employees who have formally indicated an interest in promotion are made aware of promotional opportunities.

(4) The personnel officer may extend the application period for a recruitment notice as required by giving public notice in the same manner as the original notice.

NEW SECTION

WAC 251-17-060 RECRUITMENT NOTICES—REQUIRED CONTENT. Official institutional recruitment notices (not to include media or other supplemental publicity) shall contain the following information:

(1) For promotional examinations, a statement that the examination is open only to organizational unit and/or institution-wide promotional applicants.

(2) The title of the HEPB classification for which the list is open.

(3) The salary range for the class.

(4) Any conditions of employment for the class or position(s).

(5) The closing date of the recruitment notice, i.e., the specific date and time by which applications must be received by the personnel officer.

(6) When the recruitment notice is to be widely distributed, a statement of the specific locations at which corrected or extended recruitment notices will be displayed.

(7) A brief description of the duties of the class and, if applicable, the duties of the specific position(s).

(8) The minimum qualifications of the classification, if any.

(9) When applicable, a statement regarding the use of a combined list per WAC 251-18-180(10).

(10) When applicable, a statement that supplemental certification may be utilized in accordance with an approved affirmative action program, as provided in WAC 251-23-060.

(11) When applicable, a statement that certification for specific position requirements per WAC 251-18-255 may be utilized.

(12) When applicable per WAC 251-17-090(3), the minimum number of most highly qualified applicants who will be admitted to each phase of the examination other than the screening or other initial phase, provided that at least this number of applicants pass the initial phase(s) of the examination.

(13) For classes in the approved noncompetitive service of the institution:

(a) That applicants will be placed on the list(s) in the order in which they complete making proper application for the class.

(b) The number of applicants who will be placed on the eligible list(s).

NEW SECTION

WAC 251-17-070 APPLICATION MATERIALS—DISTRIBUTION TO APPLICANTS. The following materials shall be provided to job applicants when they apply for a specific recruitment:

(1) The institution's application form as prescribed in WAC 251-17-100(1).

(2) The institution's examination information for job applicants document which explains the HEPB job element examination system and the examination process at that institution.

(3)(a) The supplemental application for the class or position when it is the screening phase of the examination or (b) a brief statement of the examination elements

for the class or position if the screening phase of the examination is not a supplemental application.

NEW SECTION

WAC 251-17-080 EXAMINATIONS—EMPLOYEE RELEASE TIME. Current employee applicants shall suffer no loss in regular salary as a result of participating in examinations which are conducted for their employing institution during their regularly scheduled working hours.

NEW SECTION

WAC 251-17-090 EXAMINATION—ELIGIBILITY. (1) Open-competitive examinations shall be open to all persons who apply according to the provisions of these rules and meet the minimum qualifications for the class.

(2) Promotional examinations shall be limited to those current permanent employees of the classified service at the institution who apply according to the provisions of these rules and meet the minimum qualifications for the class. The personnel officer may open promotional examinations on either an organizational unit or institution-wide basis, whichever the personnel officer determines to be in the interest of the service.

(3) When the number of qualified applicants for a class in the competitive service is expected to result in an eligible list in excess of the institution's current needs, the personnel officer may limit the applications to be admitted to the intermediate and/or final phase(s) of the examination to those most qualified, based on an assessment of qualifications in the initial and/or intermediate phase(s) of the examination. Such limitation must be specified in the recruitment notice. If no such limitation is specified, all applicants who pass the entire examination shall be placed on the eligible list for the class.

(4) The personnel officer may add members of underutilized groups to all eligible lists, except layoff lists, at anytime in accordance with the institution's affirmative action program as provided in WAC 251-23-040 (7)(b), provided such persons pass the examination for the class.

(5) The personnel officer may add employees who complete institution-approved training programs to the appropriate eligible list at any time, provided such employees meet the minimum qualifications and pass the examination for the class.

NEW SECTION

WAC 251-17-100 APPLICATION FORMS—ACCEPTANCE. (1) Application forms shall be prescribed by the personnel officer in compliance with applicable state and/or federal law.

(2) Applications shall be filed in accordance with the times specified in the recruitment notice.

(3) All required application materials, including supplemental applications, must be submitted by the specified time in order for an application to be considered.

(4) When an application is rejected for failure to meet the requirements of subsection (3) of this section, the provisions of WAC 251-17-130(2) shall apply.

(5) The personnel officer may require proof of age, education, experience, veterans preference, and/or other claims relevant to the qualifications of an applicant.

NEW SECTION

WAC 251-17-110 EXAMINATION ADMINISTRATION. (1) Personnel officers shall administer examinations in accordance with the administration instructions developed for each system or institutional examination.

(2) The personnel officer is responsible for maintaining the security of all confidential examination materials, including test booklets, answer sheets, scoring keys, and rating guides. The personnel officer shall notify the director immediately if there is a suspected breach of examination security.

(3) Personnel officers shall develop institutional procedures for the reexamination of applicants at their institutions. Such procedures shall be approved by the director before they are used.

NEW SECTION

WAC 251-17-120 EXAMINATIONS—EVALUATION OF. (1) The director shall specify the rating and/or scoring systems to be used to evaluate examinations, including the ratings, scores and/or percentiles required to pass an examination.

(2) Personnel officers shall evaluate examinations in accordance with the rating guides and rating/scoring instructions developed for each system and institutional examination.

(3) Rating guides shall be used to evaluate all job elements included in system and institutional examinations.

(4) Personnel officers shall develop rating guides for all examinations for which system rating guides are not available.

(5) Personnel officers shall assure that raters of examinations, including supplemental applications, performance tests and oral boards, shall have an adequate knowledge of the work required by the specific class or position.

(6) The personnel officer is responsible for the accuracy of the total examination ratings given by the raters of examinations and may disqualify a rater for good and sufficient reason(s). The personnel officer shall disqualify any rater who was biased, did not follow either the content or the intent of the rating guide, or did not possess the required technical knowledge to evaluate the examination.

(7) Applicants must obtain ratings of "satisfactory ability" or higher on all of the essential job elements in an examination in order to pass that examination.

(8) Applicants must pass the final phase of an examination in order to be placed on an eligible list.

NEW SECTION

WAC 251-17-130 APPLICATION—DISQUALIFICATION—REJECTION. (1) The personnel officer may reject an application at any time during the examination process for good and sufficient reason(s).

(2) Whenever the personnel officer rejects an application, the applicant shall be given a written statement including:

(a) The specific reason(s) for the rejection; and

(b) Notification of the right of review per WAC 251-17-160 (1)(b); and

(c) His/her right of appeal per WAC 251-17-170 (1)(a).

NEW SECTION

WAC 251-17-140 APPLICANTS—ANONYMITY. When practical, the identity of persons taking a written examination shall be concealed from the examiners.

NEW SECTION

WAC 251-17-150 VETERANS PREFERENCE.

(1) Veterans who claim veterans preference and meet the criteria specified in subsections (2) through (4) of this section shall have added to their final passing scores:

(a) Ten percent of the final passing score for a veteran who is not receiving any veteran's retirement payments. This preference shall be utilized in open-competitive examinations until the veteran's first appointment and not in any promotional examination.

(b) Five percent of the final passing score for a veteran who is receiving any veteran's retirement payments. This preference shall be utilized in open-competitive examinations until the veteran's first appointment and not in any promotional examination.

(c) Five percent of the final passing score for a veteran who, after having previously received employment with the state, is called, or recalled, to active military service for one or more years during any period of war. This preference shall be limited to the first promotional examination following return from military service.

(2) Veterans preference must be claimed within eight years of the date of release from active service.

(3) The term "veteran" as used in these rules shall include every person who has received an honorable discharge or received a discharge for physical reasons with an honorable record and:

(a) Has served in any branch of the armed forces of the United States between World War I and World War II or during any period of war; or

(b) Has served in any branch of the armed forces of the United States and received the armed forces expeditionary medal, or Marine Corps and Navy expeditionary medal, for opposed action on foreign soil.

(4) A "period of war" includes World War I, World War II, the Korean conflict, the Viet Nam era, and the period beginning on the date of any future declaration of war by the congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the congress. The "Viet Nam era" means the period beginning August 5, 1964, and ending on May 7, 1975.

NEW SECTION

WAC 251-17-160 EXAMINATION RESULTS—NOTIFICATION—INSTITUTIONAL REVIEW. (1) The personnel officer shall:

(a) Provide each applicant with written notice of his/her final status in the examination process, normally within fifteen calendar days after the eligible list is established; and

(b) Inform each applicant that within fifteen calendar days of service of his/her notice, he/she may request a review of the action by the personnel officer; and

(c) Inform each applicant of his/her appeal rights per WAC 251-17-170 (1)(c).

(2) Applicants' final status in the examination process shall consist of one of the following:

(a) Application was rejected for good and sufficient reason in accordance with WAC 251-17-130.

(b) Applicant failed the screening or intermediate phase(s) of the examination.

(c) Applicant was not among the most highly qualified applicants to be admitted to subsequent phase(s) of the examination.

(d) Applicant failed the final phase of the examination.

(e) Applicant was placed on the appropriate eligible list in accordance with WAC 251-18-180.

(3) Within thirty calendar days after receiving a request for review as provided in subsection (1)(b) of this section, the personnel officer will provide the applicant with written notice of the results of the review and of appeal rights as provided in WAC 251-17-170 (1)(b).

NEW SECTION

WAC 251-17-170 EXAMINATION—ELIGIBILITY—RIGHT OF APPEAL. (1) A person shall have the right to appeal the following to the higher education personnel board as provided in subsection (2) of this section:

(a) Rejection of his/her application; or

(b) The results of the institutional examination review process per WAC 251-17-160 (1)(b); or

(c) The conduct of the selection process and/or his/her examination results; or

(d) Failure to restore his/her name to an eligible list following the institutional review process per WAC 251-18-200(4); or

(e) Removal of his/her name from an eligible list for reasons other than those specified in WAC 251-18-200(2).

(2) Any employee or employee representative may appeal an alleged failure to follow the provisions of WAC 251-17-010 (1) through (8) in accordance with WAC 251-12-075.

(3) Such appeal must be in writing and filed in the office of the director within thirty calendar days after either service of the results of the institutional review or the effective date of the action appealed. The director shall forward the written notice of appeal to the board which shall determine that one of the following actions be taken:

(a) The case may be handled in the same manner as appeals from demotion, suspension, layoff, reduction, or dismissal, as provided in WAC 251-12-080 through 251-12-260, except for WAC 251-12-110; or

(b) The director may investigate the case and issue a determination.

(i) When the appellant is a classified employee, within thirty calendar days of the date of service of the determination to the appellant and the institution, either party may file written exceptions with the board detailing the specific items of the determination to which exception is taken. A hearing on the exceptions will be scheduled before the board which may limit argument to the exceptions or may rehear the case in its entirety;

(ii) When the appellant is not a classified employee, the director's determination shall be final and binding; or

(c) Both parties to the appeal may be requested to submit evidence upon which the board may take action without a hearing.

NEW SECTION

WAC 251-17-180 EXAMINATION—MEDICAL. Eligibles for employment or promotion shall take a medical examination if prescribed for the position to which appointment is sought. All eligibles must conform with medical regulations for state employment established by the Washington state board of health.

NEW SECTION

WAC 251-17-190 EXAMINATIONS—RECORDS REQUIREMENTS. (1) The personnel officer shall maintain selection records as required by applicable federal, state, and local laws and institutional policies.

(2) The director shall maintain records of all current approvals given with regard to the selection process at each institution.

(3) Personnel officers shall maintain written records of all current approvals given with regard to the selection process at their institutions.

NEW SECTION

WAC 251-17-200 MODIFICATION OF MINIMUM QUALIFICATIONS. (1) When a vacancy exists and active and reasonable recruiting efforts fail to establish an eligible list for the class, the personnel officer may request that the director modify the minimum qualifications. If satisfied that reasonable effort has been made to recruit at the established minimum qualifications the director may modify the minimum qualifications for that recruiting cycle on a one-time basis. On approval, the personnel officer shall initiate recruiting at the reduced minimum qualifications.

(2) In order to make a reasonable accommodation for a person of disability as defined in WAC 251-01-285, the personnel officer may request that the director waive the minimum qualifications for the purpose of admitting the employee or applicant to the examination.

(3) Action of the director pursuant to this section will be reported to the board at the next regular meeting.

Chapter 251-18 WAC
 ((EMPLOYMENT—APPOINTMENT)) CERTIFICATION

AMENDATORY SECTION (Amending Order 143, filed 1/22/86, effective 3/1/86)

WAC 251-18-180 ELIGIBLE LISTS—DEFINITION—COMPOSITION. Eligible lists shall be established by class as follows:

(1) Institution-wide layoff lists shall contain the names of:

(a) All permanent and probationary employees of the institution laid off or scheduled for layoff in accord with WAC 251-10-030 and 251-10-055 ranked in order of layoff seniority.

(b) Former permanent employees of the institution who (i) have transferred, promoted, voluntarily demoted or laterally moved to positions at other institutions/related boards, and (ii) have not successfully completed their trial service periods at the institution to which they moved, ranked in order of layoff seniority.

(2) Organizational unit promotional lists shall contain the names of all permanent employees of the organizational unit for which the list is established who have passed the examination for the class, ranked in order of their final examination scores.

(3) Institution-wide promotional lists shall contain the names of all permanent employees of the institution who have passed the examination for the class, ranked in order of their final examination scores.

(4) Special employment program layoff lists shall contain the names of permanent employees of the institution laid off, scheduled for layoff or removed from service within a class due to layoff conditions in special employment programs as provided in WAC 251-10-035 ranked in order of layoff seniority.

(5) State-wide layoff lists shall contain the names of permanent employees laid off or scheduled for layoff who have exercised their option per WAC 251-10-060, ranked in order of layoff seniority as provided in WAC 251-10-060(2).

(6) Interinstitutional employee lists shall contain the names of permanent employees of an institution or related board other than the one at which he/she is applying, who have passed the examination for the class, ranked in order of their final examination scores.

(7) Intersystem employee lists shall contain the names of permanent employees under the jurisdiction of chapter 41.06 RCW who have passed the examination for the class, ranked in order of their final examination scores.

(8) Open competitive lists shall contain the names of all other applicants who have passed the examination for the class, ranked in order of their final examination scores.

(9) Noncompetitive lists shall be established per WAC ((251-18-015)) 251-17-040 and shall contain the names of applicants who meet the minimum qualifications and have passed the noncompetitive examination, if any, for the class, ranked by priority in time of filing application.

(10) For positions which meet the HEPB definitions of administrative, executive or professional employees, the personnel officer may combine the organizational unit promotional list, the institution-wide promotional

list, the special employment program layoff list, the interinstitutional employee list, the intersystem employee list, the state-wide layoff list, and the open competitive list into a single eligible list:

(a) The combined list option must be specified in the recruitment notice for a class in order for the personnel officer to combine lists for positions in the class;

(b) The combined list shall contain the names of eligibles ranked in order of their final examination scores. Permanent employees of the institution shall have a five percent credit added to their final passing scores.

AMENDATORY SECTION (Amending Order 123, filed 1/30/85)

WAC 251-18-200 ELIGIBLE LISTS—REMOVAL OF NAME—NOTIFICATION. (1) The personnel officer may remove a name from an eligible list for good and sufficient reason.

(2) Notification of the removal of a name according to subsection (1) of this section is not required where the person has:

(a) Requested removal from the list in writing;

(b) Failed to respond to a written inquiry within ten calendar days or to a telegraphed inquiry within three calendar days relative to availability for appointment;

(c) Failed to notify the personnel office of a change of address;

(d) Been removed from a state-wide layoff list, an interinstitutional employee list, an intersystem employee list, an open-competitive or noncompetitive list due to expiration of eligibility; or

(e) Been removed from an eligible list due to expiration of an extension of eligibility in accordance with WAC 251-18-190(2).

(3) In all other cases, the affected person shall be notified of the specific reasons for removal from the eligible list and advised of the right to request a review by the personnel officer per subsection (4) of this section.

(4) A person whose name has been removed from an eligible list for reasons other than those listed in subsection (2) of this section may request in writing within ten calendar days of notification that the personnel officer restore the name to the list for the duration of eligibility.

(5) Within ten calendar days after receiving a request per subsection (4) of this section, the personnel officer will provide the person with written notification of the decision to:

(a) Restore the name to the eligible list; or

(b) Refuse to restore the name to the eligible list. In this case, the person shall also be advised of the right of appeal per WAC ((251-18-145)) 251-17-170 (1)(d).

AMENDATORY SECTION (Amending Order 134, filed 7/31/85, effective 9/1/85)

WAC 251-18-255 CERTIFICATION—SPECIFIC POSITION REQUIREMENTS. (1) All specific position requirements shall be justified by a job analysis in accordance with WAC ((251-18-010)) 251-17-010(2).

(2) When specific position requirements have been documented for a position, only the names of eligibles

who have demonstrated a satisfactory level of knowledge, skill or ability on such specific position requirements shall be certified for that position.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 251-18-010 EXAMINATION—REQUIREMENT—RESPONSIBILITIES.
- WAC 251-18-011 PROMOTIONAL ORGANIZATIONAL UNITS—ESTABLISHMENT.
- WAC 251-18-012 ELIGIBLE LIST—RELATED LIST.
- WAC 251-18-015 NONCOMPETITIVE SERVICE.
- WAC 251-18-020 RECRUITMENT NOTICE—PUBLICITY—DURATION.
- WAC 251-18-035 RECRUITMENT NOTICES—REQUIRED CONTENT.
- WAC 251-18-041 APPLICATION MATERIALS—DISTRIBUTION TO APPLICANTS.
- WAC 251-18-050 EXAMINATIONS—EMPLOYEE RELEASE TIME.
- WAC 251-18-060 EXAMINATION—ELIGIBILITY.
- WAC 251-18-070 APPLICATION FORMS—ACCEPTANCE.
- WAC 251-18-075 EXAMINATION ADMINISTRATION.
- WAC 251-18-095 EXAMINATIONS—EVALUATION OF.
- WAC 251-18-110 APPLICATION—DISQUALIFICATION—REJECTION.
- WAC 251-18-120 APPLICANTS—ANONYMITY.
- WAC 251-18-130 VETERANS PREFERENCE.
- WAC 251-18-140 EXAMINATION RESULTS—NOTIFICATION—INSTITUTIONAL REVIEW.
- WAC 251-18-145 EXAMINATION—ELIGIBILITY—RIGHT OF APPEAL.
- WAC 251-18-160 EXAMINATION—MEDICAL.
- WAC 251-18-165 EXAMINATIONS—RECORDS REQUIREMENTS.
- WAC 251-18-176 MODIFICATION OF MINIMUM QUALIFICATIONS.
- WAC 251-18-290 RETURNING EMPLOYEE PROVISIONS—LAYOFF.
- WAC 251-18-291 RETURNING EMPLOYEE PROVISIONS—REEMPLOYMENT.
- WAC 251-18-300 APPOINTMENT—PROVISIONAL.
- WAC 251-18-310 APPOINTMENT—EMERGENCY.
- WAC 251-18-320 APPOINTMENT—PROBATIONARY.
- WAC 251-18-330 TRIAL SERVICE PERIOD.
- WAC 251-18-335 APPOINTMENT—ALTERNATE.
- WAC 251-18-340 APPOINTMENT—PERMANENT STATUS.

- WAC 251-18-345 REASSIGNMENT.
- WAC 251-18-346 TRANSFER—LATERAL MOVEMENT—VOLUNTARY DEMOTION.
- WAC 251-18-347 PERMANENT CLASSIFIED EMPLOYEE MOVEMENT BETWEEN INSTITUTIONS/RELATED BOARDS OR STATE AGENCIES.
- WAC 251-18-350 APPOINTMENT—TEMPORARY.
- WAC 251-18-381 APPOINTMENT—CYCLIC YEAR POSITION.
- WAC 251-18-400 APPRENTICESHIP PROGRAMS.
- WAC 251-18-410 SPECIAL EMPLOYMENT PROGRAMS.
- WAC 251-18-420 APPOINTMENT—CONVERSION OF EXEMPT POSITION.

**Chapter 251-19 WAC
APPOINTMENT**

- WAC
- 251-19-010 Returning employee provisions—Layoff.
 - 251-19-020 Returning employee provisions—Reemployment.
 - 251-19-030 Appointment—Provisional.
 - 251-19-040 Appointment—Emergency.
 - 251-19-050 Appointment—Probationary.
 - 251-19-060 Trial service period.
 - 251-19-070 Appointment—Alternate.
 - 251-19-080 Appointment—Permanent status.
 - 251-19-090 Reassignment.
 - 251-19-100 Transfer—Lateral movement—Voluntary demotion.
 - 251-19-110 Permanent classified employee interinstitutional and intersystem movement.
 - 251-19-120 Appointment—Temporary.
 - 251-19-130 Appointment—Cyclic year position.
 - 251-19-140 Apprenticeship programs.
 - 251-19-150 Special employment programs.
 - 251-19-160 Appointment—Conversion of exempt position.

NEW SECTION

WAC 251-19-010 RETURNING EMPLOYEE PROVISIONS—LAYOFF. An eligible appointed from an established institution-wide layoff list shall be credited with the following:

- (1) Assumption of appointment status, salary step as provided in WAC 251-08-115 and seniority held at the time of layoff;
- (2) Sick leave accrued at the time of layoff;
- (3) Periodic increment date extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff.

NEW SECTION

WAC 251-19-020 RETURNING EMPLOYEE PROVISIONS—REEMPLOYMENT. A former state

employee who is appointed from an open competitive list shall be:

- (1) Credited with unused sick leave accrued if reemployed within three years of termination;
- (2) Given a new periodic increment date in accordance with WAC 251-08-100(2);
- (3) Required to serve a probationary period.

NEW SECTION

WAC 251-19-030 APPOINTMENT—PROVISIONAL. When a vacancy in the classified service exists and there is an inadequate eligible list, the personnel officer may authorize a provisional appointment of any person who meets the minimum requirements for the class. Any person appointed provisionally must be advised of his/her appointment status and of the requirement to compete for the position when recruitment is initiated. Such provisional appointment shall terminate prior to six months or within two weeks of the date of regular appointment, whichever comes first. No person shall receive more than one provisional appointment, nor serve more than six months in any twelve month period as a provisional appointee. The period of a provisional appointment shall not constitute a part of the probationary period.

The personnel officer shall immediately begin recruiting to establish a list of eligibles for the class.

NEW SECTION

WAC 251-19-040 APPOINTMENT—EMERGENCY. An employing official may request that the personnel officer authorize a thirty calendar day emergency appointment, without regard to other provisions of these rules governing appointment, whenever the personnel officer determines that an emergency exists and there is an inadequate eligible list from which an appointment can be made. The period of emergency appointment shall not constitute part of a probationary period. Emergency appointments shall be reported in writing to the director at the time of appointment, and may be extended for another thirty calendar day period only upon prior approval of the director.

NEW SECTION

WAC 251-19-050 APPOINTMENT—PROBATIONARY. (1) Probationary appointment shall be made only upon appointment of eligibles from the:

- (a) Open-competitive or noncompetitive list.
- (b) Institution-wide layoff list - when the employee was in probationary status at the time of layoff.
- (c) State-wide layoff list.
- (d) Combined eligible list as provided in WAC 251-18-180(10) and 251-18-240 (3)(b)(ii) when the person appointed is neither a permanent employee of the institution nor an employee moving pursuant to WAC 251-19-110.

(2) The probationary period will continue for the length of time as determined under WAC 251-06-090, unless interrupted as provided in these rules. All positions in a class shall require the same probationary period. In the event an employee is on leave without pay for

more than ten work days during the probationary period, the completion date of the probationary period shall be extended by an amount of time equal to the period of leave without pay.

(3) Qualified probationary employees may be reappointed during the probationary period to other classes. Upon such reappointment the following shall apply:

(a) The employee shall begin a probationary period in the new class;

(b) The salary in the new class shall be established as provided in WAC 251-08-080;

(c) The former periodic increment date shall be abolished and a new periodic increment date established in the same manner as provided in WAC 251-08-100(2).

NEW SECTION

WAC 251-19-060 TRIAL SERVICE PERIOD.

(1) A trial service period of six months shall be required upon appointment of a permanent employee to a new class at the institution, unless

(a) During the current period of employment at the institution, permanent status has been held in the class to which the employee is moving, or

(b) The class is lower in that same class series, or

(c) The employee is being reallocated per the provisions of WAC 251-06-080 (1)(a), or

(d) The employee is moving to the class as part of a recognized apprenticeship program as provided in WAC 251-19-140(5).

(2) A trial service period of six months shall be required upon employee movement as specified in WAC 251-19-110.

(3) The trial service period provides the employing official an opportunity to observe and evaluate the new employee's work. Employees who do not perform satisfactorily during the trial service period may be reverted as follows:

(a) With preemptive rights to the former position in which permanent status was last held, or to a vacant position in that class (except when reversion is from a position the appointment to which was a result of disciplinary demotion or employee movement as specified in WAC 251-19-110). The personnel officer shall determine which position to preempt. However, if the employee was in a trial service appointment in another class prior to the current trial service period, the personnel officer may provide the employee the opportunity to complete the first interrupted trial service period.

(b) Reversion must be preceded by written notice at least one work day (eight hours), before the effective date.

(c) If the former position to which the employee has preemptive rights has been abolished and a vacant position in the class is not available, or if there is no class to which the reverted employee has preemptive rights, the affected employee shall be accorded such bumping rights and placement on layoff lists as would be provided in layoff from his/her former class.

(4) Reversion from trial service must be preceded by:

(a) Written notice detailing deficiencies in performance, which shall include the specific changes required; and

(b) A reasonable opportunity to overcome identified deficiencies.

(5) An employee who is reverted may appeal to the board regarding:

(a) Whether the employer complied with the requirements of subsection (4)(a) and (b) of this section; and

(b) Whether the claimed deficiencies existed at the time of reversion.

(6) The board may uphold the reversion action, extend the trial service period, overturn the reversion, grant permanent status or order such other actions as may be determined appropriate pursuant to the best standards of personnel administration.

(7) In the event an employee is on leave without pay status for more than ten work days during the trial service period, the completion date of the trial service period shall be extended by an amount of time equal to the period of leave without pay.

(8) Successful completion of the trial service period shall result in permanent status in the class.

(9) Salary and periodic increment date shall be determined as follows:

(a) Upon promotional trial service appointment, the salary shall be established as provided in WAC 251-08-110; and the existing periodic increment date shall be eliminated and a new date established to be effective the date of completion of trial service;

(b) Upon trial service reversion the salary shall be established as provided in WAC 251-08-115(4) and the former periodic increment date shall be reestablished;

(c) Upon trial service appointment to a class at the same salary level, the salary and periodic increment date shall remain unchanged.

NEW SECTION

WAC 251-19-070 APPOINTMENT—ALTERNATE. Application of the alternate appointment rule shall apply only to unique research classes pre-approved by the board. An alternate appointment for research positions shall consist of the six month period following appointment from a layoff list or an option taken in lieu of layoff. This provides the employing official an opportunity to observe the employee's work and determine whether or not he/she can perform in that specific position. If it is determined that the employee cannot perform, as documented by a written performance review, the employee shall be placed on the appropriate layoff list or provided other transfer options as available. The director shall be notified on a monthly basis of the new positions in which the alternate appointment rule is used.

Application of this rule shall be appealable under the same provisions as WAC 251-12-080 et seq.

NEW SECTION

WAC 251-19-080 APPOINTMENT—PERMANENT STATUS. Permanent status appointments shall be made under the following conditions:

(1) Upon successful completion of a probationary period or trial service period.

(2) Demotion, either voluntary or involuntary, when made to a class in which the employee has held permanent status during the current period of employment at the institution.

(3) Transfer within a class at the institution.

(4) Certification from a layoff list for a class in which the employee had permanent status at the time of layoff or lower classes in the same class series for which the employee is qualified.

(5) Conversion, per the provisions of WAC 251-19-160, of the incumbent of an exempt position which is converted to classified status, provided the incumbent has been employed for at least six months in the exempt position.

NEW SECTION

WAC 251-19-090 REASSIGNMENT. The appointing authority may reassign an employee to a different position within the same class. Such reassignment shall not result in a change in salary or periodic increment date.

NEW SECTION

WAC 251-19-100 TRANSFER—LATERAL MOVEMENT—VOLUNTARY DEMOTION. (1) The personnel officer for each institution shall develop a "transfer/lateral movement/voluntary demotion procedure" to provide reasonable opportunity for employees desiring to transfer within class or to voluntarily demote or move laterally to classes where they have previously attained permanent status at the institution, or equivalent classes as determined by the personnel officer, when:

(a) The action is by employee request; or

(b) The personnel officer determines that the employee seeking the action is no longer able to perform in the current class due to physical or mental incapacity; or

(c) The employee's position is being reallocated upward and the employee is not appointed to the reallocated position.

(2) Except as provided in subsection (1) of this section, permanent employees who wish to be considered for appointment to classes with an equal or lower salary range maximum than their current class must apply in accord with institutional procedure, meet the minimum qualifications, pass the examination and be placed on the appropriate eligible list for the class.

(3) Upon appointment via the provisions of this rule, the following shall apply:

(a) For voluntary demotion, the salary shall be determined by the personnel officer and the periodic increment date shall remain unchanged.

(b) For transfer within class or lateral movement, the salary and periodic increment date shall remain unchanged.

NEW SECTION

WAC 251-19-110 PERMANENT CLASSIFIED EMPLOYEE INTERINSTITUTIONAL AND INTERSYSTEM MOVEMENT. Permanent classified employees desiring to promote, transfer, laterally move,

or voluntarily demote to positions at other institutions/related boards or state agencies will:

(1) Have the responsibility for communicating their desires in writing to potential receiving institutions/related boards or the department of personnel.

(2) Be required to pass the examination for the class administered by the receiving institution/related board or department of personnel.

(3) Have their names placed on the appropriate eligible list as provided in WAC 251-18-180 or corresponding department of personnel register.

(4) Be certified to employing official(s) as provided in WAC 251-18-240 or corresponding department of personnel rule.

(5) Serve a trial service period of six months. If the trial service period is not satisfactorily completed, the employee shall be placed on the institution-wide layoff list at the institution/related board from which he/she came or corresponding department of personnel register.

(6) Be unable to bump if laid off during such trial service period even though layoff seniority will move with employee to the new position.

(7) Retain vacation and sick leave balances. Vacation leave accrual rates shall be determined by appropriate higher education personnel board or department of personnel rules.

(8) Retain their former periodic increment date except upon promotion in accordance with WAC 251-08-100 (3)(a).

NEW SECTION

WAC 251-19-120 APPOINTMENT—TEMPORARY. (1) Temporary appointment may be made only to meet employment conditions set forth in the definition of "temporary appointment" in WAC 251-01-415.

(2) Temporary appointment to perform work in the absence of an employee on leave for ninety or more consecutive calendar days shall be made following certification from appropriate eligible lists of eligibles who have indicated willingness to accept such temporary appointment. Employees appointed to classified positions in accordance with this subsection are covered by chapter 28B.16 RCW and Title 251 WAC. Temporary appointment made in accordance with this subsection is not limited to the one hundred seventy-nine consecutive calendar day limitation identified in WAC 251-01-415(3) and subsection (5) of this section.

(3) The employing official may temporarily assign a classified employee the duties and responsibilities of a higher-level class for a period of less than ninety consecutive calendar days. The salary shall be determined per WAC 251-08-110.

(4) Temporary appointment to positions identified in the definition of "temporary appointment" in WAC 251-01-415 (1)(a), (2), and (3) may be made without regard to the rules governing appointment.

(5) Upon prior approval of the director, a temporary appointment to a position identified in WAC 251-01-415 (1)(a) may be extended beyond the eighty-ninth day, however the total period of appointment shall not

exceed one hundred seventy-nine consecutive calendar days.

(6) A permanent classified employee accepting temporary appointment to a position identified in the definition of "temporary appointment" in WAC 251-01-415 (1)(a), (2), and (3), shall retain and continue to receive all rights and benefits provided by these rules for the duration of the temporary appointment.

(7) At the conclusion of a temporary appointment of less than one hundred eighty consecutive calendar days, a permanent employee shall have the right to revert to his/her former position.

(8) Each institution shall file with the director a procedure which indicates their system for controlling and monitoring exempt positions as identified in RCW 28B.16.040(2).

NEW SECTION

WAC 251-19-130 APPOINTMENT—CYCLIC YEAR POSITION. (1) Cyclic year positions are to be filled in accord with chapters 251-17 and 251-18 WAC.

(2) At least fifteen calendar days before the start of each annual cycle, incumbents of cyclic year positions will be informed in writing of their scheduled periods of leave without pay in the ensuing annual cycle. Such leave without pay shall not constitute a break in service and shall not be deducted from the employees' length of service in granting periodic increments except as provided in WAC 251-08-100 (3)(f), nor in computing the employees' vacation leave accrual rate.

(3) When additional work is required of a cyclic year position during a period for which the position was scheduled for leave without pay, the temporary work will be offered to the incumbent. The incumbent will be allowed at least three working days in which to accept or decline the offer.

NEW SECTION

WAC 251-19-140 APPRENTICESHIP PROGRAMS. (1) Apprentices shall be employed and compensated under conditions appropriate for the particular apprenticeable class which have been recommended by the joint apprenticeship committee as approved by the state apprenticeship council and the higher education personnel board. Each apprentice shall enter into a training contract with the joint apprenticeship committee and shall abide by its term and conditions.

(2) When an apprenticeship agreement is cancelled, the employee shall have the same reversionary employment rights he/she had available at the time of entering the apprenticeship program.

(3) When an employee moves into an apprenticeship program and he/she has a higher salary than is provided by the apprenticeship program, his/her salary shall be continued at the existing level until the employee has been in the apprenticeship program long enough to move onto the apprenticeship salary schedule without a reduction in salary.

(4) Incremental salary step increases shall be in accordance with the appropriate salary schedule but are

not solely dependent upon time in grade. Objective evaluation of performance in on-the-job and related training may be justification to delay an incremental salary increase until training requirements for that step have been fulfilled. Conversely, objective evaluation of performance may be justification to advance incremental salary steps to the level equal to ability and training.

(5) Graduates from the apprenticeship program will be assigned to the mid-step of the journey scale and will remain until twelve months elapse before moving to the top step. Movement from the apprenticeship program into the journey class does not require competition and a trial service appointment is not required.

NEW SECTION

WAC 251-19-150 SPECIAL EMPLOYMENT PROGRAMS. (1) Special employment programs are those programs designated by the director which are designed and implemented to reduce unemployment and/or provide training opportunities to enable persons to become more employable. Special employment programs are funded in total, or in part, from sources other than the normal sources available to the institutions.

(2) Positions created for special employment programs are included in the regular classified service of an institution. Participants have the rights and benefits of classified employees, except as precluded by WAC 251-10-035 or higher statutory authority. The primary distinction is that each institution shall establish a separate layoff unit to include all special employment programs. When special employment program positions are abolished or when an incumbent must be separated due to the salary or longevity mandates of Public Law 95-524, layoffs will occur as provided in WAC 251-10-035.

NEW SECTION

WAC 251-19-160 APPOINTMENT—CONVERSION OF EXEMPT POSITION. (1) Incumbents of positions which are converted from exempt to classified service for the following reasons may be placed within the classified service as provided in subsections (2) through (9) of this section:

(a) When it has been determined that the exempt position does not meet the criteria for exemption per WAC 251-04-040 (1), (8), (9), or (10) and thus is inappropriately exempt;

(b) When an organizational realignment has caused the exempt position to become inappropriately exempt by no longer meeting the criteria for exemption per WAC 251-04-040 (1), (8), (9), or (10); or

(c) When an institution elects to convert a position which has been exempt per the provisions of WAC 251-04-040(10).

(2) An incumbent whose position is converted as indicated in subsection (1)(c) of this section must have served a minimum of one year in the position being converted in order to be subject to the provisions of this section.

(3) The incumbent shall not be required to pass a qualifying examination or meet the minimum qualifications for entry into the class.

(4) The incumbent shall enter the classified position with permanent status unless he/she has been employed less than six months in the exempt position being converted, in which case he/she shall hold probationary status until a total of six months has been served.

(5) The incumbent shall be placed at the first step within the salary range or range extension which is not less than the current exempt salary.

(6) The periodic increment date shall be established based on the date of conversion to the classified service or the date of last salary increase, whichever is sooner. Those employees at or above the top step of the new range shall not be assigned a P.I.D.

(7) The incumbent shall be credited with unused accrued sick leave on the books at the time of conversion and shall continue to accrue at the rate of one day per month as provided in WAC 251-22-100.

(8) The incumbent shall be credited with unused accrued vacation leave on the books at the time of conversion and shall accrue at the same rate as for classified employees as provided in WAC 251-22-060.

(9) Layoff seniority for the incumbent shall be established based upon unbroken service at the institution.

WSR 88-02-019

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 87-205—Filed December 30, 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 closes commercial fishing 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 28, 1987.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-830 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC,*

effective December 30, 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:

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

REPEALER

The following section of the Washington Administrative Code is repealed effective December 30, 1987.

WAC 220-47-829 PUGET SOUND COMMERCIAL SALMON FISHING RESTRICTIONS Order No. 87-203

WSR 88-02-020
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
[Order 339—Filed December 31, 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—Grande Ronde River, adopting WAC 232-28-61617.

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 hatchery steelhead are available for harvest in the Grande Ronde River during this time period.

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

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

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

APPROVED AND ADOPTED December 23, 1987.

By Dr. James M. Walton
Chairman, Wildlife Commission

NEW SECTION

WAC 232-28-61617 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—GRANDE RONDE RIVER. Notwithstanding the provisions of WAC 232-28-616, effective at 12:01 a.m. on

January 1, 1988 through 11:59 p.m. on March 29, 1988, the Grande Ronde River from the County Road Bridge (2-1/2 miles upstream from the mouth) to the Oregon State line and all tributaries is open to the taking of game fish with the following additional restrictions:

1. There is a minimum length of 12" for trout.
2. Only steelhead with missing adipose or ventral fins may be possessed. There must be a healed scar in place of the missing fin.

All other provisions of WAC 232-28-616 relating to the Grande Ronde River remain in effect.

WSR 88-02-021
EMERGENCY RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Order 87-33—Filed December 31, 1987]

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 amendment of rules, definitions, and risk classification language contained in chapter 296-17 WAC applicable to workers' compensation insurance underwritten by the Washington state fund, Department of Labor and Industries, and specifically the proposed establishment of a new risk classification for aluminum smelting, and corresponding base rates and expected losses for the new classification.

I, Joseph A. Dear, Director of Labor and Industries, 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 aluminum smelting plants in Vancouver and Goldendale have reopened after a year-long closure. These plants were previously under a self-insurance program. Therefore, rates applicable to other smelting operations are not applicable. The plant closures in both cities had dramatic impacts on local and state economies. The long-awaited reopening has now materialized, putting many unemployed in these areas back to work. At the present time these smelting plants are paying \$1.20 per hour; however, their actual loss experience is much less. Adoption of these changes will remove a large financial barrier and assist in making their operations profitable.

Employers by the provision of RCW 51.16.060 are required to pay insurance premiums based on calendar quarters. The first calendar quarter of 1988 begins on January 1. Therefore, it is critical to avoid reporting confusion which would be generated if the rule became effective in the middle of a quarter or mid-year. It is necessary to adopt this rule on an emergency basis effective January 1, 1988.

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

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 31, 1987.

By R. L. McCallister
for Joseph Dear
Director

NEW SECTION

WAC 296-17-55201 CLASSIFICATION 1802.

Aluminum smelting

This rule shall take effect January 1, 1988.

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

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	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
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
1802	.1975	.1647	.1821	.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

CLASS	1984	1985	1986	D-RATIO	CLASS	1984	1985	1986	D-RATIO
3104	.2149	.1791	.1972	.392	4404	.2184	.1823	.2040	.451
3105	.3122	.2605	.2951	.493	4501	.0658	.0548	.0597	.357
3301	.3784	.3157	.3563	.480	4502	.0154	.0128	.0141	.395
3302	.3017	.2516	.2787	.415	4503	.0311	.0319	.0294	.426
3303	.1178	.0981	.1086	.412	4504	.0268	.0223	.0249	.455
3309	.1831	.1527	.1685	.405	4601	.2208	.1840	.1991	.335
3401	.1710	.1425	.1576	.409	4802	.1507	.1257	.1405	.447
3402	.1441	.1203	.1342	.442	4803	.1659	.1384	.1548	.448
3403	.0604	.0503	.0560	.429	4804	.2488	.2075	.2338	.473
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

Rates Effective January 1, 1988			Rates Effective January 1, 1988		
Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
0510	0.9395	0.6494	2203	0.1856	0.1782
0511	0.7764	0.4345	2401	0.3774	0.3303
0512	1.0175	0.6587	2903	0.4314	0.4122
0513	0.7172	0.4190	2904	0.5379	0.4367
0601	0.3032	0.2940	2905	0.4314	0.4122
0602	0.3324	0.2134	2906	0.3962	0.3008
0603	0.4796	0.3725	2907	0.4401	0.4205
0604	1.0917	0.8333	2908	0.7094	0.4791
0606	0.1720	0.1876	2909	0.4378	0.4183
0607	0.1882	0.1689	3101	0.4645	0.2845
0608	0.2237	0.2465	3102	0.3300	0.2285
0701	1.0907	0.5786	3103	0.3300	0.2285
0803	0.2696	0.2100	3104	0.3369	0.3727
0804	0.4096	0.2921	3105	0.4996	0.4441
0901	1.6647	0.6481	3301	0.6040	0.4112
1002	0.7664	0.6163	3302	0.4752	0.3445
1003	0.4275	0.2857	3303	0.1853	0.2097
1004	0.4275	0.2857	3309	0.2878	0.3378
1005	3.2801	1.6494	3401	0.2690	0.2367
1007	0.1088	0.1180	3402	0.2283	0.2720
1101	0.3293	0.3204	3403	0.0954	0.0875
1102	1.0140	0.5206	3404	0.2934	0.3018
1103	0.2733	0.2864	3405	0.1526	0.1498
1104	0.3753	0.3178	3406	0.1336	0.1620
1106	0.0995	0.1326	3407	0.2254	0.1803
1108	0.3168	0.3430	3408	0.0792	0.0740
1109	0.7033	0.5388	3409	0.1135	0.1938
1301	0.1798	0.1549	3501	0.4795	0.4461
1303	0.1354	0.1153	3503	0.2287	0.1924
1304	0.0101	0.0128	3506	0.4887	0.3374
1305	0.2157	0.2320	3508	0.3376	0.3028
1401	0.7764	0.9738	3602	0.0537	0.0658
1404	0.4160	0.2512	3603	0.4635	0.4092
1405	0.3947	0.2382	3604	0.7475	0.5585
1501	0.2589	0.1825	3605	0.2673	0.2392
1507	0.1809	0.1746	3606	0.4732	0.4000
1701	1.3795	0.5348	3701	0.1996	0.1877
1702	1.3795	0.5348	3702	0.3177	0.2172
1703	0.3909	0.2264	3707	0.2914	0.2234
1704	0.5669	0.3559	3708	0.1805	0.1733
1801	0.6248	0.5719	3801	0.1662	0.1518
1802	0.2942	0.2410	3802	0.1000	0.0949
2002	0.4715	0.3381	3808	0.1664	0.1419
2003	0.3466	0.2702	3901	0.1272	0.1146
2004	0.5695	0.4361	3902	0.3549	0.3015
2005	0.2231	0.2250	3903	0.6850	0.7125
2007	0.2415	0.2310	3905	0.0860	0.1281
2008	0.2007	0.1545	3906	0.3405	0.2243
2101	0.3889	0.4256	3909	0.1575	0.1585
2102	0.3466	0.2702	4002	0.4207	0.3189
2104	0.1976	0.1930	4101	0.1000	0.1122
2105	0.3923	0.2455	4103	0.2269	0.2329
2201	0.1783	0.1435	4107	0.0551	0.0614
2202	0.3025	0.2907	4108	0.1000	0.1122

Rates Effective January 1, 1988			Rates Effective January 1, 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, 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.

WSR 88-02-022
NOTICE OF PUBLIC MEETINGS
LIQUOR CONTROL BOARD
[Memorandum—December 30, 1987]

The Liquor Control Board will hold regular meetings on Monday through Friday of each week, except on holidays, beginning at 9:30 a.m. or as soon thereafter as a quorum is assembled, at its offices on the Fifth Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, Washington.

WSR 88-02-023
REVIEW OF RULES
LIQUOR CONTROL BOARD
[Filed December 31, 1987]

Pursuant to RCW 19.85.050(3), the Liquor Control Board is submitting the following list of rules which are scheduled for review in the next twelve months. This review will be held on September 15, 1988, beginning at 9:30 a.m. in the Board's Offices on the Fifth Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, Washington 98504. Public comment on any of these rules is invited in writing to be received prior to September 15, 1988. Any member of the public wishing to present oral arguments on any of these rules may do so on September 15 at the above time and place.

This agency does administer rules which have an economic impact on more than 20 percent of all industries or on 10 percent of the businesses in any one industry.

The following rules are scheduled for review in the next twelve months.

WAC/CHAPTER	TITLE/SUBJECT	LEGAL BASIS FOR RULE
314-28	Fruit distillers	RCW 66.08.030
314-32	Rectifiers	RCW 66.08.030
314-36	Liquor importers, public storage warehouses and importation of liquor	RCW 66.08.030

WSR 88-02-024
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON
[Memorandum—December 29, 1987]

In accordance with RCW 42.30.075, the University of Washington is providing the following list of governing bodies that maintain regular meeting schedules with the Visitors Information Center.

These schedules are available for public inspection at the following address:

Visitors Information Center
University of Washington
4014 University Way N.E.
Seattle, WA 98105
(206) 543-9198

Hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except state holidays.

- Aeronautics and Astronautics
- American Ethnic Studies
- Anesthesiology
- Anthropology
- Architecture
- Asian Languages and Literature
- Astronomy
- Atmospheric Sciences
- Bioengineering
- Biological Structure
- Chemical Engineering
- Chemistry
- Classics
- Communications

- Dentistry
- Drama
- Education
- Electrical Engineering
- Endodontics
- Engineering
- Environmental Health
- Epidemiology
- Faculty Senate
- Fisheries
- Forest Resources Management Division
- Geological Sciences
- Geophysics Program
- Graduate Professional Students Senate
- Graduate School Council
- Graduate School of Public Affairs
- Harborview Medical Center Board
- History
- Institute for Marine Studies
- Jackson School of International Studies
- KUOW Radio
- Landscape Architecture
- Linguistics
- Materials Science and Engineering
- Mathematics
- Mechanical Engineering
- Music
- Near Eastern Languages and Civilization
- Neurological Surgery
- Nuclear Engineering
- Nursing
- Physiological Nursing
- Oceanography
- Ophthalmology
- Oral Biology
- Oral and Maxillofacial Surgery
- Oral Medicine
- Orthodontics
- Parent and Child Nursing
- Pediatric Dentistry
- Pharmacology
- Philosophy
- Physics
- Physiological Nursing
- Physiology and Biophysics
- Prosthodontics
- Psychosocial Nursing
- Public Health and Community Medicine
- Regents
- Restorative Dentistry
- Scandinavian Languages and Literature
- Social Work
- Slavic Languages and Literature
- State Environmental Policy Act Advisory Board
- Sociology
- Speech Communication
- Surgery
- University Hospital
- Use of University Facilities
- Washington Technology Center
- Women's Studies
- Zoology

WSR 88-02-025

EMERGENCY RULES

DEPARTMENT OF REVENUE

[Order FT-87-4—Filed December 31, 1987]

I, William R. Wilkerson, director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to taxation of forest land and timber, amending sections in chapter 458-40 WAC.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is chapter 84.33 RCW requires stumpage values for timber be shown on tables prepared by the Department of Revenue each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31. These stumpage values shall, in accordance with the policy of the Department of Revenue, reflect the most recent sales data which is available.

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

This rule is promulgated pursuant to chapter 84.33 RCW and RCW 84.33.091 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 31, 1987.

By John B. Conklin
Assistant Director
Forest Tax Division

AMENDATORY SECTION (Amending Order 87-2, filed 6/30/87)

WAC 458-40-660 TIMBER EXCISE TAX—STUMPAGE VALUE TABLES. The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((July)) January 1 through ((December 31, 1987)) June 30, 1988:

((TABLE 1—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER							
Stumpage Values per Thousand Board Feet Net Scribner Log Scale ¹							
Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas fir	DF	1	\$198	\$191	\$184	\$177	\$170
		2	174	167	160	153	146
		3	140	133	126	119	112
		4	139	132	125	118	111
		5	123	116	109	102	95
		6	94	87	80	73	66
Western Redcedar ²	RC	1	278	271	264	257	250
		2	276	269	262	255	248
		3	154	147	140	133	126
		4	137	130	123	116	109
Sitka Spruce	SS	1	212	205	198	191	184
		2	195	188	181	174	167
		3	119	112	105	98	91
		4	109	102	95	88	81
		5	93	86	79	72	65
		6	86	79	72	65	58

TABLE 1—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ³	WH	1	164	157	150	143	136
		2	121	114	107	100	93
		3	109	102	95	88	81
		4	96	89	82	75	68
		5	75	68	61	54	47
		6	66	59	52	45	38
Other Conifer	OC	1	164	157	150	143	136
		2	121	114	107	100	93
		3	109	102	95	88	81
		4	96	89	82	75	68
		5	75	68	61	54	47
		6	66	59	52	45	38
Red Alder	RA	1	39	32	25	18	11
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Alaska cedar.

³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	69	62	55	48	41
Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47
Douglas fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
Fruce Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas fir	DF	1	\$255	\$248	\$241	\$234	\$227
		2	208	201	194	187	180
		3	135	128	121	114	107
		4	135	128	121	114	107
		5	101	94	87	80	73
		6	84	77	70	63	56
Western Redcedar ²	RC	1	238	231	224	217	210
		2	229	222	215	208	201
		3	153	146	139	132	125
		4	111	104	97	90	83
Sitka Spruce	SS	1	195	188	181	174	167
		2	190	183	176	169	162
		3	102	95	88	81	74
		4	95	88	81	74	67
		5	91	84	77	70	63
		6	86	79	72	65	58
Western Hemlock ³	WH	1	153	146	139	132	125
		2	124	117	110	103	96
		3	111	104	97	90	83
		4	97	90	83	76	69
		5	88	81	74	67	60
		6	73	66	59	52	45
Other Conifer	OC	1	153	146	139	132	125
		2	124	117	110	103	96
		3	111	104	97	90	83
		4	97	90	83	76	69
		5	88	81	74	67	60
		6	73	66	59	52	45
Red Alder	RA	1	69	62	55	48	41
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Alaska cedar.

³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	69	62	55	48	41

TABLE 4—cont.
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar & Other Posts ¹	RCP	1	0.47	0.47	0.47	0.47	0.47
Douglas-fir Christmas Trees ²	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$243	\$236	\$229	\$222	\$215
		2	199	192	185	178	171
		3	195	188	181	174	167
		4	164	157	150	143	136
		5	153	146	139	132	125
		6	116	109	102	95	88
Western Redcedar ³	RC	1	250	243	236	229	222
		2	248	241	234	227	220
		3	155	148	141	134	127
		4	118	111	104	97	90
Western Hemlock ⁴	WH	1	139	132	125	118	111
		2	120	113	106	99	92
		3	105	98	91	84	77
		4	94	87	80	73	66
		5	73	66	59	52	45
		6	65	58	51	44	37
Other Conifer	OC	1	139	132	125	118	111
		2	120	113	106	99	92
		3	105	98	91	84	77
		4	94	87	80	73	66
		5	73	66	59	52	45
		6	65	58	51	44	37
Red Alder	RA	1	67	60	53	46	39
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska-cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ²	RCF	1	69	62	55	48	41
Western Redcedar & Other Posts ³	RCP	1	0.47	0.47	0.47	0.47	0.47
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$217	\$210	\$203	\$196	\$189
		2	210	203	196	189	182
		3	150	143	136	129	122
		4	145	138	131	124	117
		5	104	97	90	83	76
		6	97	90	83	76	69
Western Redcedar ³	RC	1	194	187	180	173	166
		2	172	165	158	151	144
		3	127	120	113	106	99
		4	123	116	109	102	95
Western Hemlock ⁴	WH	1	161	154	147	140	133
		2	149	142	135	128	121
		3	116	109	102	95	88
		4	100	93	86	79	72
		5	74	67	60	53	46
		6	66	59	52	45	38
Other Conifer	OC	1	161	154	147	140	133
		2	149	142	135	128	121
		3	116	109	102	95	88
		4	100	93	86	79	72
		5	74	67	60	53	46
		6	66	59	52	45	38
Red Alder	RA	1	64	57	50	43	36
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44

TABLE 7—cont.

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5

Western Redcedar Shake Blocks & Boards	RCS	1	\$178	\$171	\$164	\$157	\$150
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Western Redcedar Flatsawn & Shingle Blocks	RCF	1	69	62	55	48	41
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Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47
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Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
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True Fir & Other Christmas Trees	TFX	1	0.50	0.50	0.50	0.50	0.50
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$229	\$222	\$215	\$208	\$201
		2	228	221	214	207	200
		3	182	175	168	161	154
		4	121	114	107	100	93
		5	112	105	98	91	84
		6	93	86	79	72	65

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 9—cont.

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5

Western Redcedar ²	RC	1	188	181	174	167	160
		2	166	159	152	145	138
		3	132	125	118	111	104
		4	121	114	107	100	93

Western Hemlock ⁴	WH	1	173	166	159	152	145
		2	168	161	154	147	140
		3	149	142	135	128	121
		4	112	105	98	91	84
		5	86	79	72	65	58
		6	78	71	64	57	50

Other Conifer	OC	1	173	166	159	152	145
Red Alder	RA	1	65	58	51	44	37
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5

Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
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Western Redcedar Flatsawn & Shingle Blocks	RCF	1	69	62	55	48	41
--	-----	---	----	----	----	----	----

Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47
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Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
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True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 11—Stumpage Value Table
Stumpage Value Area 6
 July 1 through December 31, 1987

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas fir ²	DF	1	\$100	\$94	\$88	\$82	\$76
Engelmann Spruce	ES	1	73	67	61	55	49
Lodgepole Pine	LP	1	62	56	50	44	38
Ponderosa Pine	PP	1	188	182	176	170	164
		2	107	101	95	89	83
Western Redcedar ³	RC	1	137	131	125	119	113
True Firs ⁴	WH	1	80	74	68	62	56
Western White Pine	WP	1	185	179	173	167	161
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	3	3	3	3	3

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 12—Stumpage Value Table
Stumpage Value Area 6
 July 1 through December 31, 1987

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot.

TABLE 13—Stumpage Value Table
Stumpage Value Area 7
 July 1 through December 31, 1987

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas fir ²	DF	1	\$79	\$73	\$67	\$61	\$55
Engelmann Spruce	ES	1	56	50	44	38	32
Lodgepole Pine	LP	1	58	52	46	40	34
Ponderosa Pine	PP	1	145	139	133	127	121
		2	89	83	77	71	65
Western Redcedar ³	RC	1	125	119	113	107	101
True Firs ⁴	WH	1	67	61	55	49	43
Western White Pine	WP	1	156	150	144	138	132
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	1	1	1	1	1

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 14—Stumpage Value Table
Stumpage Value Area 7
 July 1 through December 31, 1987

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1987

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$117	\$111	\$105	\$99	\$93
		2	93	87	81	75	69
		3	70	64	58	52	46
Engelmann Spruce	ES	1	102	96	90	84	78
		2	89	83	77	71	65
		3	87	81	75	69	63
Lodgepole Pine	LP	1	112	106	100	94	88
		2	87	81	75	69	63
		3	76	70	64	58	52
Ponderosa Pine	PP	1	227	221	215	209	203
		2	125	119	113	107	101
		3	92	86	80	74	68
Western Redcedar ³	RC	1	106	100	94	88	82
		2	104	98	92	86	80
		3	102	96	90	84	78
True Firs ⁴	WH	1	98	92	86	80	74
		2	91	85	79	73	67
		3	85	79	73	67	61
Western White Pine	WP	1	291	285	279	273	267
		2	262	256	250	244	238
		3	117	111	105	99	93
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	1	1	1	1	1

¹Log scale conversions—Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1987

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴Stumpage value per lineal foot.))

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$242	\$235	\$228	\$221	\$214
		2	213	206	199	192	185
		3	180	173	166	159	152
		4	167	160	153	146	139
		5	158	151	144	137	130
		6	131	124	117	110	103
Western Redcedar ²	RC	1	395	388	381	374	367
		2	347	340	333	326	319
		3	203	196	189	182	175
		4	147	140	133	126	119
Sitka Spruce	SS	1	496	489	482	475	468
		2	199	192	185	178	171
		3	151	144	137	130	123
		4	93	86	79	72	65
		5	92	85	78	71	64
		6	63	56	49	42	35
Western Hemlock ³	WH	1	319	312	305	298	291
		2	163	156	149	142	135
		3	136	129	122	115	108
		4	120	113	106	99	92
		5	94	87	80	73	66
		6	71	64	57	50	43
Other Conifer	OC	1	319	312	305	298	291
		2	163	156	149	142	135
		3	136	129	122	115	108
		4	120	113	106	99	92
		5	94	87	80	73	66
		6	71	64	57	50	43
Red Alder	RA	1	39	32	25	18	11
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹Log scale conversions—Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Alaska-cedar.

³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222

TABLE 2—cont.
Stumpage Values per Product Unit

Species Name	Timber Quality		Hauling Distance Zone Number				
	Species Code	Code Number	1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Code Number	Timber Quality		Hauling Distance Zone Number				
			1	2	3	4	5		
Douglas-fir	DF	1	\$261	\$254	\$247	\$240	\$233		
		2	228	221	214	207	200		
		3	198	191	184	177	170		
		4	181	174	167	160	153		
		5	127	120	113	106	99		
		6	106	99	92	85	78		
Western Redcedar ²	RC	1	299	292	285	278	271		
		2	290	283	276	269	262		
		3	164	157	150	143	136		
		4	123	116	109	102	95		
Sitka Spruce	SS	1	200	193	186	179	172		
		2	147	140	133	126	119		
		3	118	111	104	97	90		
		4	106	99	92	85	78		
		5	92	85	78	71	64		
		6	82	75	68	61	54		
Western Hemlock ³	WH	1	244	237	230	223	216		
		2	153	146	139	132	125		
		3	145	138	131	124	117		
		4	128	121	114	107	100		
		5	99	92	85	78	71		
		6	71	64	57	50	43		
Other Conifer	OC	1	244	237	230	223	216		
		2	153	146	139	132	125		
		3	145	138	131	124	117		
		4	128	121	114	107	100		
		5	99	92	85	78	71		
		6	71	64	57	50	43		
Red Alder	RA	1	69	62	55	48	41		
Black Cottonwood	BC	1	56	49	42	35	28		
Other Hardwood	OH	1	72	65	58	51	44		
Hardwood Utility	HU	5	25	25	25	25	25		
Conifer Utility	CU	5	8	8	8	8	8		

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Alaska-cedar.
³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Timber Quality		Hauling Distance Zone Number				
	Species Code	Code Number	1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222
Western Redcedar Flatsawn & Shingle Blocks ²	RCF	1	93	86	79	72	65
Western Redcedar & Other Posts ³	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Code Number	Timber Quality		Hauling Distance Zone Number				
			1	2	3	4	5		
Douglas-fir ²	DF	1	\$242	\$235	\$228	\$221	\$214		
		2	228	221	214	207	200		
		3	225	218	211	204	197		
		4	171	164	157	150	143		
		5	156	149	142	135	128		
		6	129	122	115	108	101		
Western Redcedar ³	RC	1	362	355	348	341	334		
		2	242	235	228	221	214		
		3	202	195	188	181	174		
		4	135	128	121	114	107		
Western Hemlock ⁴	WH	1	266	259	252	245	238		
		2	247	240	233	226	219		
		3	131	124	117	110	103		
		4	102	95	88	81	74		
		5	87	80	73	66	59		
		6	79	72	65	58	51		
Other Conifer	OC	1	266	259	252	245	238		
		2	247	240	233	226	219		
		3	131	124	117	110	103		
		4	102	95	88	81	74		
		5	87	80	73	66	59		
		6	79	72	65	58	51		

TABLE 5—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Red Alder	RA	1	67	60	53	46	39
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5

Western Redcedar—Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222
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Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65
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Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
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Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
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True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$333	\$326	\$319	\$312	\$305
		2	245	238	231	224	217
		3	215	208	201	194	187
		4	166	159	152	145	138

TABLE 7—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number					
			1	2	3	4	5	
			5	136	129	122	115	108
			6	111	104	97	90	83
Western Redcedar ³	RC	1	247	240	233	226	219	
		2	233	226	219	212	205	
		3	165	158	151	144	137	
		4	139	132	125	118	111	
Western Hemlock ⁴	WH	1	296	289	282	275	268	
		2	186	179	172	165	158	
		3	131	124	117	110	103	
		4	129	122	115	108	101	
		5	79	72	65	58	51	
		6	74	67	60	53	46	
Other Conifer	OC	1	296	289	282	275	268	
		2	186	179	172	165	158	
		3	131	124	117	110	103	
		4	129	122	115	108	101	
		5	79	72	65	58	51	
		6	74	67	60	53	46	

Red Alder	RA	1	64	57	50	43	36
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5

Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222
---	-----	---	-------	-------	-------	-------	-------

Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65
---	-----	---	----	----	----	----	----

Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
---	-----	---	------	------	------	------	------

Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
--	-----	---	------	------	------	------	------

True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$365	\$358	\$351	\$344	\$337
		2	245	238	231	224	217
		3	199	192	185	178	171
		4	180	173	166	159	152
		5	123	116	109	102	95
		6	104	97	90	83	76
Western Redcedar ³	RC	1	261	254	247	240	233
		2	199	192	185	178	171
		3	182	175	168	161	154
		4	148	141	134	127	120
Western Hemlock ⁴	WH	1	274	267	260	253	246
		2	221	214	207	200	193
		3	132	125	118	111	104
		4	130	123	116	109	102
		5	128	121	114	107	100
		6	96	89	82	75	68
Other Conifer	OC	1	274	267	260	253	246
		2	221	214	207	200	193
		3	132	125	118	111	104
		4	130	123	116	109	102
		5	128	121	114	107	100
		6	96	89	82	75	68
Red Alder	RA	1	65	58	51	44	37
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222
Western Redcedar Flatsawn & Shingle Blocks ²	RCF	1	93	86	79	72	65
Western Redcedar & Other Posts ³	RCP	1	0.76	0.76	0.76	0.76	0.76

TABLE 10—cont.
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 11—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$110	\$104	\$98	\$92	\$86
Engelmann Spruce	ES	1	74	68	62	56	50
Lodgepole Pine	LP	1	65	59	53	47	41
Ponderosa Pine	PP	1	195	189	183	177	171
		2	121	115	109	103	97
Western Redcedar ³	RC	1	139	133	127	121	115
True Firs ⁴	WH	1	87	81	75	69	63
Western White Pine	WP	1	185	179	173	167	161
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	9	9	9	9	9

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 12—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25

TABLE 12—cont.
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Pine Christmas Trees ¹	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ²	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

TABLE 13—Stumpage Value Table
Stumpage Value Area 7
January 1 through June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$85	\$79	\$73	\$67	\$61
Engelmann Spruce	ES	1	76	70	64	58	52
Lodgepole Pine	LP	1	65	59	53	47	41
Ponderosa Pine	PP	1	148	142	136	130	124
		2	102	96	90	84	78
Western Redcedar ³	RC	1	122	116	110	104	98
True Firs ⁴	WH	1	79	73	67	61	55
Western White Pine	WP	1	164	158	152	146	140
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	16	16	16	16	16

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 14—Stumpage Value Table
Stumpage Value Area 7
January 1 through June 30, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30

TABLE 14—cont.
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$170	\$164	\$158	\$152	\$146
		2	112	106	100	94	88
		3	77	71	65	59	53
Engelmann Spruce	ES	1	102	96	90	84	78
		2	78	72	66	60	54
		3	59	53	47	41	35
Lodgepole Pine	LP	1	112	106	100	94	88
		2	87	81	75	69	63
		3	69	63	57	51	45
Ponderosa Pine	PP	1	258	252	246	240	234
		2	242	236	230	224	218
		3	205	199	193	187	181
Western Redcedar ³	RC	1	196	190	184	178	172
		2	123	117	111	105	99
		3	113	107	101	95	89
True Firs ⁴	WH	1	122	116	110	104	98
		2	118	112	106	100	94
		3	73	67	61	55	49
Western White Pine	WP	1	311	305	299	293	287
		2	245	239	233	227	221
		3	236	230	224	218	212
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	2	2	2	2	2

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Quality Code Number	Timber		Hauling		
			1	2	Distance	Zone	Number
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

AMENDATORY SECTION (Amending Order 87-2, filed 6/30/87)

WAC 458-40-670 TIMBER EXCISE TAX—STUMPAGE VALUE ADJUSTMENTS. Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in WAC 458-40-660 for the designated stumpage value areas with the following limitations:

(1) No harvest adjustment shall be allowed against conifer utility, hardwood utility, or any of the special forest products.

(2) Stumpage value rates for conifer and hardwoods shall be adjusted to a value no lower than one dollar per MBF.

(3) Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage values. Such applications should contain a map with the legal descriptions of the area, a description of the damage sustained by the timber, and a list of estimated costs to be incurred. Such applications shall be sent to the department before the harvest commences. Upon receipt of such application, the department will determine the amount of adjustment allowed, and notify the harvester. Such amount may be taken as a credit against tax liabilities or, if harvest is terminated, a refund may be authorized. In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application not later than ninety days following completion of the harvest unit.

The following harvest adjustment tables are hereby adopted for use during the period of ((July)) January 1 through ((December 31, 1987)) June 30, 1988:

TABLE 1—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, and 5
((July)) January 1 through ((December 31, 1987)) June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	-\$4.00
Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	-\$7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	-\$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	-\$10.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	-(\$11.00) \$9.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$22.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	-\$99.00
III. Remote island adjustment:		
	For timber harvested from a remote island	-\$50.00
IV. Thinning (see WAC 458-40-610 (20))		
Class 1	Average log volume of 50 board feet or more.	-\$25.00
Class 2	Average log volume of less than 50 board feet.	-\$35.00

TABLE 2—Harvest Adjustment Table
Stumpage Value Areas 6, 7, and 10
((July)) January 1 through ((December 31, 1987)) June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	-\$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	-\$10.00

TABLE 2—cont.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	- ((\$15.00)) \$13.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	- \$26.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	- ((\$13.00)) \$99.00
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00

TABLE 3—DOMESTIC MARKET ADJUSTMENT

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. - 36 CFR 223.10)

State Timber Sales: Western red cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

The adjustment amounts shall be as follows:

- Class 1: All eligible species in Western Washington (SVA's 1 through 5) - ((\$11.00)) \$26.00 per MBF
- Class 2: All eligible species in Eastern Washington (SVA's 6, 7, and 10) - ((\$6.00)) \$9.00 per MBF

Note: The adjustment will not be allowed on conifer utility, hardwood utility or special forest products.

WSR 88-02-026

ADOPTED RULES

DEPARTMENT OF REVENUE

[Order FT-87-5—Filed December 31, 1987]

I, William R. Wilkerson, director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to taxation of forest land and timber, amending sections in chapter 458-40 WAC.

This action is taken pursuant to Notice No. WSR 87-22-067 filed with the code reviser on November 4, 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 84.33 RCW and RCW 84.33.091 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 31, 1987.

By John B. Conklin
Assistant Director
Forest Tax Division

AMENDATORY SECTION (Amending Order 87-2, filed 6/30/87)

WAC 458-40-660 TIMBER EXCISE TAX—STUMPAGE VALUE TABLES. The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((July)) January 1 through ((December 31, 1987)) June 30, 1988:

((TABLE 1—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$198	\$191	\$184	\$177	\$170
		2	174	167	160	153	146
		3	140	133	126	119	112
		4	139	132	125	118	111
		5	123	116	109	102	95
		6	94	87	80	73	66
Western Redcedar ²	RC	1	278	271	264	257	250
		2	276	269	262	255	248
		3	154	147	140	133	126
		4	137	130	123	116	109
Sitka Spruce	SS	1	212	205	198	191	184
		2	195	188	181	174	167
		3	119	112	105	98	91
		4	109	102	95	88	81
		5	93	86	79	72	65
		6	86	79	72	65	58
Western Hemlock ³	WH	1	164	157	150	143	136
		2	121	114	107	100	93
		3	109	102	95	88	81
		4	96	89	82	75	68
		5	75	68	61	54	47
		6	66	59	52	45	38
Other Conifer	OC	1	164	157	150	143	136
		2	121	114	107	100	93
		3	109	102	95	88	81
		4	96	89	82	75	68
		5	75	68	61	54	47
		6	66	59	52	45	38
Red Alder	RA	1	39	32	25	18	11
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska cedar.

³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble

Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	69	62	55	48	41
Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$255	\$248	\$241	\$234	\$227
		2	208	201	194	187	180
		3	135	128	121	114	107
		4	135	128	121	114	107
		5	101	94	87	80	73
		6	84	77	70	63	56
Western Redcedar ²	RC	1	238	231	224	217	210
		2	229	222	215	208	201
		3	153	146	139	132	125
		4	111	104	97	90	83
Sitka Spruce	SS	1	195	188	181	174	167
		2	190	183	176	169	162
		3	102	95	88	81	74
		4	95	88	81	74	67
		5	91	84	77	70	63
		6	86	79	72	65	58
Western Hemlock ³	WH	1	153	146	139	132	125
		2	124	117	110	103	96
		3	111	104	97	90	83
		4	97	90	83	76	69
		5	88	81	74	67	60
		6	73	66	59	52	45
Other Conifer	OC	1	153	146	139	132	125
		2	124	117	110	103	96
		3	111	104	97	90	83
		4	97	90	83	76	69

TABLE 3—cont.

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		5	88	81	74	67	60
		6	73	66	59	52	45
Red Alder	RA	1	69	62	55	48	41
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Alaska cedar.
³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	69	62	55	48	41
Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$243	\$236	\$229	\$222	\$215
		2	199	192	185	178	171
		3	195	188	181	174	167
		4	164	157	150	143	136

TABLE 5—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		5	153	146	139	132	125
		6	116	109	102	95	88
Western Redcedar ³	RC	1	250	243	236	229	222
		2	248	241	234	227	220
		3	155	148	141	134	127
		4	118	111	104	97	90
Western Hemlock ⁴	WH	1	139	132	125	118	111
		2	120	113	106	99	92
		3	105	98	91	84	77
		4	94	87	80	73	66
		5	73	66	59	52	45
		6	65	58	51	44	37
Other Conifer	OC	1	139	132	125	118	111
		2	120	113	106	99	92
		3	105	98	91	84	77
		4	94	87	80	73	66
		5	73	66	59	52	45
		6	65	58	51	44	37
Red Alder	RA	1	67	60	53	46	39
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	69	62	55	48	41
Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47
Douglas fir Christmas Trees	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

²Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas fir ²	DF	1	\$217	\$210	\$203	\$196	\$189
		2	210	203	196	189	182
		3	150	143	136	129	122
		4	145	138	131	124	117
		5	104	97	90	83	76
		6	97	90	83	76	69
Western Redcedar ³	RC	1	194	187	180	173	166
		2	172	165	158	151	144
		3	127	120	113	106	99
		4	123	116	109	102	95
Western Hemlock ⁴	WH	1	161	154	147	140	133
		2	149	142	135	128	121
		3	116	109	102	95	88
		4	100	93	86	79	72
		5	74	67	60	53	46
		6	66	59	52	45	38
Other Conifer	OC	1	161	154	147	140	133
		2	149	142	135	128	121
		3	116	109	102	95	88
		4	100	93	86	79	72
		5	74	67	60	53	46
		6	66	59	52	45	38
Red Alder	RA	1	64	57	50	43	36
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	69	62	55	48	41
Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47

TABLE 8—cont:
Stumpage Values per Product Unit

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir Christmas Trees ¹	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ²	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1987

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$229	\$222	\$215	\$208	\$201
		2	228	221	214	207	200
		3	182	175	168	161	154
		4	121	114	107	100	93
		5	112	105	98	91	84
		6	93	86	79	72	65
Western Redcedar ³	RC	1	188	181	174	167	160
		2	166	159	152	145	138
		3	132	125	118	111	104
		4	121	114	107	100	93
Western Hemlock ⁴	WH	1	173	166	159	152	145
		2	168	161	154	147	140
		3	149	142	135	128	121
		4	112	105	98	91	84
		5	86	79	72	65	58
		6	78	71	64	57	50
Other Conifer	OC	1	173	166	159	152	145
		2	168	161	154	147	140
		3	149	142	135	128	121
		4	112	105	98	91	84
		5	86	79	72	65	58
		6	78	71	64	57	50
Red Alder	RA	1	65	58	51	44	37
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska-cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1987

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$178	\$171	\$164	\$157	\$150
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	69	62	55	48	41
Western Redcedar & Other Posts ²	RCP	1	0.47	0.47	0.47	0.47	0.47
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 11—Stumpage Value Table
Stumpage Value Area 6
July 1 through December 31, 1987

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$100	\$94	\$88	\$82	\$76
Engelmann Spruce	ES	1	73	67	61	55	49
Lodgepole Pine	LP	1	62	56	50	44	38
Ponderosa Pine	PP	1	188	182	176	170	164
		2	107	101	95	89	83
Western Redcedar ³	RC	1	137	131	125	119	113
True Firs ⁴	WH	1	80	74	68	62	56
Western White Pine	WP	1	185	179	173	167	161
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	3	3	3	3	3

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska-cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 12—Stumpage Value Table
Stumpage Value Area 6
July 1 through December 31, 1987**

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit**

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴Stumpage value per lineal foot.

**TABLE 13—Stumpage Value Table
Stumpage Value Area 7
July 1 through December 31, 1987**

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹**

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$79	\$73	\$67	\$61	\$55
Engelmann Spruce	ES	1	56	50	44	38	32
Lodgepole Pine	LP	1	58	52	46	40	34
Ponderosa Pine	PP	1	145	139	133	127	121
		2	89	83	77	71	65
Western Redcedar ³	RC	1	125	119	113	107	101
True Firs ⁴	WH	1	67	61	55	49	43
Western White Pine	WP	1	156	150	144	138	132
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	1	1	1	1	1

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 14—Stumpage Value Table
Stumpage Value Area 7
July 1 through December 31, 1987**

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit**

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴Stumpage value per lineal foot.

**TABLE 15—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1987**

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹**

Species Name	Species Code	Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$117	\$111	\$105	\$99	\$93
		2	93	87	81	75	69
		3	70	64	58	52	46
Engelmann Spruce	ES	1	102	96	90	84	78
		2	89	83	77	71	65
		3	87	81	75	69	63
Lodgepole Pine	LP	1	112	106	100	94	88
		2	87	81	75	69	63
		3	76	70	64	58	52
Ponderosa Pine	PP	1	227	221	215	209	203
		2	125	119	113	107	101
		3	92	86	80	74	68
Western Redcedar ³	RC	1	106	100	94	88	82
		2	104	98	92	86	80
		3	102	96	90	84	78
True Firs ⁴	WH	1	98	92	86	80	74
		2	91	85	79	73	67
		3	85	79	73	67	61
Western White Pine	WP	1	291	285	279	273	267
		2	262	256	250	244	238
		3	117	111	105	99	93
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	1	1	1	1	1

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1987

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot.))

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$242	\$235	\$228	\$221	\$214
		2	213	206	199	192	185
		3	180	173	166	159	152
		4	167	160	153	146	139
		5	158	151	144	137	130
		6	131	124	117	110	103
Western Redcedar ²	RC	1	395	388	381	374	367
		2	347	340	333	326	319
		3	203	196	189	182	175
		4	147	140	133	126	119
Sitka Spruce	SS	1	496	489	482	475	468
		2	199	192	185	178	171
		3	151	144	137	130	123
		4	93	86	79	72	65
		5	92	85	78	71	64
		6	63	56	49	42	35
Western Hemlock ³	WH	1	319	312	305	298	291
		2	163	156	149	142	135
		3	136	129	122	115	108
		4	120	113	106	99	92
		5	94	87	80	73	66
		6	71	64	57	50	43
Other Conifer	OC	1	319	312	305	298	291
		2	163	156	149	142	135
		3	136	129	122	115	108
		4	120	113	106	99	92

TABLE 1—cont.

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		5	94	87	80	73	66
		6	71	64	57	50	43
Red Alder	RA	1	39	32	25	18	11
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Alaska-cedar.
³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ⁴	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$261	\$254	\$247	\$240	\$233
		2	228	221	214	207	200
		3	198	191	184	177	170
		4	181	174	167	160	153

TABLE 3—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		5	127	120	113	106	99
		6	106	99	92	85	78
Western Redcedar ²	RC	1	299	292	285	278	271
		2	290	283	276	269	262
		3	164	157	150	143	136
		4	123	116	109	102	95
Sitka Spruce	SS	1	200	193	186	179	172
		2	147	140	133	126	119
		3	118	111	104	97	90
		4	106	99	92	85	78
		5	92	85	78	71	64
		6	82	75	68	61	54
Western Hemlock ³	WH	1	244	237	230	223	216
		2	153	146	139	132	125
		3	145	138	131	124	117
		4	128	121	114	107	100
		5	99	92	85	78	71
		6	71	64	57	50	43
Other Conifer	OC	1	244	237	230	223	216
		2	153	146	139	132	125
		3	145	138	131	124	117
		4	128	121	114	107	100
		5	99	92	85	78	71
		6	71	64	57	50	43
Red Alder	RA	1	69	62	55	48	41
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Alaska-cedar.
³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65
Western Redcedar & Other Posts ¹	RCP	1	0.76	0.76	0.76	0.76	0.76

TABLE 4—cont.
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir Christmas Trees ²	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$242	\$235	\$228	\$221	\$214
		2	228	221	214	207	200
		3	225	218	211	204	197
		4	171	164	157	150	143
		5	156	149	142	135	128
		6	129	122	115	108	101
Western Redcedar ³	RC	1	362	355	348	341	334
		2	242	235	228	221	214
		3	202	195	188	181	174
		4	135	128	121	114	107
Western Hemlock ⁴	WH	1	266	259	252	245	238
		2	247	240	233	226	219
		3	131	124	117	110	103
		4	102	95	88	81	74
		5	87	80	73	66	59
		6	79	72	65	58	51
Other Conifer	OC	1	266	259	252	245	238
		2	247	240	233	226	219
		3	131	124	117	110	103
		4	102	95	88	81	74
		5	87	80	73	66	59
		6	79	72	65	58	51
Red Alder	RA	1	67	60	53	46	39
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber		Hauling				
		Quality Code	Distance	Zone Number				
				1	2	3	4	5
Western Redcedar— Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222	
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65	
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76	
Douglas-fir Christ- mas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25	
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50	

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Timber		Hauling				
			Distance	Zone	Number				
					1	2	3	4	5
Douglas-fir ²	DF	1	\$333	\$326	\$319	\$312	\$305		
		2	245	238	231	224	217		
		3	215	208	201	194	187		
		4	166	159	152	145	138		
		5	136	129	122	115	108		
		6	111	104	97	90	83		
Western Redcedar ³	RC	1	247	240	233	226	219		
		2	233	226	219	212	205		
		3	165	158	151	144	137		
		4	139	132	125	118	111		
Western Hemlock ⁴	WH	1	296	289	282	275	268		
		2	186	179	172	165	158		
		3	131	124	117	110	103		
		4	129	122	115	108	101		
		5	79	72	65	58	51		
		6	74	67	60	53	46		
Other Conifer	OC	1	296	289	282	275	268		
		2	186	179	172	165	158		
		3	131	124	117	110	103		
		4	129	122	115	108	101		
		5	79	72	65	58	51		
		6	74	67	60	53	46		
Red Alder	RA	1	64	57	50	43	36		
Black Cottonwood	BC	1	56	49	42	35	28		
Other Hardwood	OH	1	72	65	58	51	44		

TABLE 7—cont.

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Timber		Hauling				
			Distance	Zone	Number				
					1	2	3	4	5
Hardwood Utility	HU	5	25	25	25	25	25		
Conifer Utility	CU	5	8	8	8	8	8		

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Timber		Hauling				
			Distance	Zone	Number				
					1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222		
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65		
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76		
Douglas-fir Christ- mas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25		
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50		

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65	
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Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76	
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Douglas-fir Christ- mas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25	
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True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50	
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¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code	Timber		Hauling				
			Distance	Zone	Number				
					1	2	3	4	5
Douglas-fir ²	DF	1	\$365	\$358	\$351	\$344	\$337		
		2	245	238	231	224	217		
		3	199	192	185	178	171		
		4	180	173	166	159	152		
		5	123	116	109	102	95		
		6	104	97	90	83	76		
Western Redcedar ³	RC	1	261	254	247	240	233		
		2	199	192	185	178	171		
		3	182	175	168	161	154		
		4	148	141	134	127	120		

TABLE 9—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ⁴	WH	1	274	267	260	253	246
		2	221	214	207	200	193
		3	132	125	118	111	104
		4	130	123	116	109	102
		5	128	121	114	107	100
		6	96	89	82	75	68
Other Conifer	OC	1	274	267	260	253	246
		2	221	214	207	200	193
		3	132	125	118	111	104
		4	130	123	116	109	102
		5	128	121	114	107	100
		6	96	89	82	75	68
Red Alder	RA	1	65	58	51	44	37
Black Cottonwood	BC	1	56	49	42	35	28
Other Hardwood	OH	1	72	65	58	51	44
Hardwood Utility	HU	5	25	25	25	25	25
Conifer Utility	CU	5	8	8	8	8	8

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$250	\$243	\$236	\$229	\$222
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	93	86	79	72	65
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 11—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$110	\$104	\$98	\$92	\$86
Engelmann Spruce	ES	1	74	68	62	56	50
Lodgepole Pine	LP	1	65	59	53	47	41
Ponderosa Pine	PP	1	195	189	183	177	171
		2	121	115	109	103	97
Western Redcedar ³	RC	1	139	133	127	121	115
True Firs ⁴	WH	1	87	81	75	69	63
Western White Pine	WP	1	185	179	173	167	161
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	9	9	9	9	9

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 12—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

TABLE 13—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$85	\$79	\$73	\$67	\$61
Engelmann Spruce	ES	1	76	70	64	58	52
Lodgepole Pine	LP	1	65	59	53	47	41
Ponderosa Pine	PP	1	148	142	136	130	124
		2	102	96	90	84	78
Western Redcedar ³	RC	1	122	116	110	104	98
True Firs ⁴	WH	1	79	73	67	61	55
Western White Pine	WP	1	164	158	152	146	140
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	16	16	16	16	16

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 14—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$170	\$164	\$158	\$152	\$146
		2	112	106	100	94	88
		3	77	71	65	59	53
Engelmann Spruce	ES	1	102	96	90	84	78
		2	78	72	66	60	54
		3	59	53	47	41	35
Lodgepole Pine	LP	1	112	106	100	94	88
		2	87	81	75	69	63
		3	69	63	57	51	45
Ponderosa Pine	PP	1	258	252	246	240	234
		2	242	236	230	224	218
		3	205	199	193	187	181
Western Redcedar ³	RC	1	196	190	184	178	172
		2	123	117	111	105	99
		3	113	107	101	95	89
True Firs ⁴	WH	1	122	116	110	104	98
		2	118	112	106	100	94
		3	73	67	61	55	49
Western White Pine	WP	1	311	305	299	293	287
		2	245	239	233	227	221
		3	236	230	224	218	212
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	2	2	2	2	2

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴Stumpage value per lineal foot.

AMENDATORY SECTION (Amending Order 87-2, filed 6/30/87)

WAC 458-40-670 TIMBER EXCISE TAX—STUMPAGE VALUE ADJUSTMENTS. Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in WAC 458-40-660 for the designated stumpage value areas with the following limitations:

(1) No harvest adjustment shall be allowed against conifer utility, hardwood utility, or any of the special forest products.

(2) Stumpage value rates for conifer and hardwoods shall be adjusted to a value no lower than one dollar per MBF.

(3) Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage values. Such applications should contain a map with the legal descriptions of the area, a description of the damage sustained by the timber, and a list of estimated costs to be incurred. Such applications shall be sent to the department before the harvest commences. Upon receipt of such application, the department will determine the amount of adjustment allowed, and notify the harvester. Such amount may be taken as a credit against tax liabilities or, if harvest is terminated, a refund may be authorized. In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application not later than ninety days following completion of the harvest unit.

The following harvest adjustment tables are hereby adopted for use during the period of ~~((July))~~ January 1 through ((December 31, 1987)) June 30, 1988:

TABLE 1—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, and 5
~~((July))~~ January 1 through ((December 31, 1987)) June 30, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	-\$4.00
Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	-\$7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	-\$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	-\$10.00

TABLE 1—cont.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	- (((\$11.00)) <u>\$9.00</u>
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$22.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	-\$99.00
III. Remote island adjustment:		
	For timber harvested from a remote island	-\$50.00
IV. Thinning (see WAC 458-40-610 (20))		
Class 1	Average log volume of 50 board feet or more.	-\$25.00
Class 2	Average log volume of less than 50 board feet.	-\$35.00

TABLE 2—Harvest Adjustment Table
Stumpage Value Areas 6, 7, and 10
~~((July))~~ January 1 through ((December 31, 1987)) June 30, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	-\$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	-\$10.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	- (((\$15.00)) <u>\$13.00</u>
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$26.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	- (((\$113.00)) <u>\$99.00</u>

TABLE 2—cont.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
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III. Remote island adjustment:

For timber harvested from a remote island - \$50.00

TABLE 3—DOMESTIC MARKET ADJUSTMENT

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. - 36 CFR 223.10)

State Timber Sales: Western red cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

The adjustment amounts shall be as follows:

Class 1:	All eligible species in Western Washington (SVA's 1 through 5)	- ((\$11.00)) <u>\$26.00</u> per MBF
Class 2:	All eligible species in Eastern Washington (SVA's 6, 7, and 10)	- ((\$6.00)) <u>\$9.00</u> per MBF

Note: The adjustment will not be allowed on conifer utility, hardwood utility or special forest products.

WSR 88-02-027

ADOPTED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Order 166—Filed December 31, 1987—Eff. February 1, 1988]

Be it resolved by the Higher Education Personnel Board, acting at Room L131, Terry Lander Hall, University of Washington, Seattle, Washington, that it does adopt the annexed rules relating to:

- Amd WAC 251-08-112 Salary—Reallocation.
- Amd WAC 251-14-070 Unfair labor practices—Management—Employee organizations.

This action is taken pursuant to Notice Nos. WSR 87-21-092 and 87-23-040 filed with the code reviser on October 21, 1987, and November 17, 1987. These rules shall take effect at a later date, such date being February 1, 1988.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

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

APPROVED AND ADOPTED December 4, 1987.

By John A. Spitz
Director

AMENDATORY SECTION (Amending Order 160, filed 9/30/87)

WAC 251-08-112 SALARY—REALLOCATION. (1) An employee occupying a position that is re-allocated to a class with a higher salary range maximum shall receive an increase in the same manner as is provided for promotion in WAC 251-08-110. The periodic increment date shall be established as provided in WAC 251-08-100.

(2) An employee occupying a position that is re-allocated to a class with a lower salary maximum shall be placed in the salary step in the new range which is closest to the current salary, provided such salary does not exceed the top step of the new salary range.

(3) When reallocation is necessary because the board has created, abolished, or modified a class, the incumbent will remain in the position and the following will apply:

(a) An employee occupying a position reallocated to a class with a lower salary range maximum will ~~((be placed at the step in the new salary range which is closest to the))~~ retain his/her current salary and will be allowed to achieve the salary maximum of the former class at the time of reallocation. The employee will lose the right to such salary maintenance if he/she voluntarily demotes, promotes, or moves to another class;

(b) An employee occupying a position reallocated to a class with a higher salary range maximum will receive an increase as provided in WAC 251-08-110;

(c) A reallocation which results from the board's abolishment of a class will be effective the date of the board's action.

AMENDATORY SECTION (Amending Order 163, filed 10/21/87)

WAC 251-14-070 UNFAIR LABOR PRACTICES—MANAGEMENT—EMPLOYEE ORGANIZATIONS. (1) It shall be an unfair labor practice for an institution:

(a) To interfere with, restrain, or coerce employees in the exercise of their collective bargaining rights guaranteed by the higher education personnel law and the rules adopted thereunder as provided in chapter 251-14 WAC (Collective bargaining) and RCW ((~~28B.16.100~~)) 28B.16.230.

(b) To control, dominate, or interfere with a bargaining representative.

(c) To discriminate against an employee who has filed an unfair labor practice charge.

(d) To refuse to engage in collective bargaining.

(2) It shall be an unfair labor practice for employee organizations:

(a) To interfere with, restrain, or coerce employees in the exercise of their collective bargaining rights guaranteed by the higher education personnel law and the rules adopted thereunder as provided in chapter 251-14 WAC (Collective bargaining) and RCW ((~~28B.16.100~~)) 28B.16.230.

(b) To induce an institution to commit an unfair labor practice.

- (c) To discriminate against an employee who has filed an unfair labor practice charge.
 (d) To refuse to engage in collective bargaining.

WSR 88-02-028
NOTICE OF PUBLIC MEETINGS
NUCLEAR WASTE BOARD
NUCLEAR WASTE ADVISORY COUNCIL

[Memorandum—December 31, 1987]

The regular meeting of the Nuclear Waste Board scheduled for January 15, 1987 [1988], at 1:30 p.m. at the Energy Facility Site Evaluation Council Hearings Room, 4224 6th Avenue, Lacey, Washington, is cancelled.

A special meeting of the Nuclear Waste Board will be held on January 22, 1987 [1988], at 10 a.m. at the Energy Facility Site Evaluation Council Hearings Room, 4224 6th Avenue, Lacey, Washington. (This meeting will be held in conjunction with a special meeting of the Nuclear Waste Advisory Council.)

The regular meeting of the Nuclear Waste Advisory Council scheduled for January 15, 1987 [1988], at 9 a.m. at the Energy Facility Site Evaluation Council Hearings Room, 4224 6th Avenue, Lacey, Washington, is cancelled.

A special meeting of the Nuclear Waste Advisory Council will be held on January 22, 1987 [1988], at 10 a.m. at the Energy Facility Site Evaluation Council Hearings Room, 4224 6th Avenue, Lacey, Washington. (This meeting will be held in conjunction with a special meeting of the Nuclear Waste Board.)

WSR 88-02-029
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed December 31, 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 social services for families, children and adults, amending chapter 388-15 WAC;

that the agency will at 10:00 a.m., Tuesday, February 9, 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 February 10, 1988.

The authority under which these rules are proposed is chapter 503, Laws of 1987.

The specific statute these rules are intended to implement is chapter 503, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 9, 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 January 26, 1988. The meeting site is in a location which is barrier free.

Dated: December 31, 1987
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045. Amending WAC 388-15-130, 388-15-132 and 388-15-134.

Purpose for the Change: To provide definitions and update guidelines for child protective services.

Reason These Rules are Necessary: To comply with statutory changes and to facilitate implementation of recommended changes by the Internal Review Committee, Governor's Task Force and the Children and Family Services' Advisory Committee.

Statutory Authority: Chapter 503, Laws of 1987.

Summary of Rule Change: Provides definitions of child abuse and neglect and the goals of the service. A definition and limit of the length of service is provided in the ninety-day rule. The expanded role of the community and collaborating agencies as a participant in an investigation and a resource to families is addressed. Guidelines for interviewing children and notifying parents as well as the review of case information are developed herein.

Person Responsible for Drafting, Information and Enforcement of the Rule: Richard Winters, Program Manager, Division of Children and Family Services, OB-41, 586-1043.

These rules are proposed by DSHS.

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

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-15-130 CHILD PROTECTIVE SERVICES—AUTHORITY. The authority for the department's child protective services (CPS) program is chapter 26.44 RCW and RCW 74.13.031.

(1) GOAL STATEMENT. The purpose of CPS is to protect children from child abuse and neglect (CA/N) through the provision of services to:

- (a) Assess risk of abuse or neglect to children;
- (b) Develop case plans preventing or remedying CA/N in the shortest reasonable time; and
- (c) Maintain, support, or reunify families to the extent possible consistent with the safety of the child.

(2) DEFINITION OF SERVICE. Child protective services are those services provided by the department on behalf of children who

are reported to be abused, neglected, or exploited or who are threatened with harm through abusive, neglectful, or exploitive acts by ((those responsible for their health, safety and welfare. Services are given to prevent, correct, improve or remedy the situations of children who are found to be neglected, abused or exploited, including runaways:

- (2) Services may also include) any person:
- Legally responsible for the child's welfare, or
 - Residing in the same home as the child, or
 - Acting in loco parentis with the implied or expressed consent of the parent (RCW 26.44.010).

(3) DEFINITION OF CHILD ABUSE, NEGLECT, OR EXPLOITATION (CA/N). Abusive, neglectful, or exploitive acts defined in RCW 26.44.020 include:

(a) Inflicting physical injury on a child by other than accidental means, causing death, disfigurement, skin bruising, impairment of physical or emotional health, or loss or impairment of any bodily function.

(b) Creating a substantial risk of physical harm to such child's bodily functioning.

(c) Committing or allowing to be committed any sexual offense against such child as defined in the criminal code or intentionally touching, either directly or through the clothing, the genitals, anus, or breasts of a child for other than hygiene or child care purposes.

(d) Committing acts which are cruel or inhumane regardless of observable injury. Such acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child's pain and/or mental suffering.

(e) Assaulting or criminally mistreating a child as defined by the criminal code.

(f) Failing to provide food, shelter, clothing, supervision, or health care necessary to a child's health or safety.

(g) Engaging in actions or omissions resulting in injury to, or creating a substantial risk to the physical or mental health or development of a child.

(h) Failing to take reasonable steps to prevent the occurrence of (a) through (g).

(4) DESCRIPTION OF SERVICES.

(a) The department's child protective services shall include:

- Investigation of CA/N reports (RCW 26.44.050);
- Development, management, and provision of services to ameliorate conditions endangering the welfare of children;
- Coordination of programs and services relevant to the prevention and treatment of CA/N;
- Case planning to ensure each child has a permanent home;
- Community education; and
- Development of preventative services to reduce and/or eliminate CA/N.

(b) Department services may also include:

(i) Counseling with the children and their families(;) or other responsible individuals(;);

(ii) Arranging ((for alternate living arrangements)) out-of-home placement, ((including)) e.g., relative placement, emergency foster care, etc.; ((day care, homemaker or chore service))

(iii) In-home support services; ((health support services and mental health services. Services also may include referral to appropriate law enforcement agencies and petitions to courts, as well as cooperation))

(iv) Petitions to courts;

(v) Information about and/or referral to other agencies or persons; and

(vi) Cooperating with out-of-state child protective service agencies.

((3)) (5) ((Goals for child protective services shall be limited to those specified in WAC 388-15-010(1)(c). Also see WAC 388-15-010(2))

COMMUNITY INVOLVEMENT. The department shall involve local community resources in the planning and provision of needed services. Involvement shall include:

(a) Notifying law enforcement of department activity in cases being investigated by both agencies.

(b) Coordination of community resources to provide identification, prevention, and treatment of CA/N.

(c) Organizing community child protection teams of professional persons or agencies providing services to abused or neglected children and/or parents of such children.

(d) Other activities to coordinate the investigation and keep participants apprised of case progress per RCW 26.44.035.

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-15-132 CHILD PROTECTIVE SERVICES—ACCEPTANCE OF REPORTS—ELIGIBILITY FOR SERVICES AND LIMITS TO AUTHORITY. ((Reports shall be made directly to the department's CSO:))

(1) ACCEPTANCE OF REPORTS. The ((departmental CSO)) department shall accept a ((complaint or referral concerned with child abuse or neglect, neglect or exploitation of children)) report of CA/N from any source, including one made anonymously. Reports shall be made directly to the department's division of children and family services (DCFS) local office per RCW 26.44.030.

(a) The department shall determine whether reports allege incidents, conditions, or circumstances meeting the definition of CA/N in RCW 26.44.020 and WAC 388-15-130, and

(b) The department shall have the authority to refuse to investigate reports which do not meet the statutory definition of CA/N.

(2) INVESTIGATION. The department, except as provided by RCW 26.44.050 and WAC 388-15-130(2), shall be responsible for investigation of reports of suspected CA/N.

(a) The department shall begin its investigation within twenty-four hours for all CA/N reports where children are assessed to be at risk of imminent harm;

(b) The department shall investigate all other reports meeting the legal definition of CA/N, but may determine an appropriate response time based on the assessed risk of CA/N; and

(c) The department:

(i) Shall develop and maintain records of its investigations of CA/N per RCW 26.44.035, and

(ii) May arrange for ongoing services by another agency.

(d) Upon receiving a report of incidents, conditions, or circumstances of CA/N, the department shall:

(i) Have access to any and all records of the child in the possession of mandated reporters and their employers;

(ii) Have the authority to interview children without prior parental notification or consent;

(iii) Have authority to interview children outside of the presence of parents at locations determined by the department to be suitable for an interview. The child or the department may have a third party present at the interview so long as the investigation is not jeopardized per RCW 26.44.030;

(iv) Not transport the child without parental permission, emergency placement authorization from a law enforcement agency, or court order; and

(v) Notify the child's parent, guardian, or caretaker about the interview per RCW 26.44.030(9).

(e) The department shall complete the investigation within ninety days from the date of report. The department shall make written findings of all investigations including:

(i) A description of any injuries or harm inflicted on the child,

(ii) An account of the department's investigation,

(iii) The findings regarding specific allegations,

(iv) An assessment of risk to the child, and

(v) The department's disposition of the case (RCW 13.34.120 and 26.44.040).

(3) LIMITS TO AUTHORITY. The department:

(a) Shall have the authority to share information for case planning and case consultation purposes with mandated reporters and agencies which have provided or will provide services to the child and family per RCW 26.44.030; and

(b) May share information with community child protection teams, designated members of Washington Indian tribes, and/or citizen advisory groups to assist in case planning, consultation, and policy review per RCW 26.44.030.

(4) SERVICE OPTIONS (NINETY-DAY RULE). Within ninety days of a determination where a child is at risk of CA/N, the department shall:

(a) Develop, with the family, a mutually agreed upon written service plan;

(b) File a dependency petition with the juvenile court; or

(c) Close the case.

(5) JUVENILE COURT CASE PLANS. When the department files a dependency petition, the department shall develop a written social study and proposed case plan for the court to consider at the dispositional hearing per RCW 13.34.120:

(a) Mail a copy to the parent or parents and their attorney at least ten days prior to the disposition hearing, and

(b) Provide the parent or parents an opportunity to review and comment on the plan at the local DCFS office.

(6) REOPENING CLOSED CASES. Any closed case may be reopened by the department for good cause including, but not limited to:

(a) Further allegations of CA/N;

(b) Additional information pertaining to the department's investigation; or

(c) When necessary witnesses or other persons, e.g., parent or child, are located or become available to complete the investigation.

(7) LENGTH OF ELIGIBILITY. Any child ((~~so~~)) reported to the department shall be eligible for child protective services ((~~and~~)). A child shall remain eligible until ((~~it is determined that~~)) he or she is ((~~not suffering from maltreatment and his welfare~~)) no longer abused or neglected or is ((~~not or is~~)) no longer ((~~in jeopardy~~)) at risk of CA/N subject to the provisions of WAC 388-15-130 and 388-15-132.

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-15-134 CHILD PROTECTIVE SERVICES—NOTIFICATION((=~~SUBSTANTIATION~~)). (1) DUTY TO NOTIFY. The department shall notify the ((~~parents, stepparents, guardians or other persons having custody of the child or other person alleged to be the abuser that~~)) person or persons legally responsible for the welfare and safety of a child when:

(a) The department ((~~has received~~)) is investigating a report alleging ((~~condition(s) specified in WAC 388-15-132 unless the report is for informational purposes only because the situation has been resolved by law enforcement and/or by the courts. The identity of the person making the report to the department shall not be revealed unless that person has given permission to do so~~)) an act or acts of child abuse or neglect (CA/N); and

(i) Their child is alleged to be the victim; and/or

(ii) The department interviews a child alleged to be the victim of CA/N.

(b) The department takes a child into custody pursuant to a court order issued under RCW 13.34.050;

(c) The department receives custody of a child from law enforcement pursuant to RCW 26.44.050; and

(d) The department files a dependency petition.

(2) ((~~The report was for information purposes only as specified in subsection (1), the parent or parents surrogate or other alleged abuser as specified above, shall be provided the opportunity to supply information about the allegation and his situation. This person's response about the allegation and his situation including a written statement, if any, shall be a part of the department's case record~~)) NOTIFICATION OF NONCUSTODIAL PARENTS.

(a) The department shall notify noncustodial parents when a child is taken into custody pursuant to RCW 26.44.050 or 13.34.050 and placed into the custody of the department, and

(b) Notification shall also occur when the department files a dependency petition.

(3) ((~~The person, if available, shall be notified that the information will be on file in the CSO~~)) DEPARTMENT NOTIFICATIONS under this section shall include:

(a) A description of the department's action,

(b) The reason for the department's action,

(c) A statement of rights under RCW 13.34.090, and

(d) Notifications shall comply to RCW 26.44.120. Further disclosure shall be made only in compliance with chapter 388-320 WAC.

(4) ((~~The person, if available, shall be informed of the placement of his name as an abuser in the central register~~)) OPPORTUNITY TO REVIEW CASE INFORMATION. The department shall:

(a) Notify the person or persons legally responsible for the child of the address of the office where the case record information will be on file; and

(b) Provide them with the opportunity to read parts of the case record relating to the allegations, provided:

(i) They have requested access to the information, and

(ii) Such access is not otherwise prohibited by law.

(5) ((~~The person, if available, shall be advised of his right to a fair hearing in accordance with chapter 388-08 WAC.~~))

(6) The department shall determine if there is a factual basis for the report, unless the report is already substantiated or is for information purposes only:

(a) A report which contains facts about the state or condition of the child amounting to child abuse made by any person under a mandatory duty to report shall be considered substantiated and must be reported

to the central registry. The substantiation of the identity of the alleged abuser shall be considered separately.

(b) Regardless of source, a report in which the facts support the conclusion(s) is to be considered substantiated. If the report is substantiated and falls within the definition of what is to be reported to the central registry, it must also be reported to the central registry. The parent or parent surrogate or other suspected/alleged perpetrator, if available, shall be notified that the information has been forwarded to the central registry. Even if the report is not substantiated, service may continue as per WAC 388-15-132)) EXCLUSIONS TO CASE INFORMATION. The department shall delete from any case record information provided for reading the name and address of any referrer who requests their identity be held in confidence. The department may delete the name and address of any victim from any case record information provided for reading.

(6) LIMITS OF DUTY TO NOTIFY. The duty of notification created by this section shall be subject to the ability of the department to ascertain the location of the person to be notified. The department shall exercise reasonable, good-faith efforts to ascertain the location of persons entitled to notification under 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 88-02-030
 PROPOSED RULES
 DEPARTMENT OF
 SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed December 31, 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 Eligibility determination—Medically needy in own home, amending WAC 388-99-020;

that the agency will at 10:00 a.m., Tuesday, February 9, 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 February 10, 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 February 9, 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 January 26, 1988. The meeting site is in a location which is barrier free.

Dated: December 31, 1988 [1987]
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.
 Re: Amending WAC 388-99-020.
 Purpose: Increase the medically needy income level and to implement income disregards of health insurance premiums and the maintenance needs of an ineligible spouse.

Reason: To reflect the increase in SSI payments. To remove the present inequities relating to the maintenance needs of the ineligible spouse and to health insurance policies. The regulations are being filed for emergency adoption effective January 1, 1988, as they are of a substantial benefit to clients.

Statutory Authority: RCW 74.08.090.

Summary: The MNIL for one person will reflect the increased SSI/SSP payment for one person. The two person level is at the 133% of AFDC payment and cannot be increased. The three person is increased to be the average of the two and four person standard. Health insurance premiums and the maintenance needs of an ineligible spouse become income disregards.

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 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 2522, filed 8/17/87)

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

(a) One person	\$	((368)) 382
(b) Two persons	\$	532
(c) Three persons	\$	((567)) 599
(d) Four persons	\$	667
(e) Five persons	\$	767
(f) Six persons	\$	875
(g) Seven persons	\$	1,008
(h) Eight persons	\$	1,117
(i) Nine persons	\$	1,225
(j) Ten persons and above	\$	1,333

(2) The department shall allow the following general income disregards:

(a) For families and children the department will determine countable income (~~(is determined)~~) by deducting, from gross income, amounts that would be deducted in determining AFDC grant eligibility. Earned income exemption of \$30 plus 1/3 of the remainder does not apply for individuals applying solely for medical assistance.

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

(3) The department shall allow the following special income disregards:

(a) Health insurance premiums the individual expects to pay during the base period.

(b) An amount equal to the maintenance needs of an ineligible or nonapplying spouse not to exceed the one person medically needy income level.

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

(5) If countable income is greater than the appropriate MNIL, the applicant is required to spenddown the excess countable income for the base period. The base period shall be the three-month or six-month period which corresponds to the certification period, see WAC 388-99-055.

(6) Financial responsibility of relatives.

(a) For families and children,

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

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

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

(7) In mixed households, where more than one assistance unit exists, determine income for the AFDC related assistance unit according to subsections (2)(a) and (3) of this section, and for the SSI related assistance unit according to subsections (2)(b) and (3) of this section.

WSR 88-02-031
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2575—Filed December 31, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to new chapter 388-49 WAC, food assistance programs, and repealing chapter 388-54 WAC.

This action is taken pursuant to Notice No. WSR 87-21-077 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 74.04.050 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 31, 1987.

By Leslie F. James, Director
 Administrative Services

NEW SECTION

WAC 388-49-010 PURPOSE OF PROGRAM. The food stamp program promotes the general welfare and well-being of the nation's population by raising the nutritional levels of program participants. The program permits low-income households to obtain a more nutritious diet through increased purchasing power.

NEW SECTION

WAC 388-49-015 GENERAL PROVISIONS. (1) The rules in this chapter are for the purpose of administering the food stamp program. Rules and definitions in other chapters of Title 388 of the Washington Administrative Code do not apply to provisions of this chapter unless specifically identified.

(2) The department of social and health services shall administer the food stamp program in accordance with an approved plan with the food and nutrition service (FNS) of the United States Department of Agriculture.

(3) The department shall comply with all FNS directives to reduce, suspend, or terminate all or any portion of the food stamp program.

(4) During a presidential or FNS-declared disaster, the department shall certify affected households in accordance with FNS instructions.

(5) The department shall retain:

(a) Food stamp case records for three years from the month of origin of each record, and

(b) Fiscal and accountable documents for three years from the date of fiscal or administrative closure.

(6) The department shall not discriminate against any applicant or participant in any aspect of program administration for reason of:

(a) Age,

(b) Race,

(c) Color,

(d) Sex,

(e) Handicap,

(f) Religious creed,

(g) Political beliefs, or

(h) National origin.

(7) The department shall display nondiscrimination posters provided by FNS in all offices administering the food stamp program.

(8) An individual believing he or she has been subject to discrimination may file a written complaint with the:

(a) Food and nutrition service, or

(b) State office for equal opportunity.

(9) The department shall restrict use or disclosure of information obtained from applying or participating households to:

(a) Individuals directly connected with the administration or enforcement of the provisions of:

(i) The Food Stamp Act or regulations,

(ii) Other federal assistance programs, or

(iii) Federally assisted state programs providing assistance on a means-tested basis to low-income individuals.

(b) Employees of the comptroller general's office of the United States for audit examination authorized by any other provision of law; and

(c) Local, state, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food Stamp Act or regulations. The written request shall include the:

(i) Identity of the individual requesting the information,

(ii) Authority of the individual to make the request,

(iii) Violation being investigated, and

(iv) Identity of the person about whom the information is requested.

(10) The department shall make the household's case file available to the household or household's representative for inspection during regular office hours as provided in chapter 388-320 WAC.

(11) The department shall make the following program information available to the public upon request during regular office hours:

(a) Federal regulations, federal procedures in FNS notices and policy memos, and the state plan of operation at the state office; and

(b) Washington Administrative Code and the food stamp procedures manual at the local office.

(12) The coupon allotment provided any eligible household shall not be considered income or resources for any purpose under any federal, state, or local laws.

(13) The department shall not permit volunteers or other persons not employees of the department to conduct certification interviews or certify food stamp applicants except:

(a) During a presidential or FNS-declared disaster, or

(b) Social security administration (SSA) employees for supplemental security income (SSI) households as provided in WAC 388-49-040.

(14) The provisions of Title 18 of the United States Code, "Crimes and Criminal Procedures," relative to counterfeiting, misuse, and alteration of obligations of the United States are applicable to food coupons.

(15) The department shall establish an annualized standard utility allowance for use in calculating shelter costs, subject to the approval of food and nutrition service. The standard utility allowance shall include:

(a) The cost of heating and cooking fuel;

(b) Cooling and electricity;

(c) Water and sewerage;

(d) Garbage and trash collection fees; and

(e) The basic service fee for one telephone, including tax on the basic fee and fees charged by the utility provider for initial installation, as shelter costs.

(16) The department shall establish a separate telephone allowance subject to the approval of food and nutrition service, for use by households not entitled to claim the overall standard utility allowance, but who incur a separate telephone expense.

NEW SECTION

WAC 388-49-020 DEFINITIONS. (1) "Administrative disqualification hearing" means a formal hearing to determine whether or not an individual committed an intentional program violation.

(2) "Administrative error overissuance" means any overissuance caused solely by department action or failure to act when the household properly and accurately reported all the household's circumstances to the department.

(3) "Administrative law judge" means an employee of the office of administrative hearings empowered to conduct contested case hearings.

(4) "Aid to families with dependent children (AFDC) program" means the federally funded public assistance

program for dependent children and their families authorized under Title IV-A of the Social Security Act.

(5) "Allotment" means the total value of coupons a household is certified to receive during a calendar month.

(6) "Application process" means the filing and completion of an application form, interview or interviews, and verification of certain information.

(7) "Authorized representative" means an adult non-household member sufficiently aware of household circumstances designated in writing by the head of the household, spouse, or other responsible household member to act on behalf of the household.

(8) "Beginning months" means the first month the household is eligible for benefits, and the month thereafter. The first beginning month cannot follow a month in which a household was certified eligible to receive benefits.

(9) "Benefit level" means the total value of food stamps a household is entitled to receive based on household income and circumstances.

(10) "Boarder" means an individual residing with the household and paying reasonable compensation to the household for lodging and meals.

(11) "Budget month" means the first month of the monthly reporting cycle; the month for which the household reports their circumstances.

(12) "Certification period" means definite period of time within which the household has been determined eligible to receive food stamps.

(13) "Child" means someone under eighteen years of age and under parental control.

(14) "Collateral contact" means contact with someone outside of the household to confirm the household's circumstances.

(15) "Commercial boarding home" means a licensed enterprise offering meals and lodging for compensation.

(16) "Dependent care deduction" means payment made to a nonhousehold member for care of a child or other dependent when a household member is seeking, accepting, or continuing employment, or attending training or education leading to employment.

(17) "Destitute household" means a household with migrant or seasonal workers with little or no income at the time of application in need of immediate food assistance.

(18) "Disabled person" means a person who meets one of the following criteria:

(a) Receives supplemental security income (SSI) under Title XVI of the Social Security Act;

(b) Receives disability or blindness payments under Titles I, II, XIV, or XVI of the Social Security Act;

(c) Is a veteran with service-connected disability rated or paid as a total under Title 38 of the United States Code (USC), or considered in need of regular aid and attendance, or permanently housebound under such title;

(d) Is a surviving spouse of a veteran and considered in need of aid and attendance, or permanently housebound; or a surviving child of a veteran and considered to be permanently incapable of self-support under Title 38 of the USC; or

(e) A surviving spouse or child of a veteran and entitled to compensation for service-connected death or pension benefits for a nonservice-connected death under Title 38 of the USC and has a disability considered permanent under section 221(i) of the Social Security Act.

(19) "Documentary evidence" means written confirmation of a household's circumstances.

(20) "Documentation" means the process of recording the source, date, and content of verifying information.

(21) "Elderly person" means a person sixty years of age or older.

(22) "Eligible food" means, for a homeless food stamp household, meals prepared for and served by an authorized homeless meal provider.

(23) "Entitlement" means the food stamp benefit a household received including a disqualified household member.

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

(25) "Excluded household member" means a member who is excluded from the food stamp household because of:

(a) Disqualification for intentional program violation;

(b) Failure to apply for or provide a social security number;

(c) Failure to comply with work registration or employment and training program services requirements; or

(d) Status as an ineligible alien.

(26) "Expedited services" means quick provision of food stamps to households with little or no income and resources or destitute migrant or seasonal farm workers having immediate need for food assistance.

(27) "Fair hearing" means a hearing conducted by the office of administrative hearings at the client's request to decide whether action taken or intended action by the department is correct.

(28) "Fair market value" means the value at which a prudent person might sell the property if the person was not forced to sell.

(29) "Food coupon" means food stamps and the two terms are interchangeable.

(30) "Food coupon authorization (FCA) card" means the document issued by the local or state office to authorize the allotment the household is eligible to receive.

(31) "Food stamp monthly reporting cycle" means the budget month, the process month, and the payment month.

(32) "Gross income eligibility standards" means one hundred thirty percent of the federal poverty level for the forty-eight contiguous states.

(33) "Group living arrangement" means a public or private nonprofit residential setting serving no more than sixteen residents certified by the appropriate state agency under section 1616(e) of the Social Security Act.

(34) "Head of household" means:

(a) The person designated by the household to be named on the case file, identification card, and FCA card;

(b) For employment services or the voluntary quit provision, the household member who is the principal wage earner with the greatest source of earned income in

the two months prior to the month of violation, including members not required to register, provided:

(i) The employment involves at least twenty hours per week; and

(ii) The person is not living with a parent or a person fulfilling that role who is:

(A) Registered for work,

(B) Exempt from work registration because of registration in a Title IV-A or IV-C work program of the Social Security Act, as amended, or the receipt of unemployment compensation, or

(C) Employed or self-employed and working a minimum of thirty hours per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty hours.

(35) "Home visit" means a personal contact at the person's residence by a department employee. The home visit shall be scheduled in advance with the household.

(36) "Homeless food stamp household" means an eligible food stamp household having no fixed mailing address or not residing in a permanent dwelling.

(37) "Homeless meal provider" means a public or private nonprofit establishment (e.g., soup kitchen, temporary shelter, mission, or other charitable organizations) feeding homeless persons, approved by division of income assistance (DIA) and authorized by FNS.

(38) "Household" means the basic client unit in the food stamp program.

(39) "Household disaster" means when food purchased with food stamps are destroyed by a natural disaster, such as flood, fire, etc.

(40) "Identification card" means the document identifying the bearer as eligible to receive and use food stamps.

(41) "Inadvertent household error overissuance" means any overissuance caused by misunderstanding or unintended error on the part of the household.

(42) "Institution" means any place of residence (private or public) providing maintenance and meals for two or more persons.

(43) "Institution of higher education" means any institution normally requiring a high school diploma or equivalency certificate for enrollment. This includes any two-year or four-year college. Also included is any course in a trade or vocational school that normally requires a high school diploma or equivalency for admittance to the course.

(44) "Intentional program violation," after August 8, 1983, means intentionally:

(a) Making a false or misleading statement;

(b) Misrepresenting, concealing, or withholding facts; or

(c) Committing any act constituting a violation of the Food Stamp Act, the food stamp program regulations, or any state statute relating to the use, presentation, transfer, acquisition, receipt, or possession of food stamp coupons or FCAs.

Intentional program violation which ended prior to August 8, 1983, consists of any action by an individual or individuals to knowingly, willfully, and with deceitful intent:

(a) Make a false statement to the department, either orally or in writing, to obtain benefits to which the household is not entitled;

(b) Conceal information to obtain benefits to which the household is not entitled;

(c) Alter authorization cards or coupons to obtain benefits to which the household is not entitled;

(d) Use coupons to buy expensive or conspicuous non-food items;

(e) Use or possess improperly obtained coupons or authorization cards; and

(f) Trade or sell coupons or authorization cards.

(45) "Intentional program violation overissuance" means any overissuance caused by an intentional program violation.

(46) "Live-in attendant" means an individual residing with a household to provide medical, housekeeping, child care, or other similar personal services.

(47) "Lump sum" means money received in the form of a nonrecurring payment including, but not limited to:

(a) Income tax refunds,

(b) Rebates,

(c) Retroactive payments, and

(d) Insurance settlements.

(48) "Mandatory fees" means those fees charged to all students within a certain curriculum. Transportation, supplies, and textbook expenses are not uniformly charged to all students and are not considered as mandatory fees.

(49) "Migrant farmworker" means an individual working in seasonal agricultural employment and who is required to be absent overnight from his or her permanent place of residence.

(50) "Net income eligibility standard" means the federal income poverty level for the forty-eight contiguous states.

(51) "Nonhousehold member" means a person who is not considered a member of the food stamp household such as a:

(a) Boarder;

(b) Live-in attendant or ineligible student; and

(c) An individual who does not purchase and prepare meals with the food stamp household.

(52) "Nonstriker" means any person:

(a) Exempt from work registration the day prior to the strike for reasons other than their employment;

(b) Unable to work as a result of other striking employees, e.g., truck driver not working because striking newspaper pressmen not printing output;

(c) Not part of the bargaining unit on strike but not wanting to cross picket line due to fear of personal injury or death; or

(d) Unable to work because workplace is closed by employer in order to resist demands of employees, e.g., a lockout.

(53) "Offset" means reduce restored benefits by any overissue (claim) owed by the household to the department.

(54) "Overissuance" means the amount of coupons issued to a household in excess of the amount eligible to receive.

(55) "Overpayment" means the same as "overissuance" and shall be the preferred term used in procedures.

(56) "Parental control" (in loco parentis) means that a child under eighteen years of age lives with parents or is under the control of the parent or any adult other than natural parents. Anyone seventeen years of age or younger who is not married and lives with an adult (eighteen years of age or over), whether related or not, is considered under parental control of the adult and may not be certified as a separate household.

(57) "Payment month" means the third month of the budget cycle; the month in which the food stamp allotment is affected by information reported on the monthly report for the budget month.

(58) "Period of intended use" means the period for which an FCA or food coupon is intended to be used.

(59) "Post secondary education" means a school not requiring a high school diploma or equivalency for enrollment. This includes trade school, vocational schools, business colleges, beauty schools, barber schools, etc.

(60) "Process month" means the second month of the monthly reporting cycle; the month in which the monthly report is to be returned by the household to the local office.

(61) "Project area" means the county or similar political subdivision designated by the state as the administrative unit for program operations.

(62) "Prospective budgeting" means the computation of a household's income based on income received or anticipated income the household and department are reasonably certain will be received during the month of issuance.

(63) "Prospective eligibility" means the determination of eligibility based on prospective budgeting rules and other household circumstances anticipated during the month of issuance.

(64) "Quality control review" means a review of a statistically valid sample of cases to determine the accuracy of budgeting, issuance, denial, withdrawal, and termination actions taken by the department.

(65) "Quality control review period" means the twelve-month period from October 1 of each calendar year through September 30 of the following calendar year.

(66) "Recent work history" means receipt of earned income in one of the two months prior to the payment month.

(67) "Recertification" means approval of continuing benefits based on an application submitted prior to the end of the current certification period.

(68) "Resident of an institution" means a person who resides in an institution that provides the individual with the majority of meals as part of the institution's normal service.

(69) "Retrospective budgeting" means the computation of a household's income for a payment month based on actual income received in the corresponding budget month of the monthly reporting cycle.

(70) "Retrospective eligibility" means the determination of eligibility based on retrospective budgeting rules and other circumstances existing in the budget month.

(71) "Roomer" means an individual to whom a household furnishes lodging, but not meals, for compensation.

(72) "Seasonal farmworker" means an individual working in seasonal agricultural employment who is not required to be absent from his or her permanent place of residence overnight.

(73) "Shelter costs" means:

(a) Rent or mortgage payments plus taxes on a dwelling and property;

(b) Insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated;

(c) Assessments;

(d) Utility costs such as heat and cooking fuel, cooling and electricity, water, garbage, and sewage disposal;

(e) Standard basic telephone allowance;

(f) Initial installation fees for utility services; and

(g) Continuing charges leading to the ownership of the shelter such as loan repayments for the purchase of a mobile home including interest on such payments.

(74) "Shelter for battered women and children" means a public or private nonprofit residential facility serving battered women and children.

(75) "Sibling" means a natural, adopted, half brother or stepbrother or natural, adopted, half sister or stepsister.

(76) "Sponsor" means a person who executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's admission into the United States as a permanent resident.

(77) "Sponsored alien" means an alien lawfully admitted for permanent residence.

(78) "Spouse" means:

(a) Married under applicable state law; or

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

(79) "Striker" means any person:

(a) Involved in a strike or concerted stoppage of work by employees including stoppage due to expiration of a collective bargaining agreement; or

(b) Involved in any concerted slowdown or other concerted interruption of operations by employees.

(80) "Student" means any person:

(a) Between eighteen and sixty years of age,

(b) Physically and mentally fit for employment, and

(c) Enrolled at least half time in an institution of higher education.

(81) "Thrifty food plan" means the diet required to feed a family of four as determined by the United States Department of Agriculture. The cost of the diet is the basis for all allotments, taking into account the household size adjustments based on a scale.

(82) "Vehicle" means any device for carrying or conveying persons and objects, including travel by land, water, or air.

(83) "Vendor payment" means money payments not owed or payable directly to a household, but paid to a third party for a household expense, such as:

(a) A payment made in money on behalf of a household whenever another person or organization makes a direct payment to either the household's creditors or a person or organization providing a service to the household; or

(b) Rent or mortgage payments, made to landlords or mortgagees by the department of housing and urban development or by state or local housing authorities.

(84) "Verification" means the use of documentation or third-party information to establish the accuracy of statements on the application. Sources of verification shall be documentary evidence, collateral contacts, or a home visit.

NEW SECTION

WAC 388-49-030 FILING AN APPLICATION.

(1) The department shall:

(a) Make application forms readily available, and

(b) Provide an application to any person requesting one.

(2) A person shall file an application by submitting the form to the CSO:

(a) In person,

(b) By mail, or

(c) Through an authorized representative.

(3) A household consisting of SSI members may file an application at the social security administration district office (SSADO).

(4) A person has a right to file an application on the same day he or she contacts the department.

(5) The department shall accept an incomplete application filed by a responsible household member or authorized representative who:

(a) Completes the name and address, and

(b) Signs the application.

NEW SECTION

WAC 388-49-040 SUPPLEMENTAL SECURITY INCOME HOUSEHOLDS. (1) The department shall complete certification of applications processed by SSADO no later than thirty days after the date a food stamp application is filed at the SSADO.

(2) The department shall begin the expedited service time frame on the date the correct community services office (CSO) receives the application.

(3) The department shall complete recertification when a timely request has been made through SSADO.

NEW SECTION

WAC 388-49-050 AUTHORIZED REPRESENTATIVE. (1) An authorized representative shall be a person who:

(a) Applies for coupons on behalf of the household,

(b) Obtains coupons for the household, and

(c) May use the coupons to purchase food for the household.

(2) The department shall inform the household it will be held liable for any overissuance resulting from erroneous information supplied by the authorized representative.

(3) The department shall certify residents of alcohol or drug treatment centers through an authorized representative who is a designated employee of the facility.

(4) The department shall certify residents of group living arrangements:

(a) Through an authorized representative who is a designated employee of the facility, or

(b) Through an authorized representative of their own choosing, or

(c) On their own behalf.

(5) An employee of the department shall not act as an authorized representative without the written approval of the CSO administrator.

(6) An authorized representative may act on behalf of more than one household with CSO administrator approval.

(7) Persons disqualified for intentional program violation shall not be designated as authorized representatives unless no other is available.

(8) The department shall disqualify a person from acting as an authorized representative for up to one year when the authorized representative:

(a) Knowingly provides false information,

(b) Misrepresents the household's circumstances, or

(c) Misuses the food coupons.

(9) The department shall send written notice to the affected household and the authorized representative thirty days prior to the disqualification in subsection (8) of this section.

NEW SECTION

WAC 388-49-060 INTERVIEW PROCESS. (1) The department shall conduct a face-to-face interview prior to certification and recertification. The person interviewed shall be:

(a) Any responsible household member, or

(b) An authorized representative.

(2) The person being interviewed may bring any person to the interview.

(3) Unless waived, the department shall conduct an interview:

(a) At the CSO, or

(b) At the social security administration district office for SSI households.

(4) If waived, the department shall conduct an interview:

(a) Through a scheduled home visit, or

(b) Over the telephone.

(5) The department shall waive an office interview if the household:

(a) Has no responsible member able to visit the office because of hardships; and

(b) Is unable to appoint an authorized representative; and

(c) Requests a waiver.

NEW SECTION

WAC 388-49-070 PUBLIC ASSISTANCE HOUSEHOLDS. (1) The department shall conduct a single interview at initial application for public assistance and food stamps.

(2) The department shall not delay the household's food stamp benefits pending verification of the public assistance eligibility.

NEW SECTION

WAC 388-49-080 EXPEDITED SERVICE. (1) The department shall provide expedited service for applying households when the household:

(a) Has liquid resources of one hundred dollars or less; and

(b) Has gross monthly income under one hundred fifty dollars; or

(c) Has combined gross income and liquid resources which are less than the household's current monthly rent or mortgage and actual utilities costs; or

(d) Includes all members who are homeless individuals; or

(e) Includes destitute migrant or seasonal farm workers.

(2) The department shall provide food stamps to households eligible for expedited services by the end of the fifth calendar day following the date the application was filed.

(3) The department shall provide food stamps to residents of drug and alcohol treatment centers and group living arrangements eligible for expedited service, by the fifth calendar day following the date of application.

(4) When certifying a household eligible for expedited service, the department shall:

(a) Verify the household's identity;

(b) Make a reasonable effort to verify residence, income, liquid resources, and all other required verifications within the expedited processing standards;

(c) Require the applicant to register for work unless exempt or the authorized representative is applying for the household and shall attempt to register other household members;

(d) Issue benefits within five calendar days for expedited service; and

(e) Assist the household in obtaining necessary verification.

(5) The department shall certify an expedited service household, based on certification periods in WAC 388-49-160, when all necessary verification has been provided.

(6) The department shall certify for one month when necessary verification has been postponed.

(7) The department shall certify for the month of application and the subsequent month when:

(a) Verification is postponed, and

(b) The application is received after the fifteenth of the month.

(8) There is no time limit to the number of times a household may receive expedited service provided:

(a) The household completes the postponed verification requirements, or

(b) The household was certified under the thirty-day processing standard since the last expedited certification.

(9) The department shall conduct an out-of-office interview and complete the application process within the expedited service standard when a household is entitled to expedited service and a waiver of the office interview.

NEW SECTION

WAC 388-49-090 DESTITUTE HOUSEHOLD.

(1) The department shall consider a migrant or seasonal farm worker destitute when:

(a) The household's income for the month of application was received prior to the date of application and was from a terminated source, and/or

(b) The household's income for the month of application is from a new source and not more than twenty-five dollars will be received before the tenth calendar day after the date of application.

(2) The department shall calculate eligibility and benefit level for the month of application by:

(a) Using income the household receives between the first of the month and the date of application, and

(b) Disregarding income from a new source the household anticipates after the day of application.

(3) The department shall consider a household member changing jobs but continuing to work for the same employer to be receiving income from the same source.

NEW SECTION

WAC 388-49-100 RIGHTS AND RESPONSIBILITIES. The department shall advise the household of the following:

(1) The right to:

(a) Receive an application upon request;

(b) File an application the day of receipt;

(c) If eligible, receive food stamps within thirty days after the application is filed;

(d) If eligible, receive expedited services;

(e) Have a fair hearing;

(f) Have information remain confidential; and

(g) Be treated without discrimination because of age, handicap, color, sex, religion, race, national origin, or political beliefs.

(2) The responsibility to:

(a) Report certain changes, and

(b) Submit a food stamp monthly report each month if applicable.

NEW SECTION

WAC 388-49-110 VERIFICATION. (1) Sources of verification shall be:

(a) Documentary evidence,

(b) Collateral contacts, and

(c) Scheduled home visits.

(2) The household has primary responsibility for providing documentary evidence. The department shall offer to assist in obtaining documentary evidence if it would be difficult or impossible for the household to obtain in a timely manner.

(3) At initial application, the department shall verify:

(a) Identity of:

(i) The person making the application, or

(ii) The authorized representative.

(b) Residency,

(c) Resources,

(d) Loans,

(e) Gross nonexempt income,

(f) Shelter expenses if the expense could result in a deduction,

- (g) Utility expenses,
- (h) Medical care expenses,
- (i) Dependent care expenses,
- (j) Household size,
- (k) Household composition, and
- (l) Disability.

(4) At recertification, the department shall verify a change in income, medical expenses, or actual utility expenses claimed by a household if the source has changed or the amount has changed by more than twenty-five dollars since the verification was completed.

(5) The department shall verify for monthly reporting households the following factors on a monthly basis:

- (a) Gross nonexempt income;
 - (b) Utility expenses unless the standard utility allowance is used;
 - (c) Medical expenses per WAC 388-49-500(4);
 - (d) Alien status, social security number, residency, and citizenship if changed;
 - (e) All other questionable information.
- (6) The department shall verify questionable information.

NEW SECTION

WAC 388-49-120 APPLICATION DISPOSITION. (1) The department shall provide a household with an opportunity to participate no later than thirty days following the date the application was filed.

(2) The department shall send a written notice of approval, denial, or pending status to all applicants as soon as a determination is made, but not later than thirty days after the date of application. The thirty-day period ends on the last working day prior to the thirtieth day when the thirtieth day falls on a weekend or a holiday.

(3) The department shall delay the written notice until the thirtieth day when the household has been denied food stamps with an eligibility decision pending for AFDC or SSI.

(4) The household may voluntarily withdraw the application any time prior to the determination of eligibility.

NEW SECTION

WAC 388-49-150 DELAYED AND PENDED APPLICATIONS. (1) When the department does not determine eligibility or provide benefits within thirty days after the date of application, the department shall determine if the delay is the fault of the household or the department.

(2) When the delay is the fault of the household, the household shall:

- (a) Lose benefits for the month of application,
- (b) Have an additional thirty days to take the required action, and
- (c) Be denied and be required to file a new application when the application process is not complete by the end of the second thirty-day period.

(3) When the delay is the fault of the department, the department shall take immediate corrective action:

(a) If the case file is complete, the department shall process the application.

(b) If the case file is incomplete, the department shall pend the application.

(c) If the case is incomplete after sixty days from the date of application, the department shall deny the application.

NEW SECTION

WAC 388-49-160 CERTIFICATION PERIODS. The department shall certify households:

(1) Receiving assistance to coincide with the assistance review or to the end of the assistance period whichever is earlier;

(2) Consisting of migrants up to three months;

(3) Without earned income in which all members are elderly or disabled for up to twelve months;

(4) With little likelihood of change for six months;

(5) Reporting monthly for six months;

(6) Consisting of an individual with a minor child living with the individual's parent or sibling and purchasing and preparing food separately per WAC 388-49-190(1)(e) up to six months; and

(7) All other households for up to three months.

NEW SECTION

WAC 388-49-170 RECERTIFICATION. (1) The department shall provide a notice of expiration to all eligible households:

(a) Not earlier than fifteen days prior to, and not later than, the first day of the household's last month of certification for a multi-month period; or

(b) At the time of certification if the household is certified for up to two months.

(2) A household provided a notice of expiration re-applies timely when the department receives the application by:

(a) The fifteenth day of the last month of certification, or

(b) The fifteenth day after the notice is received if the notice is provided at the time of certification.

(3) The department shall approve or deny households reapplying and completing the application process and shall notify the household of approval or denial:

(a) By the end of the current certification period, or

(b) Not later than thirty days after the last allotment when certified for one month.

(4) A household shall lose its right to uninterrupted benefits when it fails to:

(a) Submit a timely reapplication, or

(b) Appear for a face-to-face interview without good cause.

NEW SECTION

WAC 388-49-180 CATEGORICAL ELIGIBILITY. (1) The department shall determine households categorically eligible for food stamps when all household members are authorized to receive AFDC and/or SSI benefits.

(2) The department shall exempt a categorically eligible household from the following food stamp eligibility requirements:

- (a) Resources,
- (b) Gross and net income standards,
- (c) Social security number requirement,
- (d) Sponsored alien requirement, and
- (e) Residency requirement.

(3) A household shall not be categorically eligible when:

- (a) An entire household is institutionalized, or
- (b) Any household member is disqualified from the food stamp program for any reason.

NEW SECTION

WAC 388-49-190 HOUSEHOLD CONCEPT. (1) The department shall consider the following as households:

- (a) A person who lives alone;
- (b) A person who lives with others and who purchases and prepares meals separate and apart from the others;
- (c) A group of persons who live together and purchase and prepare meals together; or
- (d) A permanently disabled, elderly person unable to prepare meals.

- (i) The person must be living with others.
- (ii) The person's spouse shall be included in the household.

(iii) The income of the other household members cannot exceed one hundred sixty-five percent of the poverty level.

(e) A person who is the parent of a child under 18 years of age, along with that person's child and spouse, if the person and the person's child are:

- (i) Residing with the person's parent or sibling, and
- (ii) Purchasing and preparing meals separate from the parent or sibling.

(2) The department shall not grant separate household status to:

- (a) Children under eighteen years of age under parental control of a member of the household;
- (b) Parents living with their natural, adoptive, or stepchildren, or such children living with parents unless one parent is elderly or disabled;
- (c) A spouse of a household member;
- (d) Siblings unless one sibling is:
 - (i) Elderly or disabled, and
 - (ii) Purchasing and preparing separately.
- (e) A boarder.

(3) The department shall consider the following persons residing with the household as nonhousehold members:

- (a) Roomers,
- (b) Live-in attendants,
- (c) Persons sharing living quarters with the household who purchase food and prepare meals separately from the household, and
- (d) Ineligible students.

(4) The department shall consider the following person residing with the household as an excluded household member:

- (a) A person disqualified for intentional program violation;
- (b) A person sanctioned as part of a disqualified workfare household;
- (c) A person who is an ineligible alien; and
- (d) A person who is disqualified for failure to secure or provide a social security number.

NEW SECTION

WAC 388-49-200 RESIDENTS OF INSTITUTIONS. Residents of institutions are not eligible for participation in the food stamp program unless they are:

- (1) Residents of federally subsidized housing for the elderly built under section 202 of the Housing Act of 1959 or section 236 of the National Housing Act,
- (2) Residents in a drug or alcohol treatment and rehabilitation program,
- (3) Residents of group living arrangements who are blind or disabled and receiving benefits under Title II or Title XVI of the Social Security Act,
- (4) Women and children residing in a shelter for battered women and children, or
- (5) Residents of public or private nonprofit shelters for homeless persons.

NEW SECTION

WAC 388-49-210 ALCOHOL AND DRUG TREATMENT CENTERS. (1) Persons participating in a drug or alcohol treatment program on a resident basis may apply for food stamps provided the treatment program is administered by a public or private nonprofit organization certified by a state agency.

(2) The department shall determine the person's eligibility:

- (a) As a one-person household, and
 - (b) Through an authorized representative who is an employee of and designated by the treatment center.
- (3) The authorized representative shall:
- (a) Be aware of the person's circumstances;
 - (b) Receive and use the food coupon allotment for meals served to the resident; and
 - (c) Notify the department of changes in income, resources, or circumstances within ten days of the change.
- (4) The treatment facility shall:
- (a) Be responsible for any misrepresentation or intentional program violation,
 - (b) Assume total liability for food coupons held on behalf of resident, and
 - (c) Send a monthly list of participating residents signed by a center official to the CSO.

NEW SECTION

WAC 388-49-220 GROUP LIVING ARRANGEMENTS. (1) A resident of a group living arrangement may apply for food stamps provided:

- (a) The resident is receiving benefits from social security or supplemental security income, and
 - (b) The group living arrangement is administered by a nonprofit organization certified by a state agency.
- (2) A resident may apply:

(a) Through an authorized representative of the group home and be certified as a one-person household, or

(b) On his or her own behalf and be certified according to the number of people in the person's household.

(3) An authorized representative shall:

(a) Be aware of the resident's circumstances;

(b) Receive and use the food coupon allotment for meals served to the resident; and

(c) Notify the department of changes in income, resources, or circumstances within ten days of the change.

(4) When the treatment facility acts as the authorized representative, the facility shall:

(a) Be responsible for any misrepresentation or intentional program violation,

(b) Assume total liability for food coupons held on behalf of the resident, and

(c) Send a monthly list of participating residents signed by an official to the CSO.

NEW SECTION

WAC 388-49-230 SHELTERS FOR BATTERED WOMEN AND CHILDREN. (1) The department shall allow residents of a shelter for battered women and children to participate in the food stamp program.

(2) The department shall:

(a) Certify as a separate household a shelter resident who left a food stamp household containing a person abusing the resident;

(b) Provide an additional allotment as a separate household only once a month;

(c) Certify shelter residents on the basis of income, resources, and the expenses for which they are responsible; and

(d) Certify without regard to income, resources, and expenses of the former household.

NEW SECTION

WAC 388-49-240 MEALS FOR THE HOMELESS. Homeless food stamp recipients may use food stamps to purchase prepared meals from authorized homeless meal providers.

NEW SECTION

WAC 388-49-250 BOARDERS. (1) The department shall include at the household's request, any boarder paying reasonable compensation except:

(a) The spouse of a household member,

(b) Children under parental control of a household member, or

(c) Adult children living with parents unless a parent is elderly or disabled.

(2) The department shall consider a person paying less than reasonable compensation to be a member of the household that provides meals and lodging.

(3) Residents of a commercial boarding home are not eligible for food stamps.

NEW SECTION

WAC 388-49-260 NONHOUSEHOLD AND EXCLUDED MEMBERS. (1) The department shall

consider the following person as a nonhousehold member and not part of the food household:

(a) Nonhousehold members are persons who, if otherwise eligible, qualify as a separate household and are:

(i) Roomers,

(ii) Live-in attendants,

(iii) Others not customarily purchasing and preparing meals with the household, or

(iv) Ineligible students.

(b) Do not consider a nonhousehold eligible member when determining household size, income eligibility, or benefit level. Consider income and resources of a nonhousehold member as described in WAC 388-49-410 and 388-49-485.

(2) The department shall consider the following person as an excluded household member:

(a) A person disqualified for intentional program violation;

(b) A person sanctioned for workfare;

(c) A person who is an ineligible alien; and

(d) A person who is disqualified for failure to apply for or provide a social security number.

(3) The department shall not consider excluded household members in determining eligibility or allotment levels.

(4) The income and resources of excluded members shall be considered as described in WAC 388-49-490 and 388-49-420.

NEW SECTION

WAC 388-49-270 SPONSORED ALIENS. (1) The sponsored alien as defined in WAC 388-49-020 and spouse are responsible for providing information necessary to determine income and resources of the sponsor and spouse for three years from the alien's date of entry or admission as a lawful, permanent resident.

(2) The department shall recalculate income and resources when the alien switches sponsors during a certification period.

(3) The department shall verify:

(a) The income and resources of the sponsor and spouse;

(b) The number of aliens the sponsor agreed to support;

(c) The provision of the Immigration and Nationality Act under which the alien is admitted;

(d) The alien's date of entry as a lawful, permanent resident;

(e) The alien's date and place of birth and alien registration number;

(f) The number of dependents for federal income tax of the sponsor and spouse; and

(g) The name, address, and telephone number of the alien sponsor.

(4) If verification is not received on a timely basis, the sponsored alien and spouse shall be considered excluded household members.

(5) The provisions of this section do not apply to:

(a) An alien participating in the food stamp program as a member of the sponsor's household;

(b) An alien sponsored by an organization; or

(c) An alien not required to have a sponsor under Immigration and Nationality Act.

NEW SECTION

WAC 388-49-280 COMMUNAL DINING AND DELIVERED MEALS. Elderly or disabled household members and spouses may use food coupons to purchase meals:

- (1) Prepared at a communal dining facility authorized by FNS, or
- (2) From a nonprofit meal delivery service authorized by FNS.

NEW SECTION

WAC 388-49-290 IDENTITY. The household shall provide verification of the identity of:

- (1) Person making application, or
- (2) Authorized representative and head of household when an authorized representative applies on behalf of a household.

NEW SECTION

WAC 388-49-300 RESIDENCY. (1) Categorically eligible households, as described in WAC 388-49-180, do not have to meet residency requirements of this section.

- (2) Household members shall live in the project area where the application is filed.
- (3) The household shall provide verification of residency except in unusual cases where verification cannot reasonably be accomplished.
- (4) The department shall not consider persons to be residents if they are in a project area solely for vacation purposes.
- (5) No person may participate as a member of more than one household, or in more than one project area in any month unless that person is:
 - (a) A resident of a shelter for battered women and children, and
 - (b) Was a member of a household containing the person abusing him or her.
- (6) The department shall not require a person to:
 - (a) Have a fixed residence, or
 - (b) Intend to reside permanently in the state.

NEW SECTION

WAC 388-49-310 CITIZENSHIP AND ALIEN STATUS. (1) Except for subsection (2) of this section, persons participating in the food stamp program shall be residents of the United States and either:

- (a) A United States citizen; or
- (b) An alien lawfully admitted for permanent residence; or
- (c) An alien who:
 - (i) Entered the United States prior to June 30, 1948, or some later date as required by law; and
 - (ii) Has continuously maintained residency in the United States since then; and

(iii) Is not ineligible for citizenship but is considered to be lawfully admitted for permanent residence as a result of an exercise of discretion by the attorney general pursuant to section 249 of the Immigration and Nationality Act.

(d) An alien who qualified for entry after March 17, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion pursuant to sections 203(a)(7), 207, and 208 of the Immigration and Nationality Act.

(e) An alien who qualifies for conditional entry prior to March 18, 1980, pursuant to former section 203(a)(7) of the Immigration and Nationality Act.

(f) An alien granted asylum through an exercise of discretion by the attorney general pursuant to section 208 of the Immigration and Nationality Act.

(g) An alien lawfully present in the United States as a result of:

(i) An exercise of discretion by the attorney general for emergent reasons or reasons deemed strictly in the public interest pursuant to section 212(d)(5) of the Immigration and Nationality Act; or

(ii) A grant of parole by the attorney general.

(h) An alien living within the United States for whom the attorney general has withheld deportation pursuant to section 243 of the Immigration and Nationality Act because of the judgment of the attorney general that the alien would otherwise be subject to persecution on account of race, religion, or political opinion.

(i) An alien having temporary resident status as a special agricultural worker under section 210 of the Immigration and Nationality Act.

(2) Aliens legalized under section 245A of the Immigration and Nationality Act are ineligible for five years after attaining temporary resident status except for those who:

- (a) Attain permanent resident status, and
- (b) Receive supplemental security income.
- (3) The household shall provide verification when:
 - (a) Citizenship is questionable, or
 - (b) One or more of its members are aliens.

(i) The department shall not contact the immigration and naturalization service to obtain information without the alien's written consent.

(ii) The department shall give the household failing to provide verification the option of:

- (A) Withdrawing the application, or
- (B) Participating without the alien member.

(4) An applicant shall be ineligible until:

- (a) Questionable citizenship is verified, or
- (b) Lawful alien status is verified.

(5) The department shall accept a statement under a penalty of perjury signed by a United States citizen that the applicant is a United States citizen when:

- (a) The applicant cannot produce acceptable citizenship verification, and
- (b) The household can reasonably explain why the verification is not available.

(6) The department shall notify immigration and naturalization services when any household member is ineligible because that person is present in the United States in violation of the Immigration and Nationality Act.

(7) Lawfully admitted aliens who are ineligible include:

- (a) Alien visitors,
- (b) Tourists,
- (c) Diplomats, or
- (d) Students with temporary status.

NEW SECTION

WAC 388-49-320 SOCIAL SECURITY NUMBER. (1) Categorically eligible households, as defined in WAC 388-49-180, are not subject to the provisions of this section.

(2) Prior to certification, a person applying for or participating in the food stamp program shall:

- (a) Provide his or her social security number or numbers (SSN), or
- (b) Apply for and provide verification of SSN application if number is unknown or has not been issued.
- (3) The department shall inform households:
 - (a) Where to apply for an SSN,
 - (b) What information is needed, and
 - (c) Failure to apply for or provide an SSN shall result in the disqualification of the person for whom the SSN is not obtained.

(4) The department shall disqualify any person failing to provide or apply for an SSN. The disqualification shall continue until the person provides a SSN.

(5) The department shall allow the person to participate for one month in addition to the month of application if a household member can show good cause why a SSN application has not been completed in a timely manner. Good cause shall exist when:

- (a) Documentary evidence or collateral information verifies the person has applied for an SSN; or
- (b) The person has made every effort to supply social security administration with necessary information; and
- (c) Good cause does not include delays due to illness, lack of transportation, or temporary absence.

(6) The department shall make every effort to assist the household member to obtain documents necessary for SSN application.

(7) The department shall determine good cause for failure to apply monthly to allow persons to continue on the food stamp program.

(8) Disqualified persons may become eligible when they provide their SSN.

(9) The department shall not delay certification of an eligible household for verification of an SSN.

NEW SECTION

WAC 388-49-330 STUDENT. (1) A student, as defined in WAC 388-49-020, shall meet one of the following to receive food stamps:

- (a) Work and be paid for a minimum of twenty hours per week. A self-employed student's minimum of twenty hours per week earnings shall at least be equal to the federal minimum hourly wage multiplied by twenty hours;
- (b) Receive money from a federal work study program during the regular school year;

(c) Be responsible for the care of a dependent household member under age six;

(d) Be responsible for the care of a dependent household member at least six years of age, but under twelve years of age, and the CSO has determined adequate child care is not available;

(e) Receive benefits from the aid to families with dependent children program; or

(f) Attend an institution of higher education through a program under Job Training Partnership Act (JTPA).

(2) Student status begins the first day of the school term.

(3) Student status continues through normal periods of class attendance, vacation, and recess.

(4) Student status is lost when a student:

- (a) Graduates,
- (b) Is suspended,
- (c) Is expelled,
- (d) Drops out, or
- (e) Does not intend to register for the next normal school term excluding summer school.

NEW SECTION

WAC 388-49-340 COOPERATION WITH QUALITY CONTROL REVIEW. (1) A household shall be ineligible if it refuses to cooperate in a quality control review.

(2) The household shall remain ineligible until the earlier of the following:

- (a) Quality control review requirements are met, or
- (b) Ninety-five days from the end of the annual quality control review period.

(3) Households reapplying after ninety-five days from the end of the annual quality control review period shall provide verification of all eligibility requirements:

- (a) Prior to certification if not an expedited services household, or
- (b) Prior to receiving second month's benefits if eligible for expedited services.

NEW SECTION

WAC 388-49-350 FOOD DISTRIBUTION PROGRAM. (1) The food distribution program is available to households living:

- (a) On Indian reservations, or
- (b) Near the reservation of a tribe where they are members.

(2) The program is administered by Indian tribal organizations approved by FNS.

(3) A household shall not receive benefits under the food stamp program and the food distribution program during the same calendar month.

NEW SECTION

WAC 388-49-360 WORK REGISTRATION AND EMPLOYMENT AND TRAINING PROGRAM SERVICES. (1) Unless otherwise exempt, each individual between the ages of eighteen and sixty shall register for employment at certification and once every twelve months thereafter. A child reaching age eighteen

during a certification period shall be registered for work during the next recertification process.

(2) Sixteen or seventeen-year-old heads of households shall register for employment unless the individual is:

- (a) Attending school, or
- (b) Enrolled in an employment and training program at least half time.

(3) Persons exempt from work registration shall include:

(a) A person physically or mentally unfit for employment;

(b) A parent or other member of the household having responsibility for the care of a dependent child under six years of age or of an incapacitated person.

If a child's sixth birthday falls within a certification period, the individual responsible for the care of the child shall fulfill the work registration requirement at the next recertification, unless the individual qualifies for another exemption.

(c) A person receiving unemployment compensation (UC), or a person applying for but not yet receiving unemployment compensation (UC);

(d) A household member subject to and participating in any work program under Titles IV-A and IV-C of the Social Security Act, as amended, or employment and training (E&T) programs;

(e) A person employed or self-employed at least thirty hours per week, or receiving weekly earnings equal to the federal minimum wage, multiplied by thirty;

(f) A student enrolled at least half time in any recognized school, training program or institution of higher education provided those students enrolled in higher education have met the eligibility conditions in WAC 388-49-020;

(g) A regular participant in a drug addiction or alcoholic treatment and rehabilitation program;

(h) A person complying with work requirements imposed as a participant in any refugee program; and

(i) A migrant or seasonal farmworker under contract or similar agreement with an employer to begin employment within thirty days.

(4) The department shall provide work registration forms to the applicant for each household member required to register. Household members are registered when they submit a completed work registration form to the department.

(5) The department shall accept an applicant's statement concerning the employability of each member of the household unless the information is questionable. The department shall verify any claim for exemption it determines questionable.

(6) The department shall:

(a) Refer persons required to register for work to employment and training program services, unless the person is exempted by subsection (7) of this section; and

(b) Provide employment and training program services to assigned applicants or recipients who are not otherwise exempt, either directly or through a contracted service provider, as specified in the state plan. Persons subject to employment and training services shall participate in an employment and training program service for

a minimum level of effort comparable to spending approximately 12 hours a month for two months during:

(i) An eight-week or two four-week period or periods, each time they are entered into the food stamp program; or

(ii) Each 12 months of continuous participation, whichever occurs sooner.

(7) Applicants or recipients required to register for work, but exempt from referral for employment and training program services, shall include those:

(a) Residing in an exempt county as specified in the state plan;

(b) Residing more than one hour's travel from the service provider;

(c) Having no mailing address or message telephone;

(d) Having a temporary incapacity expected to have a duration of at least 60 days; and

(e) In their first or second trimester of pregnancy.

(8) Persons subject to employment and training shall also be required to:

(a) Report at a prescheduled time to the department or service provider for an initial assessment interview. The department or service provider shall provide written information regarding at least the following in the assessment interview:

(i) A written employment and training plan developed jointly between the department, or service provider and the participant;

(ii) The grounds for noncompliance;

(iii) The sanctions for noncompliance without good cause; and

(iv) Provisions for ending noncompliance.

(b) Respond to a request from the department or service provider requiring supplemental information regarding employment status or availability for work;

(c) Report to an employer, if the potential employment is suitable, when referred by the department or service provider;

(d) Accept a bona fide offer of suitable employment;

(e) Report at a prescheduled time to the department or service provider on the results of all employment and training services participated in; and

(f) Comply with the department or service provider's requests for follow-up interviews.

(9) The department shall provide an allowance of twenty-five dollars per participant month for costs of transportation or other costs that are reasonably necessary and directly related to participation in the employment and training program.

(10) If a household member fails to comply with work registration or employment and training program requirements without good cause, the department shall:

(a) Disqualify the entire household if the noncompliant member is the head of household, or

(b) Disqualify the noncompliant person if the noncompliant member is other than the head of household. The department shall treat the disqualified member as an ineligible household member.

(11) The disqualification for noncompliance with work registration or employment and training program service

requirements shall be for two months or until the non-compliant member moves from the household, becomes exempt, or complies, whichever is earlier.

(a) If the noncompliant member moves from the household, and joins another household, the entire new household is ineligible for the remainder of the disqualification if the noncompliant member joins as head of the household.

(b) If the noncompliant member is not the head of household in the new household, the department shall treat the noncompliant individual as an ineligible household member for the remainder of the disqualification.

(12) The department shall determine whether or not good cause existed prior to initiating sanction for refusal or failure to register for work or participate in employment and training program services.

(13) The following circumstances beyond the participant's control shall constitute good cause for failure to register for work, or participate in employment and training program services. These are not inclusive:

- (a) Illness of the participant;
- (b) Illness of another household member requiring the presence of the member;
- (c) A household emergency;
- (d) The unavailability of transportation; and
- (e) Lack of adequate child care for children who have reached six years of age, but are under 12 years of age.

(14) The department shall treat a household member subject to work requirements of Titles IV-A or IV-C of the Social Security Act, as amended, or UC work registration and participation requirements, who fails to comply with such requirements, shall be treated as though the member had failed to comply with the corresponding employment and training program service requirements. If a corresponding employment and training program service requirement does not exist, the household member shall lose their exemption status as referenced in subsection (3)(d) of this section and shall register for work.

(15) DSHS shall administer the program.

(16) Each household has a right to a fair hearing to appeal a denial, reduction, or termination of benefits due to:

- (a) A determination of nonexempt status; or
- (b) Failure to comply with work registration and employment and training program requirements; or
- (c) Determination of noncompliance with a comparable work program under Titles IV-A and IV-C of the Social Security Act, as amended, or UC requirement.

(17) Within ten days of the department's determination of failure to comply, without good cause, the department shall provide the household with notice of adverse action that contains:

- (a) The particular act of noncompliance;
- (b) The proposed period of disqualification ;
- (c) Notification that the individual or household may reapply at the end of the disqualification period; and
- (d) Information describing the action which the individual or household may take to end or avoid the sanction.

(18) At the end of the two-month disqualification period, a household may apply to reestablish eligibility.

The individual may re-establish eligibility during the disqualification period if the reason for disqualification is corrected.

(19) A registrant moving out of the jurisdiction of the department's local office with which the registrant is registered shall reregister at the department local office in the new location.

(20) Persons who are subject to reporting requirements and who lose exemption status due to any change of circumstance shall register for work. They shall complete the work registration report form and return it within ten calendar days of the date the department hands or mails the form to the household member reporting the change. Failure to complete and return the form within that period shall result in termination of the household.

(21) Persons who are not subject to reporting requirements shall register for employment at the household's next recertification.

(22) The household shall be held liable for any over-issuances resulting from erroneous information given by the household member or the household's authorized representative.

NEW SECTION

WAC 388-49-380 VOLUNTARY QUIT. (1) A household where the head of household voluntarily quit his or her most recent job without good cause shall be ineligible if:

- (a) The employment involved twenty hours or more per week or provided weekly earnings equivalent to twenty times the minimum wage,
- (b) The quit occurred within sixty days prior to application or any time thereafter,
- (c) The quit was without good cause, and
- (d) The head of household is required to register for work as provided in WAC 388-49-360.

(2) Good cause for voluntarily quitting employment includes the following:

- (a) Circumstances included in WAC 388-49-370(10);
- (b) The employment is unsuitable as defined in WAC 388-49-370(3);
- (c) Discrimination by an employer based on age, race, sex, color, handicap, religious belief, national origin, or political belief;
- (d) Work demands or conditions rendering continued employment unreasonable, such as working without being paid on schedule;
- (e) Acceptance by the head of household of employment or enrollment of at least half time in any recognized school, training program, or institution of higher education including fulfillment of the provisions in WAC 388-49-330, requiring the head of household to leave employment;

(f) Acceptance by any other household member of employment or enrollment at least half time in any recognized school, training program, or institution of higher education in another county or similar political subdivision requiring the household to move thereby requiring the head of household to leave employment;

(g) Resignations by persons under the age of sixty recognized by the employer as retirement;

(h) Acceptance of a bona fide offer of employment of more than twenty hours a week or where the weekly earnings are equivalent to the federal minimum wage multiplied by twenty hours which, because of circumstances beyond the control of the head of household, subsequently either does not materialize or results in employment of less than twenty hours a week or weekly earnings of less than the federal minimum wage multiplied by twenty hours; and

(i) Leaving a job in connection with patterns of employment where workers frequently move from one employer to another, such as migrant farm labor or construction work.

(3) If a quit was without good cause, the department shall:

(a) Deny a household's application for a period of ninety days beginning with the day of quit; or

(b) For participating households, disqualify the household for three months. The disqualification shall start the first of the month following the adverse action period.

(4) If a noncompliant head of household leaves the household, the remaining household members shall no longer be sanctioned. If the head of household committing the violation joins another household as the head of household, the balance of the sanction shall be imposed on the new household.

(5) The household shall have primary responsibility for providing verification. If the household and the department are unable to obtain verification, the household shall not be denied access to the program.

(6) The household shall re-establish eligibility during the disqualification, if otherwise eligible, if the member who caused the disqualification:

(a) Secures new employment comparable in salary or hours to the job which was quit,

(b) Leaves the household, or

(c) Becomes exempt from work registration.

NEW SECTION

WAC 388-49-390 STRIKERS. (1) Households containing a striker as defined in WAC 388-49-020 shall be eligible if the household:

(a) Was eligible for benefits the day prior to the strike, and

(b) Is otherwise eligible at the time of application.

(2) A household shall not receive an increase in benefits as the result of a decrease in the income of the striker.

NEW SECTION

WAC 388-49-400 RESOURCES—ALLOWABLE MAXIMUMS. (1) Categorically eligible households, as defined in WAC 388-49-180, do not have to meet the resource limits or definitions in this section.

(2) Households not categorically eligible shall not exceed maximum allowable nonexempt resources of:

(a) Three thousand dollars for any household with a person sixty years of age or over, and

(b) Two thousand dollars for all other households.

(3) The department shall verify ownership and the value of all resources for households not categorically eligible.

NEW SECTION

WAC 388-49-410 RESOURCES—EXEMPT. (1) The department shall exempt the following resources:

(a) An occupied home and surrounding property not separated by intervening property owned by others;

(b) An unoccupied home and surrounding property if:

(i) The household intends to return to the home, and

(ii) The house is unoccupied due to:

(A) Employment,

(B) Training for future employment,

(C) Illness, or

(D) Uninhabitability due to casualty or natural disaster.

(c) A piece of land where the household is building or intends to build a permanent home, if the household does not own another home. The land must not be separated by intervening property owned by others;

(d) Personal effects;

(e) Household goods;

(f) One burial plot per household member;

(g) Cash value of:

(i) Life insurance policies, and

(ii) Pension funds.

(h) Vehicles as provided in WAC 388-49-430;

(i) Property annually producing income consistent with its fair market value, even if only used on a seasonal basis;

(j) Rental homes used by household for vacation purposes during the year if the property annually produces income consistent with its fair market value;

(k) Property essential to the employment or self-employment of a household member;

(l) Resources held separately by nonhousehold members;

(m) Indian lands:

(i) Held jointly with the tribe, or

(ii) Sold only with the approval of the bureau of Indian affairs.

(n) Resources prorated as income for self-employed persons or eligible students. These monies, if commingled in an account with nonexcluded funds, shall retain their exclusion for the period of time they are prorated as income;

(o) Cash value of resources not accessible to the household;

(p) Funds in a trust and the income produced by that trust, to the extent they are not available;

(q) Resources excluded by express provision of federal law from consideration in the food stamp program;

(r) Installment contracts or agreements for the sale of land or other property when it is producing income consistent with its fair market value:

(i) Value of the property sold under an installment contract; and

(ii) The value of property held for security if the purchase price is consistent with fair market value.

(s) Governmental payments designated for restoration of a home damaged in a disaster. The household must be

subject to legal sanction if the funds are not used as intended;

(t) Energy assistance payments or allowances made under federal, state, or local laws; and

(u) Resources of persons residing in shelters for battered women and children if:

(i) The resources are jointly owned with members of the former household, and

(ii) Access to the resources depends on the agreement of the joint owner.

(2) Exempt moneys commingled in an account with nonexempt funds shall continue to be exempt for up to six months from the date they are commingled.

NEW SECTION

WAC 388-49-420 RESOURCES—NONEXEMPT. (1) The department shall consider the following resources nonexempt:

(a) Liquid resources,

(b) Real and personal property not exempted by WAC 388-49-410, and

(c) Money secured in the form of a lump sum.

(2) The value of a nonexempt resource, except for licensed vehicles as specified in WAC 388-49-430, shall be its equity value.

(3) Exempt monies having been commingled in an account with nonexempt funds for more than six months.

(4) The department shall consider resources owned jointly by separate households available in their entirety to each household, unless it can be verified the resource is inaccessible to one of the households.

(5) The department shall consider resources of excluded persons available to the remaining household members.

(6) The department shall consider resources, reduced by one thousand five hundred dollars, of an alien sponsor and spouse, if living together, available to the alien household for three years following the alien's admission to the United States for permanent residence.

NEW SECTION

WAC 388-49-430 RESOURCES—VEHICLES. (1) The department shall exclude the entire value of a licensed vehicle if it is:

(a) Used for income-producing purposes over fifty percent of the time it is in use;

(b) Annually producing income consistent with its fair market value;

(c) Essential to the employment of a household member, ineligible aliens, or disqualified persons whose resources are considered available to the household. This exclusion applies only if the vehicle is necessary for long distance travel other than daily commuting;

(d) Necessary for subsistence hunting or fishing;

(e) Used as the household's home; or

(f) Necessary to transport a physically disabled household member, ineligible aliens, or disqualified persons whose resources are available to the household. The exclusion is limited to one vehicle per physically disabled person.

(2) The department shall exclude the entire value of unlicensed vehicles:

(a) Driven by Indian tribal members on those reservations not requiring vehicle licensing, and

(b) Meeting one of the provisions in subsection (1) of this section.

(3) The department shall continue the exclusions described in subsection (1) and (2) of this section when the vehicle is not in use because of temporary unemployment.

(4) The department shall:

(a) Determine the fair market value of all licensed vehicles not excluded in subsections (1) and (2) of this section. Fair market value will be determined by the value of those vehicles as listed in publications written for the purpose of providing guidance to automobile dealers and loan companies; and

(b) Count the fair market value of each vehicle in excess of four thousand five hundred dollars toward the household's resource maximum.

(5) The department shall determine the equity value of all licensed vehicles except:

(a) Those excluded in subsections (1) and (2) of this section,

(b) One licensed vehicle per household regardless of the use of the vehicle, and

(c) Any other licensed vehicle used for:

(i) Transportation to and from employment,

(ii) Seeking employment, or

(iii) Transportation for training or education which is preparatory to employment.

(6) The department shall count the equity value of licensed and unlicensed vehicles not excluded in subsections (1), (2), and (4) of this section toward the household's maximum allowable resource limit.

(7) The department shall consider only the greater amount as a resource if the vehicle has:

(a) A countable fair market value in excess of four thousand five hundred dollars, and

(b) A countable equity value.

NEW SECTION

WAC 388-49-440 RESOURCES—TRANSFER OF PROPERTY. (1) The department shall disqualify a household when any household member, including ineligible aliens or disqualified persons, has knowingly transferred any resource to qualify or attempt to qualify for benefits:

(a) Within three months immediately preceding the application for benefits, or

(b) After the household is determined eligible for benefits.

(2) The department shall disqualify the household for up to one year from the date the transfer is discovered.

(3) The department shall base the length of disqualification on the amount of the nonexempt transferred resources and other countable resources in excess of the allowable resource limits:

Amount In Excess	Disqualification
0 - 249.99	1 month
250 - 999.99	3 months
1,000 - 2,999.99	6 months
3,000 - 4,999.99	9 months
5,000 and over	1 year

(4) The department shall not apply the disqualification to the following types of transfers:

- (a) Resources not affecting eligibility,
- (b) Resources sold or traded at or near fair market value,
- (c) Resources transferred between household members and ineligible aliens or disqualified persons of the same household, or
- (d) Resources transferred for reasons other than to qualify.

NEW SECTION

WAC 388-49-450 INCOME—EARNED. (1) The department shall consider the following as earned income:

- (a) Wages and salaries;
 - (b) Gross income from self-employment, including total gain from the sale of any capital goods or equipment related to the business, and excluding the cost of doing business. Self-employment income includes:
 - (i) Income from rental property if a household member is managing the property an average of twenty hours or more a week, and
 - (ii) Payments from a roomer or boarder.
 - (c) Training allowances from vocational and rehabilitative programs:
 - (i) Recognized by federal, state, or local governments; and
 - (ii) Are not a reimbursement.
 - (d) Payments under Title I of the Domestic Volunteer Service Act;
 - (e) Advance on wages;
 - (f) Earnings by persons over nineteen years of age from on-the-job training programs under JTPA;
 - (g) State and federal work study funds;
 - (h) EIC received regularly;
 - (i) Money from the sale of blood or blood plasma; and
 - (j) Military basic allowance for quarters and basic allowance for subsistence in lieu of provided housing and/or food.
- (2) The department shall verify gross nonexempt earned income except for expedited service households:
- (a) Prior to initial certification,
 - (b) At reapplication if amount has changed more than twenty-five dollars, and
 - (c) On a monthly basis for households subject to monthly reporting.

NEW SECTION

WAC 388-49-460 INCOME—UNEARNED. (1) The department shall consider unearned income to include, but not be limited to:

- (a) An annuity, pension, or retirement;
- (b) Veteran or disability benefits;
- (c) Workmen or unemployment compensation;

- (d) Old-age, survivors, or social security benefits;
 - (e) Strike benefits;
 - (f) Payment from federally aided assistance programs based on need;
 - (g) Support and alimony payments made directly to the household from a person living outside the household;
 - (h) Child support refund payments received by AFDC recipients from office of support enforcement;
 - (i) Payment on behalf of a foster child or adult;
 - (j) Educational benefits less excluded amounts (see income exclusions in WAC 388-49-470):
 - (i) Scholarships,
 - (ii) Educational grants including loans where repayment is deferred,
 - (iii) Fellowships, and
 - (iv) Veteran benefits.
 - (k) Payments from government-sponsored programs;
 - (l) Cash prizes, awards, lottery winnings, or gifts;
 - (m) Dividends, interest, or royalties;
 - (n) Gross income minus the cost of doing business from rental property if a household member is not managing the property at least twenty hours a week;
 - (o) Money withheld from public assistance to recoup an overpayment for intentional failure to comply with the public assistance program requirements;
 - (p) Direct money payments, such as interest, dividends, and royalties which are a gain or benefit;
 - (q) Money legally obligated and otherwise payable to the household, but diverted by the provider of the payment to a third party, for a household expense; and
 - (r) The deemed income from an alien's sponsor.
- (2) The department shall disregard the following as unearned income:
- (a) Money from any source voluntarily returned by a household member to repay a prior overpayment from the same source,
 - (b) Mandatory deductions from a source to repay a prior overpayment from the same source except from:
 - (i) AFDC,
 - (ii) Refugee assistance,
 - (iii) GA-U, and
 - (iv) GA-S.
 - (c) Child support payments assigned to office of support enforcement received by AFDC recipients.
- (3) The department shall verify gross nonexempt unearned income except for expedited service households:
- (a) Prior to initial certification,
 - (b) At recertification if amount has changed more than twenty-five dollars, and
 - (c) On a monthly basis for households subject to monthly reporting if the income has changed.

NEW SECTION

WAC 388-49-470 INCOME—EXCLUSIONS. The department shall exclude the following income:

- (1) Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source.
- (2) Payments made under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(3) Payments made to volunteers under Title I of the Domestic Volunteer Service Act of 1973 for:

(a) Persons receiving public assistance or food stamps at the time the person joined the Title I program,

(b) Households receiving an income exclusion for a VISTA or other Title I subsistence allowance at the time of conversion to the Food Stamp Act of 1977, or

(c) Temporary interruptions in food stamp participation shall not alter the exclusion once an initial determination has been made.

(4) Payments made to volunteers under Title II of the Domestic Volunteer Services Act of 1973.

(5) Payments from submarginal land held in trust for certain Indian tribes as designated by P.L. 94-114 and P.L. 94-540.

(6) Payments from the disposition of funds to the Grand River Band of Ottawa Indians.

(7) Payment from the Indian claims commission to the confederated tribe of the Yakima Indian nation.

(8) Payment to Alaskan natives under the terms of the Alaskan Native Claims Settlement Act.

(9) The earned income of children who are:

(a) Members of the household,

(b) Under eighteen years of age, and

(c) Attending school at least half time.

(10) When a child's earnings or amount of work performed cannot be differentiated from the earnings or work performed by other household members, the department shall:

(a) Prorate the earnings equally among the working members, and

(b) Exclude the child's pro rata share.

(11) Infrequent or irregular income received during a three-month period that:

(a) Cannot be reasonably anticipated as available, and

(b) Shall not exceed thirty dollars for all household members.

(12) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred.

(13) Nonrecurring lump sum payments.

(14) The cost of producing self-employment income.

(15) Financial aid received under Title IV of the Higher Education Act designated by the school for:

(a) Tuition,

(b) Fees (including equipment and material),

(c) Books,

(d) Supplies,

(e) Transportation, and

(f) Miscellaneous personal expenses as determined by the institution.

(16) Other federal financial aid designated by the school for:

(a) Tuition, and

(b) Mandatory fees.

(17) Nonfederal financial aid designated by the school for:

(a) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and

(b) Other earmarked educational expenses such as transportation, supplies, textbooks, and child care.

(18) Reimbursements for past or future expenses to the extent the reimbursements do not:

(a) Exceed the actual expense, and

(b) Represent a gain or benefit to the household.

(19) Any gain or benefit not in money.

(20) Vendor payments as defined in WAC 388-49-020.

(21) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member. When the intended beneficiaries of a single payment include both household members and persons not in the household, the excluded amount shall be:

(a) Any identifiable portion intended and used for the care and maintenance of the person out of the household, or

(b) If the portions are not readily identified as:

(i) An even pro rata share; or

(ii) The amount actually used for the care and maintenance of the person out of the household, whichever is less.

(22) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs.

(23) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

(24) Money specified by court order or other legally binding agreement to go directly to a third-party beneficiary rather than to the household.

(25) Support payments not required by a court order or other legally binding agreement paid directly to a third party rather than to the household.

(26) Payments from the individual and family grant program.

NEW SECTION

WAC 388-49-480 INCOME—EXCLUDED MEMBERS. (1) The department shall determine eligibility and benefit level for households containing a person excluded because of intentional program violation or failure to comply with workfare requirements as follows:

(a) The entire income of the excluded person shall be considered available to the remaining household members; and

(b) The entire household's allowable earned income, standard deduction, medical, dependent care, and excess shelter deduction shall be considered in their entirety; and

(c) The household's coupon allotment shall not be increased as a result of the exclusion of one or more persons.

(2) The department shall determine eligibility and benefit level for households containing a person excluded because of ineligible alien status or refusal to obtain or provide a social security number as follows:

(a) A pro rata share of the income of the excluded person shall be counted as income to the remaining household members;

(b) The twenty percent earned income deduction shall apply to the excluded person's earned income attributed to the household; and

(c) The portion of the household's allowable shelter and dependent care expense which is paid by or billed to

the excluded member shall be divided evenly among all members of the household, providing the excluded member has income.

(3) An excluded person shall not be included when determining the household's size for purposes of:

- (a) Assigning a benefit level; and
- (b) Comparing the household's monthly income to the income eligibility standards.

NEW SECTION

WAC 388-49-485 INCOME—NONHOUSEHOLD MEMBERS. (1) The department shall consider as income cash payments to the household from a non-household member as defined in WAC 388-49-020.

(2) The department shall not consider the following as available to the household:

- (a) The nonhousehold member's income; and
- (b) Payments made by a nonhousehold member to a third party for the benefit of the household.

(3) When the nonhousehold member's earnings cannot be differentiated from the earnings of other household members, the department shall:

- (a) Prorate the earnings equally among the working members; and
- (b) Exclude the nonhousehold member's pro rata share.

(4) When the household shares deductible expenses with nonhousehold members, the department shall allow only the amount paid or contributed by the household as a deduction.

NEW SECTION

WAC 388-49-490 INCOME—SPONSORED ALIENS. The following provisions shall apply to those aliens for whom a sponsor has signed an affidavit of support or similar statement on or after February 1, 1983:

(1) The department shall consider portions of the gross income of a sponsor and sponsor's spouse (if living with the sponsor) as unearned income of the sponsored alien. The income of an alien sponsor shall be deemed available for three years following the alien's admission for permanent residence to the United States.

(a) The total monthly earned and unearned income of the sponsor and sponsor's spouse, if living with the sponsor, less earned income deduction, and the amount of the gross income eligibility standard for a household size equal to the sponsor, the sponsor's spouse, and all dependents shall be deemed monthly income of the alien when the sponsored alien's household:

- (i) Applies for, or
 - (ii) Is recertified for program participation.
- (b) Actual money paid to the alien by the sponsor or sponsor's spouse in excess of the deemed amount shall be considered income to the alien.

(c) If the sponsored alien can demonstrate the sponsor is sponsoring other aliens, the income deemed available shall be divided by the number of sponsored aliens applying for, or participating in, the program.

(2) The department shall consider the amount deemed in determining the eligibility and benefit level of the alien's household.

(3) The department shall verify the income of the alien's sponsor and sponsor's spouse if living with the sponsor at the time of the alien's application or recertification for program participation.

(4) If an alien switches sponsors during the certification period, deemed income would be recalculated based on the required information about the new sponsor as soon as possible after the information is supplied by the alien and verified by the department.

NEW SECTION

WAC 388-49-500 INCOME—DEDUCTIONS. The department shall allow the following deductions when computing net income:

(1) A standard deduction of one hundred two dollars per household per month.

(2) An earned income deduction of twenty percent of gross earned income. Exclude earnings in WAC 388-49-470 from gross earned income.

(3) A dependent care deduction of the actual amount paid not to exceed one hundred sixty dollars.

(a) A dependent care deduction shall be allowed when the care is necessary for a household member to:

- (i) Accept or continue employment,
- (ii) Seek employment, or
- (iii) Attend training or education preparatory to employment.

(b) The department shall verify dependent care costs except in prospective budgeting. Changes in cost shall be verified.

(4) A deduction for nonreimbursable monthly medical expenses over thirty-five dollars for households containing an elderly or disabled person.

(a) The department shall verify medical expenses and the reimbursement amounts resulting in a deduction except in prospective budgeting:

- (i) At recertification, if the amount has changed more than twenty-five dollars, and
- (ii) On a monthly basis for households subject to monthly reporting.

(b) If the reimbursement cannot be verified, the household shall be certified without allowing the deduction except in prospective budgeting.

(5) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, and dependent care deductions. The shelter deduction shall not exceed one hundred sixty-four dollars.

(a) Shelter costs for a home not occupied because of employment, training away from the home, illness, or abandonment caused by casualty loss or natural disaster shall be allowed if:

- (i) The household intends to return to the home;
- (ii) The current occupants, if any, are not claiming shelter costs for food stamp purposes; and
- (iii) The home is not being leased or rented during the household's absence.

(b) An excess shelter deduction for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions have

been made for households containing an elderly or disabled person.

(6) Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster.

(7) Households shall be entitled to claim the standard utility allowance when incurring any separate utility charges for heating or cooling costs. They are households:

(a) Not yet receiving a billing for utilities (may use a collateral contact from a landlord or utility company to confirm a separate billing from rent or mortgage);

(b) Billed monthly by their landlords for actual usage as determined through individual metering qualifying for the standard utility allowance;

(c) Sharing residence and utility costs with other persons (permitted to use the household's prorated share of the standard allowance); and

(d) Living in public or other rental housing having central utility meters and charged only for excess utility costs (not eligible for the standard utility allowance).

(8) Households shall be entitled to use actual utility costs rather than the standard utility allowance if:

(a) Not entitled to the standard utility allowance, or

(b) Requesting use of actual utility bills. A monthly telephone standard shall be allowed for households incurring telephone expenses if the household is not entitled to claim the standard utility allowance.

(9) Households shall be entitled to switch between actual utility costs and the standard utility allowance at each recertification and one additional time during each twelve-month period following the initial certification action.

(10) The department shall verify:

(a) Continuing shelter costs, if allowing the costs could potentially result in a deduction. Verify on a one-time basis unless the household has:

(i) Moved, or

(ii) Reported an increase in costs affecting the amount of the deduction or the information is questionable.

(b) Utility expenses:

(i) If the household is entitled to the standard utility allowance. Verify on a one-time basis unless the household has moved, changed its utilities, or the information is questionable; or

(ii) On a one-time basis if the household wishes to claim actual utility expenses at initial certification, recertification, or on a monthly basis for households subject to monthly reporting.

NEW SECTION

WAC 388-49-510 INCOME ELIGIBILITY STANDARDS. (1) Categorically eligible households, as described in WAC 388-49-180, are not subject to the provisions of this section.

(2) The department shall determine eligibility on the basis of gross income and net food stamp income except for households containing an elderly or disabled member as provided in subsection (3) of this section.

(3) The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.

(4) The gross and net monthly maximum income standards as established by the department of agriculture are as follows:

Gross Monthly Income Standard

<u>Household Size</u>	<u>Maximum Standard</u>
1	\$ 596
2	802
3	1,008
4	1,214
5	1,420
6	1,625
7	1,831
8	2,037
9	2,243
10	2,449
Each additional person	+206

Net Monthly Income Standard

1	\$ 459
2	617
3	775
4	934
5	1,092
6	1,250
7	1,409
8	1,567
9	1,726
10	1,885
Each additional person	+159

NEW SECTION

WAC 388-49-520 INCOME ELIGIBILITY. (1) The department shall determine eligibility prospectively for:

(a) Migrant households during the certification period;

(b) Households in which all adult members are elderly or disabled and have no earned income; and

(c) A new household member for the first two months of participation when:

(i) The household gains and timely reports a new member; and

(ii) The new member has not received benefits within the last calendar month.

(2) The department shall determine eligibility prospectively in the beginning months and retrospectively thereafter for all households except those described in subsections (1)(a) and (b) of this section.

NEW SECTION

WAC 388-49-530 INCOME BUDGETING. The department shall:

(1) Budget income prospectively during the certification period for migrant households and households in which all adult members are elderly or disabled and have no earned income.

(2) Budget public assistance and supplemental security income (SSI) income prospectively during the certification period.

(3) Budget monthly student financial aid for Title IV (except federal work study) and other federal and non-federal (except state work study) prospectively over the period of intended use.

(4) Budget student work study retrospectively.

(5) Consider student financial aid available to the household when actually received.

(6) Budget income retrospectively in months other than beginning months for:

(a) All households except those described in subsection (1) of this section, and

(b) All types of income except those described in subsection (2) and (3) of this section.

(7) For prospective budgeting:

(a) Count income already received and income which can be reasonably anticipated to be received by the household during the month of application,

(b) Count only the income which can be reasonably anticipated to be received during the second beginning month,

(c) Annualize self-employment income which is received other than monthly, and

(d) Average contractual income except for migrant households.

(8) For retrospective budgeting:

(a) Use the household composition as of the last day of the report month,

(b) Disregard income received in a beginning month for one month if the income was:

(i) From a source no longer providing income to the household; and

(ii) Included in the household's prospective budget.

(c) Disregard income received from a discontinued source by a nonassistance household member if that member:

(i) Applies for and begins to receive a public assistance grant, and

(ii) Reported the discontinued income at least ten days prior to the start of the payment month.

(d) Use self-employment income from the corresponding budget month, and

(e) Count any additional or corrective AFDC payment as an addition to the regular AFDC warrant.

(9) When a participating household member establishes a new household:

(a) Remove the member from the prior household, and

(b) Use the method of income budgeting that was in effect in the prior household.

(10) Budget income deductions by:

(a) Anticipating medical expenses, medical reimbursements, dependent care, and shelter costs in the beginning months;

(b) Using the household's expenses from the corresponding budget month for households under retrospective budgeting; or

(c) Averaging expenses over the period the expense is intended to cover if the household:

(i) Has expenses that fluctuate or are billed less often than monthly, and

(ii) Chooses to have the expenses averaged.

NEW SECTION

WAC 388-49-550 MONTHLY ALLOTMENTS.

(1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

Household Size	Thrifty Food Plan
1	87
2	159
3	228
4	290
5	344
6	413
7	457
8	522
9	587
10	652
Each additional member	+65

(3) The department shall issue to households a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The allotment shall be based upon a thirty-day month.

(b) No allotment shall be issued for less than ten dollars.

(4) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent,

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents, and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.

(5) One and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when no allotment shall be issued for less than ten dollars.

(6) The department shall issue an identification card to each certified household.

NEW SECTION

WAC 388-49-560 ISSUANCE. (1) The department shall issue food coupons through:

(a) A food coupon authorization (FCA) system staggered through the tenth of the month, or

(b) A direct coupon mail out system staggered through the tenth of the month.

(2) For FCAs issued after the twenty-fifth of the month, the department shall issue a valid FCA:

(a) Until the end of the month and issue a valid replacement FCA if the household is unable to transact the FCA before the expiration date, or

(b) For the current month benefits valid in the following month.

(3) The department shall maintain issuance records for a period of three years from the month of origin.

NEW SECTION

WAC 388-49-570 REPLACEMENT ALLOTMENTS. (1) A household may request a replacement not to exceed a one-month allotment for:

(a) A food coupon authorization (FCA) or coupons received, but subsequently destroyed by a household disaster;

(b) An FCA or coupons stolen or lost in the mail; or

(c) Food purchased with coupons and destroyed in a disaster.

(2) To request a replacement, the household shall:

(a) Report the destruction, theft, or nonreceipt within ten days of the incident or within the period of intended use, whichever is earlier; and

(b) Sign an affidavit attesting to the destruction, theft, or nonreceipt.

(3) The department shall not issue both a household disaster allotment to a household and a replacement allotment in a food and nutrition service (FNS) declared disaster.

(4) When a request for replacement is received, the department shall:

(a) Verify the disaster or theft;

(b) Determine if the coupons or FCA were validly issued, actually mailed, and if sufficient time has elapsed for delivery;

(c) Issue a replacement within ten days of the request;

(d) Deny a request for replacement if the household has been:

(i) Issued one replacement for an FCA or coupons destroyed after receipt or an FCA stolen after receipt within the previous five-month period; or

(ii) Issued two replacements for an FCA or coupons lost or stolen in the mail before receipt within the previous five-month period.

(e) Deny a request for replacement of coupons mailed by certified mail if a signed receipt of delivery is obtained by the post office from any person residing or visiting at the address provided by the household; and

(f) Not issue a replacement if coupons or an FCA are lost or misplaced after receipt.

(5) The department shall deny or delay replacing an FCA when documentation substantiates the replacement request is fraudulent. The department shall:

(a) Inform the household of its right to a fair hearing, and

(b) Continue the denial or delay pending the hearing decision.

(6) The department shall use other delivery methods after more than one request is received for replacement of an original or replacement FCA or coupons lost in the mail within a six-month period.

(7) If delivery of a partial allotment is reported, the department shall:

(a) Verify the coupon loss was due to damage in the mail before delivery or a discrepancy in the issuance unit's inventory, and

(b) Issue the remainder of the allotment if the partial allotment is due to an error in the issuance unit regardless of the number of times the household has received replacements within a six-month period.

(8) The department shall provide replacement for coupons received and found to be mutilated or improperly manufactured.

(a) The replacement shall equal the value of the improperly manufactured or mutilated coupons.

(b) Coupons shall not be replaced if less than three-fifth of the mutilated coupons remain.

NEW SECTION

WAC 388-49-580 RESTORATION OF LOST BENEFITS. (1) The department shall restore benefits whenever:

(a) A loss was caused by department error,

(b) An administrative disqualification for intentional program violation was reversed,

(c) A rule or instruction specifies restoration of lost benefits,

(d) A court action finding benefits were wrongfully withheld, or

(e) A household was categorically eligible on or after December 23, 1985.

(2) The department shall restore benefits even if the household is currently ineligible. Restore the benefits for not more than twelve months prior to whichever of the following occurred first:

(a) The month the department receives a restoration request,

(b) The month the department is notified or discovers a loss has occurred,

(c) The date the household initiated a fair hearing request when a request for restoration was not received, or

(d) The date court action was initiated when the household has taken no other action to obtain a restoration.

(3) The department shall notify the household of:

(a) Its entitlement,

(b) The amount of benefits to be restored,

(c) The method of restoration,

(d) The right to request a fair hearing within ninety days of the date the household is notified, and

(e) Any offsetting to be done.

(4) If the household disagrees with the amount of benefits being restored, the department shall issue the amount determined by the department. If a fair hearing decision overturns the department, the department shall restore any lost benefits.

(5) If household composition has changed, the department shall restore the lost benefits to:

(a) First, the household containing a majority of the persons who were household members at the time of the loss; or

(b) Second, the household containing the head of the household at the time of the loss.

NEW SECTION

WAC 388-49-590 MONTHLY REPORTING. (1) The department shall require the following households to return a completed monthly report by the fifth day of the process month describing the household circumstances during the budget month:

(a) A household, except a migrant farm worker household, with earned income;

(b) A household with a recent work history; and

(c) An AFDC household subject to mandatory monthly reporting.

(2) A household with a recent work history shall report for two months:

(a) Beginning the month following the month of opening at initial application, or

(b) After the last month of earnings during the certification period.

(3) The department shall require a household reporting monthly to verify information necessary to:

(a) Determine the household's eligibility, and

(b) Compute the household's benefits.

(4) The department shall notify a household if:

(a) Its monthly report is late,

(b) Its monthly report is incomplete, or

(c) Additional information is needed.

(5) If the household furnishes a completed report to the department by the end of the process month, the department shall:

(a) Accept the monthly report, and

(b) Continue benefits if the household remains eligible.

(6) The department shall terminate a household failing to return a completed report by the end of the process month.

(7) The department shall not require a household that reports monthly to report changes prior to reporting on the monthly report.

NEW SECTION

WAC 388-49-600 NOTICES TO HOUSEHOLDS. (1) The department shall notify a certified household of any change:

(a) At least ten days prior to the change, or

(b) By the date benefits are to be received for a household reporting changes on the monthly report.

(2) The department shall not be required to provide advance notice when:

(a) The federal or state government makes mass changes,

(b) The department determines all household members have died,

(c) The household moves from the state,

(d) The department restored lost benefits and notified the household previously in writing when the increased allotment would terminate,

(e) The department notified the household at the time of certification that allotments would vary from month to month,

(f) The household experiences reduction in benefits upon approval of a public assistance grant, or

(g) A household member is disqualified for intentional program violation or the benefits of the remaining household members are reduced or terminated to reflect the disqualification of that household member.

NEW SECTION

WAC 388-49-610 CHANGES—PROSPECTIVE BUDGETING. (1) The department shall act on changes occurring in the first beginning month or changes for households consisting solely of migrants or elderly or disabled individuals without earned income and affecting benefit increases as follows:

(a) If the change is verified within ten days after the change is reported, budget the change for the next allotment.

(b) If the change is not verified within ten days after the change is reported, budget the change for the next allotment after the verification is received.

(2) The department shall act on changes affecting a benefit decrease with the next allotment after the adverse action period ends unless the household requests:

(a) A fair hearing, and

(b) Continuation of benefits.

NEW SECTION

WAC 388-49-620 CHANGES—RETROSPECTIVE BUDGETING. Changes from a budget month for households under retrospective budgeting shall be effective in the corresponding payment month except:

(1) The addition or deletion of a household member shall be effective as provided in WAC 388-49-610, and

(2) Changes in public assistance grants and supplemental security income occurring in the payment month shall be effective in the payment month.

NEW SECTION

WAC 388-49-630 CHANGES—REPORTING REQUIREMENTS. A household certified for more than one month and not subject to mandatory monthly reporting shall report the following changes within ten days of the date the change becomes known to the household:

(1) Change in the source of income;

(2) Change in the amount of gross monthly income, except for public assistance income, or medical expenses of more than twenty-five dollars;

(3) Change in the household composition, such as the addition or loss of a household member;

(4) Change in residence and resulting change in shelter cost;

(5) The acquisition of licensed vehicles; and

(6) When nonexempt liquid resources exceed two thousand dollars or three thousand dollars for households with one or more members sixty years of age or older.

NEW SECTION

WAC 388-49-640 OVERISSUANCES. (1) The department shall establish claims and take collection action against households and household members for administrative error, inadvertent household error, or intentional program violation resulting in overissuances except as provided in subsections (3), (9), and (10) of this section.

(2) The department shall establish an overissuance claim against any household:

(a) Receiving more food stamp benefits than it was entitled to receive, or

(b) Containing an adult member who was an adult member of another household receiving more benefits than it was entitled to receive.

(3) The department shall not establish an administrative error claim or an inadvertent household error claim if an overissuance occurred because:

(a) The department failed to ensure the household:

(i) Signed the application form,

(ii) Completed a current work registration form, or

(iii) Was certified in the correct project area.

(b) The household transacted an expired food coupon authorization (FCA) unless the household had altered the FCA.

(4) The department shall hold all persons, who were adult members of the household at the time of the overissuance jointly and severally liable for the overissuance.

(a) The department shall establish an overissuance claim and pursue collection action against any or all of these persons.

(b) If the household composition changes, the department may establish an overissuance claim and pursue collection action against any household containing a person who was an adult member of the household receiving the overissuance.

(5) The department shall not collect more than the amount of the overissuance.

(6) The department shall calculate the allotment the household should have been authorized when the department discovers:

(a) An administrative error or inadvertent household error occurred in the prior twenty-four months, or

(b) An intentional program violation in the prior seventy-two months.

(7) The amount of the overissuance shall be the difference between:

(a) The monthly allotment actually authorized, and

(b) The monthly allotment the household should have been authorized.

(8) The amount of the household's and/or household member's liability for an overissuance shall be the difference between:

(a) The amount of the overissuance, and

(b) Any lost benefits that have not been previously restored or used as an offset.

(9) The department shall initiate collection action on all inadvertent household or administrative error claims unless:

(a) The claim is collected through offset,

(b) The total amount of the claim is less than thirty-five dollars and the claim cannot be recovered by reducing the household's allotment,

(c) The department cannot locate the liable household, or

(d) The department determines collection action will prejudice an inadvertent household error claim case being referred for possible prosecution or administrative disqualification.

(10) The department shall initiate collection action against the liable household whose member is found to have committed an intentional program violation unless:

(a) The household has repaid the overissuance,

(b) The department cannot locate the household, or

(c) The department determines collection action will prejudice the case against a household member referred for prosecution.

(11) The department shall initiate collection action by providing the household a demand letter.

(12) A household or household member may repay an overissuance except as provided in subsections (13) through (17) of this section by:

(a) A lump sum,

(b) Regular installments under a payment schedule agreed to by the household or household member and the department, and/or

(c) Allotment reductions.

(13) When the allotment reduction is the method of collection, the department shall reduce a currently participating household's allotment to repay an:

(a) Inadvertent household error overissuance by the greater of:

(i) Ten percent of the household's monthly allotment, or

(ii) Ten dollars per month.

(b) Intentional program violation overissuance by the greater of:

(i) Twenty percent of the household's monthly entitlement, or

(ii) Ten dollars per month.

(c) Administrative error overissuance by the amount agreed to by the household.

(14) A household member and/or the department may request the payment schedule be renegotiated.

(15) The department shall ensure the negotiated monthly installment amount is not less than the amount which could be recovered through allotment reduction when:

(a) A current participating household is liable for an inadvertent household error or an intentional program violation, and

(b) An installment payment schedule is the method of collection.

(16) The department shall reduce the allotment to repay an inadvertent household error or an intentional program violation overissuance without additional notice if, after notification of failure to make payment in accordance with a repayment schedule, the household member fails:

(a) To make the overdue payments, or

(b) To request renegotiation of the payment schedule.

(17) The department shall reduce the household's allotment if:

(a) The household member fails to respond to the demand letter within thirty days of the date the notice is mailed, and

(b) The household is liable for an inadvertent household error or an intentional program violation claim.

(18) The department shall suspend collection action when:

(a) Collection action has not been initiated as provided in subsection (9) of this section,

(b) A liable household member cannot be located, or

(c) The cost of further collection action is likely to exceed the amount that can be recovered.

(19) The department may accept offers of compromise for overissuances when:

(a) The department has already established the account receivable for the overissuance and taken steps to recover the overissuance; and

(b) The amount offered approximates the net amount expected to be collected prior to the expiration of the collection period allowed by statute.

(20) The department shall write-off amounts from its account receivable records and release any applicable liens prior to the expiration of the collection period allowed by statute when there is:

(a) No further possibility of collection;

(b) An account receivable balance after payment of an accepted offer of compromise; or

(c) An account receivable balance after a claim has been in suspense for three consecutive years, as provided in subsection (18) of this section.

NEW SECTION

WAC 388-49-650 ALIEN SPONSOR OVERISSUANCES. (1) When an overissuance to a sponsored alien results from incorrect information provided by the alien's sponsor, the department shall consider both the alien and sponsor liable to repay the overissuance.

(2) The department shall initiate collection regardless of the current food stamp eligibility of the sponsored alien or sponsored alien's household.

(3) When the alien's sponsor had good cause for reporting the incorrect information, the department shall consider the sponsored alien solely liable for the inadvertent household error overissuance.

(4) When good cause does not exist, the department shall initiate collection against:

(a) The alien's sponsor, or

(b) The sponsored alien's household, or

(c) Both at once, or

(d) The party deemed most likely to repay first.

(5) The department shall initiate collection action against the sponsored alien's household as an inadvertent household error when:

(a) Collection action is taken first against the alien's sponsor, and

(b) The alien's sponsor does not respond within thirty days, or

(c) Incorrect information concerning the alien's sponsor or sponsor's spouse was supplied by the sponsored alien through misunderstanding or unintended error.

(6) The department shall initiate collection action against an alien's sponsor as an inadvertent household error provided:

(a) The sponsor is informed in writing the department will not hold the sponsor responsible for repayment if good cause is demonstrated, and

(b) A department representative contacts the sponsor.

(7) The department shall accept a lump sum or regular installment payments from the sponsor.

(8) The department shall refund to the sponsored alien or alien's sponsor household any amount they repay in excess of the overissuances.

(9) The department shall pursue a determination of intentional program violation against a sponsored alien's household if misrepresentation or fraud is alleged.

NEW SECTION

WAC 388-49-660 INTENTIONAL PROGRAM VIOLATIONS—ADMINISTRATIVE DISQUALIFICATION HEARINGS. Administrative disqualification hearings are governed by chapters 10-08 and 388-08 WAC and WAC 388-49-660.

(1) The department shall:

(a) Give at least thirty days advance notice of the hearing date to the person or persons alleged to have committed an intentional program violation as defined in WAC 388-49-020, and

(b) Obtain proof of receipt of the notice.

(2) The notice of hearing shall comply with WAC 10-08-040 and contain the following information:

(a) The allegations;

(b) A summary of the department's evidence;

(c) A statement of how and where the evidence can be examined;

(d) A statement that if the person or a representative fails without good cause to appear at the hearing, a decision will be made based solely on the evidence and argument the department presents; and

(e) A statement that the person has ten days from the date of the scheduled hearing:

(i) To file a request with the administrative law judge showing good cause for failure to appear, and

(ii) Seeking a new hearing; and

(f) A statement that if a telephone hearing is scheduled, the person may request an in-person hearing by filing a request with the administrative law judge at least one week prior to the date of the hearing.

(3) The person or a representative shall have the right to one continuance of up to thirty days provided a request is filed at least ten days prior to the hearing date.

(4) The department shall conduct the hearing without the person or a representative if they fail to appear at the hearing without good cause.

(a) The decision shall be based solely on the evidence and argument the department presents.

(b) The person has ten days from the date of the scheduled hearing to file a request with the administrative law judge:

(i) Showing good cause for failure to appear, and

(ii) Requesting the hearing be reinstated.

(5) The administrative law judge shall grant a request to change a scheduled telephone hearing to an in-person hearing if the person or representative:

(a) Files the request at least one week before the date the hearing is scheduled, or

(b) Files the request one week or less before the date the hearing is scheduled if the person shows good cause for having the hearing conducted in person.

(6) The administrative law judge shall advise the person or representative they may refuse to answer questions during the hearing.

(7) The department shall bear the burden of proof for demonstrating intentional program violation with clear and convincing evidence.

(8) The department shall follow the decision-rendering in WAC 388-08-406.

(9) The department shall make a final decision within ninety days of the date the individual receives the notice of hearing.

(10) The department may combine an overpayment fair hearing and an administrative disqualification hearing into a single hearing when the facts alleged for each arise out of the same or related circumstances. When combined:

(a) The hearing procedures and time frames shall be those applicable to an administrative disqualification hearing,

(b) The household loses its right to a subsequent fair hearing on the overpayment, and

(c) The department shall give prior notice to:

(i) The person or persons alleged to have committed the intentional program violation, and

(ii) The person or persons alleged to be liable for the overpayment.

NEW SECTION

WAC 388-49-670 INTENTIONAL PROGRAM VIOLATIONS—DISQUALIFICATION PENALTIES. (1) The department shall disqualify the person or persons committing an intentional program violation, but not the entire household, as defined in WAC 388-49-020.

(2) The department shall apply disqualification penalties as follows:

(a) If the violation occurred in whole or in part after the household was notified of the following penalties, these disqualification periods shall apply:

(i) Six months for the first disqualification,

(ii) Twelve months for the second disqualification, and

(iii) Permanently for the third disqualification.

(b) The department shall disqualify the person for three months:

(i) If the violation ended prior to the household being notified of the penalties in subsection (2)(a) of this section, and

(ii) If the disqualification was determined in an administrative hearing.

(c) The department shall consider multiple violations occurring prior to the household being notified of the penalties in subsection (2)(a) of this section as only one disqualification.

(d) Court-ordered disqualifications are for the length of time specified by the court. The department shall:

(i) Recommend that a disqualification penalty, as provided in subsection (2)(a) of this section, be imposed in addition to any civil or criminal intentional program violation penalties;

(ii) Initiate the disqualification period for currently eligible persons within forty-five days of the date the disqualification is ordered if the court does not specify a date;

(iii) Impose a disqualification period as specified in subsection (2)(a) of this section if the court fails to address or specify a disqualification period; and

(iv) Not initiate or continue an intentional program violation disqualification period contrary to a court order.

(3) The department shall provide written notice of disqualification to the person or persons prior to disqualification. The notice shall inform:

(a) Participating persons of the disqualification and the effective date of the disqualification, or

(b) Nonparticipating persons that the disqualification period shall be deferred until such time as the person or persons applies for and is found eligible for benefits.

(4) The department shall provide written notice to the remaining household member or members, if any, of:

(a) The allotment the household will receive during the period of disqualification; or that

(b) The household must reapply because the certification period has expired.

(5) The department shall recognize an intentional program violation determined in another state or political jurisdiction.

NEW SECTION

WAC 388-49-680 AGENCY CONFERENCE.

(1) The department shall offer a conference to households contesting denial of expedited services. This conference shall be scheduled within two working days unless the household requests a later date.

(2) The department shall offer a conference to households adversely affected by an agency action.

(3) The department shall advise the household the conference:

(a) Is optional, and

(b) Will not delay or replace the fair hearing.

(4) An eligibility supervisor or CSO administrator shall attend the conference with the household member and/or representative.

NEW SECTION

WAC 388-49-690 FAIR HEARINGS. Fair hearings in the food stamp program are governed by chapters 10-08 and 388-08 WAC and WAC 388-49-690.

(1) At application and any time a household disagrees with a department decision, the department shall inform the household, in writing, of the:

(a) Right to a hearing,

(b) Method to request a hearing,

(c) Right to have a household member present their case, and

- (d) Availability of free legal representation.
- (2) The household has the right to a fair hearing on:
 - (a) An action by the department or loss of benefits occurring in the prior ninety days;
 - (b) A denial of a request for restoration of any benefits lost more than ninety days, but less than a year prior to the request; or
 - (c) Any dispute of current benefit level at any time within a certification period.
- (3) The department shall grant an alien's sponsor household the right to a fair hearing to contest:
 - (a) A determination that the sponsor was at fault for providing incorrect information, or
 - (b) The overissuance amount.
- (4) A request for a hearing is any oral or written request by a household or its representative. The person must request a hearing within ninety days of the household's receipt of the decision being appealed.
- (5) The department shall schedule and provide advance notice of the hearing to all involved parties at least twenty days prior to the hearing.
- (6) Before and during the hearing, a household or its representative with written authorization may inspect the department's files containing information related to the issue in the hearing request.
- (7) The department shall not release confidential information including:
 - (a) Name of persons providing information about the household without its knowledge, and
 - (b) Nature and status of pending criminal prosecutions.
- (8) The department shall:
 - (a) Assist the household in preparing the hearing request;
 - (b) Advise the household of its right to reapply for benefits pending the hearing;
 - (c) Upon request, provide bilingual interpreters; and
 - (d) Upon request, provide the household or its representative:
 - (i) Any material needed to determine if a hearing should be requested or to prepare for a hearing,
 - (ii) Free copies of pertinent material from the case record, and
 - (iii) Any information of legal services available to the client.
- (9) The department shall conduct a hearing:
 - (a) In the household's county of residence unless the household asks for or agrees to a hearing in another, or
 - (b) By telephone with the household in their county of residence.
- (10) The decision-rendering rule is as described in WAC 388-08-409 and 388-08-413, except the period to file a timely petition for review is ten days from the date the initial decision is mailed.
- (11) The department shall make a final decision within sixty days of the receipt of the hearing request. The department shall:
 - (a) Extend the time by the number of days a hearing is continued based on a request by or with the agreement of the household, and

(b) Expedite hearing requests from households planning to move from the state before the hearing decision would normally be made.

(12) The department shall carry out the hearing decision to:

- (a) Provide lost benefits when:
 - (i) The household was incorrectly denied benefits, or
 - (ii) Fewer benefits were issued than were due.
- (b) Increase benefits within ten days of the receipt of the decision,

(c) Decrease benefits in the first scheduled issuance following the receipt of the decision, and

(d) Establish a claim for any overissuance if the department's action was correct.

(13) The department shall, upon written request made within one year of the hearing, provide the household a free copy of the tape recording of the hearing.

NEW SECTION

WAC 388-49-700 FAIR HEARINGS—CONTINUATION OF BENEFITS PENDING. (1) The department shall continue benefits at the contested or previous level pending a fair hearing if:

(a) The client requests a hearing within the period specified by the notice of adverse action,

(b) The certification period has not expired,

(c) The household has not waived continuation of benefits, and

(d) Households subject to monthly reporting submit a completed monthly report timely for each month of continued benefits.

(2) The department shall reduce or terminate benefits if a hearing request is not made within the period specified in the notice, unless failure to make the request was for good cause.

(3) Once continued or reinstated, the department shall not reduce or terminate benefits prior to receipt of the hearing decision unless:

(a) The certification period expires,

(b) The hearing officer makes a preliminary determination in writing and at the hearing:

(i) The sole issue is one of federal law or regulations, and

(ii) The household's claim the department improperly computed benefits or misapplied such law or regulation is invalid, or

(c) The household fails to request a new hearing after receiving a notice of adverse action on a change occurring pending the hearing decision, or

(d) A mass change occurs while the hearing decision is pending, and

(e) A household whose certification period expired has made a timely application for a new certification period pending receipt of a hearing decision.

(4) For households subject to monthly reporting, the department shall continue benefits within five working days from the day the request for continued benefits is received.

(5) The department shall act on reported changes without regard to the matter at issue in the hearing:

(a) During the certification period,

(b) When a monthly report is received, or

(c) When a timely application is made for a new certification period pending receipt of a hearing decision.

(6) The department shall promptly inform the household in writing if benefits are reduced or terminated pending the hearing decision.

(7) The department shall establish a claim for all overissuances if the department's action is upheld by the hearing decision.

WSR 88-02-032
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2578—Filed December 31, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home accounting and reimbursement system, amending chapter 388-96 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 effective January 1, 1988, approximately \$3.5 million dollars are to be appropriated to enhance nonadministrative wages and benefits in nursing homes.

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

This rule is promulgated pursuant to chapter 476, 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 December 31, 1987.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2240, filed 6/18/85)

WAC 388-96-010 **TERMS.** Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accounting" ((=)) means activities providing information, usually quantitative and often expressed in monetary units, for decision-making, planning, evaluating performance, controlling resources and operations, and external financial reporting to investors, creditors, regulatory authorities, and the public.

(2) "Accrual method of accounting" ((=)) means a method of accounting in which revenues are reported in the period when earned, regardless of when collected,

and expenses are reported in the period in which incurred, regardless of when paid.

(3) "Administration and management" ((=)) means activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

(4) "Allowable costs" – See WAC 388-96-501.

(5) "Ancillary care" ((=)) means services required by the individual, comprehensive plan of care provided by qualified therapists or by support personnel under their supervision.

(6) "Arm's-length transaction" ((=)) means a transaction resulting from good-faith bargaining between a buyer and seller who have adverse bargaining positions in the marketplace. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(7) "Assets" ((=)) means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges ((which)) that are not resources but ((which)) are recognized and measured in accordance with generally accepted accounting principles.

(8) "Bad debts" ((=)) means amounts considered to be uncollectable from accounts and notes receivable.

(9) "Beds" ((=)) means, unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

(10) "Beneficial owner" ((=)) means any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised: **PROVIDED, That**

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection (10)(b) of this section; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or direct the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

(11) "Capitalization" ((=)) means the recording of an expenditure as an asset.

(12) "Capitalized lease" ((=)) means a lease which is required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

(13) "Cash method of accounting" ((=)) means a method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

(14) "Change of ownership" ((=)) means a change in the individual or legal organization which is responsible for the daily operation of a nursing home.

(a) Events which change ownership include but are not limited to the following:

(i) The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home business enterprise is transferred by the contractor to another party;

(iii) ~~((The nursing home enterprise is leased, or an existing lease is terminated,~~

~~((iv)))~~ Where the contractor is a partnership, any event occurs which dissolves the partnership;

~~((iv)))~~ (iv) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation; or

(v) Any other event occurs which results in a change of operating entity. (b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating decisions;

(ii) If the contractor is a corporation, some or all of its stock is transferred, provided the majority of controlling officers and directors of the corporation do not change, or

(iii) The real property or personal property assets associated with the nursing home change ownership or are leased, or a lease of them is terminated, without a change of operating entity.

(15) "Charity allowances" ((=)) means reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

(16) "Contract" ((=)) means a contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.

(17) "Contractor" ((=)) means an entity which contracts with the department to deliver care services to medical care recipients in a facility and which entity is responsible for operational decisions.

(18) "Courtesy allowances" ((=)) means reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

(19) "CSO" ((=)) means the local community services office of the department.

(20) "Department" ((=)) means the department of social and health services (DSHS) and employees.

(21) "Depreciation" ((=)) means the systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.

(22) "Donated asset" ((=)) means an asset which the contractor acquired without making any payment for the asset in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

(23) "Entity" ((=)) means an individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

(24) "Equity capital" ((=)) means total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

(25) "Exceptional care recipient" ((=)) means a medical care recipient determined by the department to require exceptionally heavy care.

(26) "Facility" ((=)) means a nursing home licensed in accordance with chapter 18.51 RCW, or that portion

of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

(27) "Fair market value" ((=)) means prior to January 1, 1985, the price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell. Beginning January 1, 1985, the replacement cost of an asset, less observed physical depreciation, on the date the fair market value is being determined.

(28) "Financial statements" ((=)) means statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.

(29) "Fiscal year" ((=)) means the operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

(30) "Generally accepted accounting principles" ((=)) means accounting principles approved by the financial accounting standards board (FASB).

(31) "Generally accepted auditing standards" ((=)) means auditing standards approved by the American institute of certified public accountants (AICPA).

(32) "Goodwill" ((=)) means the excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. Also, the excess of the price paid for an asset over the fair market value of the asset.

(33) "Historical cost" ((=)) means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

(34) "ICF" ((=)) means, when referring to a nursing home, an intermediate care facility. When referring to a level of care, intermediate care. When referring to a patient, a patient requiring intermediate care.

(35) "Imprest fund" ((=)) means a fund which is regularly replenished in exactly the amount expended from it.

(36) "Interest" ((=)) means the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

(37) "Intermediate care facility" ((=)) means a licensed facility certified to deliver intermediate care services to medical care recipients.

(38) "Joint facility costs" ((=)) means any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

(39) "Lease agreement" ((=)) means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the

lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.

(40) "Levels of care" ((=)) means the classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

(41) "Medical care program" ((=)) means medical assistance provided under RCW 74.09.500 or authorized state medical care services.

(42) "Medical care recipient" ((=)) means an individual determined eligible by the department for the services provided in chapter 74.09 RCW.

(43) "Multiservice facility" ((=)) means a facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

(44) "Net book value" ((=)) means the historical cost of an asset less accumulated depreciation.

(45) "Net invested funds" ((=)) means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year. Assets associated with central or home offices or otherwise not on the nursing home premises are not included in net invested funds.

(46) "Nonadministrative wages and benefits" means wages, benefits, and corresponding payroll taxes paid for nonadministrative personnel, not to include administrator, assistant administrator, or administrator-in-training.

(47) "Nonallowable costs" ((=)) means same as "unallowable costs."

((47)) (48) "Nonrestricted funds" ((=)) means funds which are not restricted to a specific use by the donor, e.g., general operating funds.

((48)) (49) "Nursing home" ((=)) means a home, place, or institution, licensed in accordance with chapter 18.51 RCW, in which skilled nursing and/or intermediate care services are delivered.

((49)) (50) "Operating lease" ((=)) means a lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

((50)) (51) "Owner" ((=)) means a sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

((51)) (52) "Ownership interest" ((=)) means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

((52)) (53) "Patient day" ((=)) means a calendar day of patient care. In computing calendar days of care,

the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when he or she is assigned a bed and a patient medical record is opened.

((53)) (54) "Per diem (per patient day) costs" ((=)) means total allowable costs for a fiscal period divided by total patient days for the same period.

((54)) (55) "Professionally designated real estate appraiser" ((=)) means an individual regularly engaged in the business of providing real estate valuation services for a fee, and deemed qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the writing of real estate valuation reports as well as the passing of written examination on valuation practice and theory, and, by virtue of membership in such organization, required to subscribe and adhere to certain standards of professional practice as such organization prescribes.

((55)) (56) "Prospective daily payment rate" ((=)) means the rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

((56)) (57) "Qualified therapist":

(a) An activities specialist having specialized education, training, or at least one year's experience in organizing and conducting structured or group activities;

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional, either a qualified therapist or a therapist, approved by the department having specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker graduated from a school of social work;

(f) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; or

(h) An occupational therapist graduated from a program in occupational therapy, or having the equivalent of such education or training, and meeting all requirements of state law.

((57)) (58) "Recipient" ((=)) means a medical care recipient.

((58)) (59) "Records" ((=)) means those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, invoices, schedules, summaries, and transaction documentation, however such data are maintained.

((59)) (60) "Regression analysis" ((=)) means a statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

((60)) (61) "Related care" ((=)) means includes the director of nursing services, activities and social services programs, medical and medical records specialists, and consultation provided by medical directors, pharmacists, occupational, physical, speech, and other therapists, and mental health professionals as defined in law and regulation.

((61)) (62) "Related organization" ((=)) means an entity under common ownership and/or control with, or which has control of or is controlled by, the contractor. Common ownership exists if an entity has a five percent or greater beneficial ownership interest in the contractor and any other entity. Control exists if an entity has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or institution, whether or not the power is legally enforceable and however exercisable or exercised.

((62)) (63) "Relative" ((=)) means spouse; natural parent, child, or sibling; adopted child or adoptive parent; stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

((63)) (64) "Restricted fund" ((=)) means a fund for which the use of the principal and/or income is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the contractor has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

((64)) (65) "Secretary" ((=)) means the secretary of the department of social and health services (DSHS).

((65)) (66) "Skilled nursing facility" ((=)) means a licensed facility certified to deliver skilled nursing care services to medical care recipients.

((66)) (67) "SNF" ((=)) means when referring to a facility, a skilled nursing facility. When referring to a level of care, skilled nursing care. When referring to a patient, a patient requiring skilled nursing care.

((67)) (68) "Start-up costs" ((=)) means the one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

((68)) (69) "Title XIX" ((=)) means the 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

((69)) (70) "Unallowable costs" ((=)) means costs which do not meet every test of an allowable cost.

((70)) (71) "Uniform chart of accounts" ((=)) means a list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

~~((71))~~ (72) "Vendor number" (=) means a number assigned to each contractor delivering care services to medical care recipients.

~~((72))~~ (73) "Working capital" (=) means total current assets necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities necessary, ordinary, and related to patient care from the most recent cost report.

AMENDATORY SECTION (Amending Order 2270, filed 8/19/85)

WAC 388-96-204 FIELD AUDITS. (1) The department shall conduct a field audit of all cost reports for calendar year 1982 ~~((shall be field audited by the department))~~.

(2) The department may have auditors employed by the department or under contract field audit cost reports for years subsequent to 1982 ~~((may be field audited by auditors employed by or under contract with the department))~~.

(3) Beginning with field audits for calendar year 1983, the department shall audit up to one hundred percent of submitted contractor cost reports and patient care trust fund accounts ~~((shall be audited))~~.

(4) ~~((An))~~ The department may audit ~~((of))~~ any or all schedules of a facility's cost report ~~((may be performed))~~. The department shall audit the cost report ~~((; in its entirety, will be audited))~~ at least once every three years.

(5) ~~((Beginning with cost reports for calendar year 1983, facilities selected for audit shall be notified within one hundred twenty days after submission of a complete and correct cost report of the department's intent to audit. Such audits shall be completed within one year after notification of the department's intent to audit unless the contractor fails to allow access to records and documentation or otherwise prevents the audit from being completed in a timely manner.~~

~~((6))~~ The department or an auditor under contract with the department, if the department or such auditor deems it necessary ~~To assure the accuracy of cost reports, the department or an auditor under contract with the department may require a contractor to submit~~ ~~((and may))~~ for departmental review any underlying financial statements or other records including income tax returns ~~((; which relate))~~ relating to the cost report directly or indirectly.

~~((7))~~ (6) ~~((Regarding))~~ The department shall audit all submitted contractor cost reports ~~((; all))~~ of such facilities ~~((meeting the following conditions will be audited))~~ as follows:

(a) The department shall audit facilities terminating their Medicaid service contracts with the department ~~((to provide Medicaid services will be audited))~~ when the audits are conducted for the calendar year in which the contract is terminated. Schedule preference will be given to conduct closing audits as soon as possible;

(b) The department shall audit facilities contracting in any given calendar year ~~((shall be audited))~~ for that partial or full year, and facilities contracting for the first time ~~((shall be audited annually))~~ for the first ~~((two))~~ full calendar ~~((years))~~ year;

~~((c))~~ ~~((Facilities whose last completed audit had an audit adjustment of ten thousand dollars or more in expenses, twenty thousand dollars or more in equity, one thousand dollars or more in revenue/interim payments, and/or fifty days or more in total patient days shall be audited;~~

~~((d))~~ The department shall audit facilities under investigation by the Internal Revenue Service, Securities Exchange Commission, Department of Health and Human Services, Medicaid fraud control unit, or any other federal, state, or municipal agency for alleged fiscal and/or patient account impropriety ~~((shall be audited))~~ for:

(i) The year ~~((during which))~~ such investigation is commenced ~~((; for))~~;

(ii) Each year the investigation is continued ~~((; for))~~;

(iii) The year ~~((during which))~~ the investigation is concluded ~~((;))~~; and ~~((for))~~

(iv) Two full calendar years following the year the investigation is terminated ~~((;))~~.

~~((e))~~ (d) The department shall audit facilities ~~((whose costs in one or more cost centers for the current year exceeds the industry average by one standard deviation, and such costs exceed prior year allowable costs, facilities whose costs in one or more cost centers exceeds inflation increases for the year in question, facilities with questionable costs in excess of ten thousand dollars, if requested by))~~ that the manager, residential rate ~~((management))~~ program, ~~((bureau of nursing home affairs, shall))~~ aging and adult services, requests be audited.

~~((8))~~ (7) If a facility has a home or central office and such central office or any associated facility meets any of the criteria set forth in subsection ~~((7))~~ (6) of this section, the department shall audit such facility ~~((shall be audited))~~ as provided in subsection ~~((7))~~ (6) of this section.

~~((9))~~ (8) The department shall audit patient care trust fund accounts ~~((shall be audited))~~ annually if:

(a) Two or more findings were reported in the previous trust fund audit of a facility, or ~~((if;))~~

(b) In the opinion of the department, a single finding reported in the previous trust fund audit materially impacts the patient trust fund accounts maintained by the facility.

~~((10))~~ (9) The department may select for audit on a random or other basis reported costs and trust fund accounts of facilities ~~((may be selected for audit on a random or other basis))~~.

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-221 PRELIMINARY SETTLEMENT. (1) In the proposed preliminary settlement submitted ~~((by a contractor))~~ pursuant to WAC 388-96-220(2), a contractor shall compare the prospective rates at which the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect, to the contractor's allowable costs for the reporting period. The contractor shall take into account all authorized shifting, cost savings, and upper limits to rates ~~((shall be taken into account))~~ on a cost center basis.

(2) Within one hundred twenty days after a proposed preliminary settlement is received, the department shall:

(a) Review ((it)) proposed preliminary settlement for accuracy, and

(b) Either accept or reject the proposal of the contractor. If accepted, the proposed preliminary settlement shall become the preliminary settlement report. If rejected, the department shall issue, by cost center, a preliminary settlement report ((by cost center which shall)) fully ((substantiate)) substantiating disallowed costs, refunds, or underpayments due and adjustments to the proposed preliminary settlement.

(3) A contractor shall have thirty days after receipt of a preliminary settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, the department shall not review a preliminary settlement report ((shall not be subject to review)).

(4) If no audit is scheduled by the department or if a scheduled audit is not performed within two years of the scheduled date, the department shall perform the preliminary settlement review described in this section with the following exceptions:

(a) For cost centers, the department shall use desk-reviewed costs as the contractor allowable costs for the reporting period;

(b) The department shall calculate the variable portion of return on investment as calculated in the prospective rate;

(c) The department shall base the financing allowance portion of return on investment on audited costs in compliance with provisions contained in this chapter. If audited costs are not available, the department shall use the financing allowance used for rate setting. If an audited financing allowance is later determined, the department shall revise the final settlement to reflect audited financing allowance if payment is changed by \$1,000 or more, and

(d) When a complete audit was not performed and audited information is needed for purposes of calculating return on investment, the department may do a partial audit of current or prior year cost report.

AMENDATORY SECTION (Amending Order 2240, filed 6/18/85)

WAC 388-96-224 FINAL SETTLEMENT. (1) If an audit is conducted, the department shall issue a final settlement report to the contractor after completion of the audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations. The department shall prepare the final settlement ((shall be)) by cost center and shall fully substantiate disallowed costs, refunds, underpayments, or adjustments to the cost report and financial statements, reports, and schedules submitted by the contractor. For the final settlement report, the department shall compare:

(a) The prospective rate ((at which)) the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect as verified by audit, to

(b) The contractor's audited allowable costs for the reporting period.

The department shall take into account all authorized shifting, cost savings, and upper limits to rates ((shall be taken into account)) on a cost center basis. If the contractor is pursuing in good faith an administrative or judicial review or appeal ((in good faith regarding)) of audit findings or determinations, the department may issue a partial final settlement report in order to recover overpayments based on audit findings or determinations not in dispute on review or appeal.

(2) For the 1981 cost report period, the department shall issue one settlement for the year ((which shall be)) composed of two parts:

(a) One relating to January 1, 1981, through June 30, 1981((;)); and

(b) One relating to July 1, 1981, through December 31, 1981.

(3) For the first six months of 1981, the department shall compute the settlement ((shall be computed taking into account)) in accordance with the court order and agreement between the department and Medicaid contractors for the UNH II and III period (January 1, 1978, through June 30, 1981).

(4) For the second six months of 1981, the department shall compute the settlement ((shall be computed)) in accordance with principles and instructions contained in regulations applicable to 1981 settlements, except for the requirement that a settlement cover an entire cost report year.

~~((3))~~ (5) A contractor shall have thirty days after receipt of a final settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, the department shall not review a final settlement report ((shall not be subject to review)).

~~((4))~~ If no audit is conducted by the department, the preliminary settlement report shall become the final settlement report.

~~((5))~~ (6) The department shall reopen a final settlement ((will be reopened by the department)) if it is necessary to make adjustments based upon findings resulting from an audit performed pursuant to RCW 74.46.105. The department may also reopen a final settlement ((may also be reopened)) to recover an industrial insurance dividend or premium discount under RCW 51.16.035 in proportion to a contractor's medical care recipients, pursuant to RCW 74.46.180(5).

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 2025, filed 9/16/83)

WAC 388-96-226 SHIFTING PROVISIONS. In computing a preliminary or final settlement, a contractor may shift savings ((t)) and/or overpayment((t)) in a cost center ((may be shifted)) to cover a deficit ((t)) and/or underpayment((t)) in another cost center up to the amount of the savings, provided ((that)):

(1) Contractors may not shift more than twenty percent of the rate in a cost center ((may be shifted)) into that cost center, ((and))

(2) ((No shifting)) Contractors may ((be made)) not shift into the property cost center,

(3) Beginning January 1, 1988, contractors may not shift out of the nursing services cost center,

(4) Beginning January 1, 1988, contractors may shift savings and/or overpayments in the food cost center only to cover deficits and/or underpayments in the nursing services cost center, and

(5) Beginning January 1, 1988, contractors shall shift payments in the enhancement cost center shown to have been spent for legislatively authorized enhancements to nonadministrative wages and benefits to the nursing services and administration and operations cost centers, as appropriate. Such funds shall be shifted for no other purpose.

AMENDATORY SECTION (Amending Order 2270, filed 8/19/85)

WAC 388-96-228 COST SAVINGS. (1) ((In the patient care and food cost areas and in the administration and operations and property cost areas prior to July 1, 1983, the)) Contractors shall refund all payments ((received for medical care recipients)) in excess of allowable costs ((for those recipients in those cost centers,)):

(a) Received prior to July 1, 1983;

(b) For medical care recipients, and

(c) For patient care, food, administration and operations, and property cost areas, taking into account any authorized shifting.

(2) Beginning July 1, 1983, ((in the administration and operations and property cost areas,)) contractors shall be permitted to retain a portion of payments received in the administration and operations and property cost areas for recipients, in excess of allowable costs for those recipients, according to the following procedures:

(a) Based upon the latest information available, the department shall, by December 31st of each year, notify contractors of the fiftieth percentile rates in the administration and operations and property cost areas for the period July 1st through December 31st.

(b) A contractor shall be permitted to retain, after allowable shifting, seventy-five percent of cost savings in the administration and operations cost area or the property cost area, multiplied by medical care recipient days of service, if the average rate for the cost report period, computed according to department instructions in such cost area, is at or below the fiftieth percentile rate.

(c) A contractor shall be permitted to retain, after allowable shifting, fifty percent of cost savings in the administration and operations cost area or property cost area, multiplied by medical care recipient days of service, if the average rate for the cost report period, computed according to department instructions in such cost area, is above the fiftieth percentile rate.

(d) ((No)) Contractors may not retain cost savings for calendar year 1985 and subsequently ((shall be retained)) if the sum of the reported costs in the property cost center and the administration and operations cost

center exceed audited allowable costs in those cost centers by ten cents or more per patient day.

(3) The department shall recover cost savings attributable to any industrial insurance dividend or premium discount under RCW 51.16.035 ((shall be recovered by the department)) in proportion to the ratio of medical care recipients to other patients at the facility.

(4) For the 1983 cost reporting period, the department shall compute cost savings ((shall be computed)) but shall prorate allowable savings ((shall be prorated)) by the proportion of Medicaid patient days reported for July 1st through December 31st to the total number of Medicaid patient days reported for the year.

(5) The department shall compute cost savings calculated for the final settlement on closing cost reports using property costs without consideration of any gain or loss on the sale of assets in the report year.

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-229 PROCEDURES FOR OVERPAYMENTS AND UNDERPAYMENTS. (1) The department shall make payment of underpayments determined by preliminary or final settlement within thirty days after the preliminary or final settlement report is submitted to the contractor.

(2) A contractor found to have received overpayments or payments in error as determined by preliminary or final settlement shall refund such payments to the department within thirty days after receipt of the preliminary or final settlement report as applicable. Contractors shall refund to the department funds reimbursed in the enhancement cost center, but not spent in the legislatively authorized manner.

(3) If a contractor fails to comply with subsection (2) of this section, the department shall:

(a) Deduct from current monthly amounts due the contractor the refund due the department and interest on the unpaid balance at the rate of one percent per month; or

(b) If the contract has been terminated:

(i) Deduct from any amounts due the contractor the refund due the department and interest on the unpaid balance at the rate of one percent per month; or

(ii) Pursue, as authorized by law and regulation, recovery of the refund due and interest on the unpaid balance at the rate of one percent per month.

(4) ((If)) A facility ((is)) pursuing a timely filed administrative or judicial ((remedies)) remedy in good faith regarding a proposed ((preliminary settlement report which was rejected or a final)) settlement report ((; the contractor)) need not refund ((nor shall)) overpayments. The department shall not withhold from current amounts due the facility any refund or interest the department claims to be due from the facility, provided the refund is specifically disputed by the contractor on review or appeal. Portions of refunds due the department ((which are)), not specifically disputed by the contractor on review or appeal, are subject to recovery and assessment of interest as provided in subsection (3) of this section. If the administrative or judicial remedy sought by the facility is not granted or is granted only in part

after exhaustion or mutual termination of all appeals, the facility shall refund all amounts due the department within sixty days after the date of decision or termination plus interest as payable on judgments from the date the review was requested pursuant to WAC 388-96-901 and 388-96-904 to the date the repayment is made.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-384 LIQUIDATION OF TRUST FUND. (1) Expired patient. The provider ~~((with))~~ shall obtain a receipt from next of kin, guardian, or duly qualified agent when releasing the balance of money held in trust. If there is no identified next of kin, guardian, or duly qualified agent, the contractor shall contact the CSO ~~((is to be contacted))~~ in writing within seven days for assistance in the release of the money held in trust. A check or other document showing payment to such next of kin, guardian, or duly qualified agent will serve as a receipt.

(2) Patient, unable to locate. In situations where the patient leaves the nursing home without authorization and his or her whereabouts are unknown:

(a) The nursing home ~~((with))~~ shall make a reasonable attempt to locate the missing patient. This includes ~~((:))~~ contacting:

- (i) Friends,
- (ii) Relatives,
- (iii) Police,
- (iv) The guardian, and
- (v) The community services office in the area.

(b) If the patient cannot be located after ninety days, the nursing home ~~((must))~~ shall notify the department of revenue of the existence of "abandoned property," outlined in chapter 63.28 RCW. The nursing home ~~((will be required to))~~ shall deliver to the department of revenue the balance of the patient's trust fund account within twenty days following such notification.

(3) Prior to the sale or other transfer of ownership, the contractor shall:

- (a) Provide each resident or resident representative with a written accounting of any personal funds held by the contractor,
- (b) Provide the new owner with a written accounting of all resident funds being transferred; and
- (c) Obtain a written receipt for those funds from the new owner.

AMENDATORY SECTION (Amending Order 2372, filed 5/7/86, effective 7/1/86)

WAC 388-96-502 INDIRECT AND OVERHEAD COSTS. If a contractor provides goods or services not reimbursable under this chapter, any indirect or overhead costs associated with their provision must be allocated to such goods or services on a reasonable basis approved by the department and must not be reported as allowable costs. Such goods and services include, but are not limited to, compensation to administrative personnel and management fees in excess of limits established in this chapter.

AMENDATORY SECTION (Amending Order 2172, filed 12/4/84)

WAC 388-96-505 OFFSET OF MISCELLANEOUS REVENUES. (1) The contractor shall reduce allowable costs ~~((shall be reduced by the contractor))~~ whenever the item, service, or activity covered by such costs generates revenue or financial benefits (e.g., purchase discounts or rebates) other than through the contractor's normal billing for care services; except ~~((that))~~, the department shall not deduct from the allowable costs of a nonprofit facility unrestricted grants, gifts, and endowments, and interest therefrom ~~((, will not be deducted from the allowable costs of a nonprofit facility))~~.

(2) The contractor shall reduce allowable costs ~~((will be reduced))~~ for hold-bed revenue in the property and administration and operations cost areas only. In the property cost area, the amount of reduction will be determined by dividing allowable property costs by total patient days and multiplying the result by total hold-room days. In the administration and operations cost area, the amount of reduction will be determined by dividing allowable administration and operations costs minus dietary, laundry, and nursing supply costs by the total patient days and multiplying the result by total hold-room days.

(3) Where goods or services are sold, the amount of the reduction shall be the actual cost relating to the item, service, or activity. In the absence of adequate documentation of cost, it shall be the full amount of the revenue received. Where financial benefits such as purchase discounts or rebates are received, the amount of the reduction shall be the amount of the discount or rebate.

(4) Only allowable costs shall be recovered under this section. Costs allocable to activities or services ~~((which are))~~ not included in SNF or ICF services (e.g., costs of vending machines ~~((, patients' personal laundry,))~~ and services specified in chapter 388-86 WAC ~~((which are))~~ not included in SNF or ICF services) are nonallowable costs.

AMENDATORY SECTION (Amending Order 2372, filed 5/7/86, effective 7/1/86)

WAC 388-96-533 MAXIMUM ALLOWABLE COMPENSATION OF CERTAIN ADMINISTRATIVE PERSONNEL. (1) Compensation for administrative personnel shall be an allowable cost, subject to the limits promulgated pursuant to subsection (5) of this section.

(2) Total compensation of the licensed administrator for services actually rendered to a nursing home on a full-time basis (at least forty hours per week, including reasonable vacation, holiday, and sick time) ~~((with))~~ shall be allowable at the lower of:

- (a) Actual compensation received, or
- (b) The amount in the table promulgated pursuant to subsection (5) of this section corresponding to the number of beds in the nursing home.

Compensation of the licensed administrator ~~((with only))~~ shall be allowable only if the department is given

written notice of ~~((his or her))~~ the administrator's employment within ten days after the employment begins.

(3) Total compensation of not more than one full-time licensed assistant administrator ~~((with))~~ shall be allowable if there are at least eighty beds in the nursing home, at the lower of:

(a) Actual compensation received, or

(b) Seventy-five percent of the appropriate amount in the table promulgated pursuant to subsection (5) of this section.

(4) Total compensation of not more than one full-time registered administrator-in-training ~~((with))~~ shall be allowable at the lower of:

(a) Actual compensation received, or

(b) Sixty percent of the appropriate amount in the table promulgated pursuant to subsection (5) of this section.

(5)

TABLE

Maximum Allowable Total Compensation for Licensed Administrators—Calendar Year ~~((1986))~~ 1987

Bed Size	
1 - 79	\$ ((32,471)) <u>33,672</u>
80 - 159	\$ ((35,935)) <u>37,265</u>
160 and up	\$ ((38,202)) <u>39,615</u>

(6) ~~((Tables to be promulgated in writing by))~~ The department ((for subsequent years)) shall determine maximum total compensation for licensed administrators of nursing facilities in the various bed size categories in subsequent years based on tables to be issued annually in writing. For 1987 and subsequent years, tables shall reflect calendar year 1986 maximums increased by any inflation adjustment authorized by the legislature.

(7) If the licensed administrator, licensed assistant administrator, or registered administrator-in-training regularly work fewer than forty hours per week, allowable compensation shall be the lower of:

(a) Actual compensation received, or

(b) The appropriate amount in the table promulgated pursuant to subsection (5) of this section~~((:))~~:

(i) Multiplied by the ~~((percentage derived from the division of the))~~ actual hours worked, plus reasonable vacation, holiday, and sick time normally available to employees working similar hours~~((:))~~; and

(ii) Divided by forty hours per week for each week covered by the cost report. Further discounting is required if the person was not licensed or registered and/or worked for less than the entire report period.

(8) The contractor shall maintain time records which are adequate for audit for the licensed administrator, assistant administrator, and/or administrator-in-training. The contractor shall include in such records ~~((must verify))~~ verification of the actual hours of service performed for the nursing home.

(9) The department shall limit total reimbursement for administrative and management services ~~((shall be limited in total amount))~~ to allowable compensation for administrative personnel set forth in this section. This policy shall apply regardless of the provisions of any employment, management or consultation agreement, or

other arrangement ~~((which exists))~~ existing between the contractor and persons or organizations providing such services.

(10) The department shall not consider costs of an administrator-in-training ~~((shall not be considered))~~ for the purpose of setting the administration and operations prospective rate. The costs of an approved administrator-in-training program shall be reimbursed by an adjustment to current rate. To obtain an adjustment, the contractor ~~((must))~~ shall submit a request for an increase in current rate together with necessary documentation which shall include:

(a) A copy of the department of licensing approval of the administrator-in-training program, and

(b) A schedule indicating the commencement date, expected termination date, salary or wage, hours, and costs of benefits. The contractor shall notify the department, at least thirty days in advance, of the actual termination date of the administrator-in-training program. Upon termination of the program, the department shall reduce the current rate ~~((shall be reduced))~~ by an amount corresponding to the cost of the program.

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

AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-534 DISCLOSURE AND APPROVAL OF JOINT FACILITY COST ALLOCATION. (1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs ~~((which represent))~~ representing allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) The contractor shall demonstrate in such disclosure ~~((shall demonstrate that))~~:

(a) The services involved are necessary and non-duplicative; and

(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(3) The contractor shall make such disclosure ~~((shall be made))~~ not later than September 30th for each year, except ~~((that))~~, a new contractor shall submit the first year's disclosure together with the submissions required by WAC 388-96-026. ~~((Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify no change will be made in lieu of the disclosure required in subsection (1) of this section:))~~

(4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter.

(5) An amendment or revision to an approved methodology shall be submitted to the department for approval at least ninety days prior to the effective date of the amendment or revision.

(6) Where a contractor will begin to incur joint facility costs at some time other than the beginning of the

calendar year, the contractor shall provide the information required in subsections (1) and (2) of this section at least ninety days prior to the date ~~((at which))~~ the cost will first be incurred.

(7) Joint facility costs not disclosed, allocated, and reported in conformity with this section are nonallowable costs.

AMENDATORY SECTION (Amending Order 2372, filed 5/7/86, effective 7/1/86)

WAC 388-96-535 MANAGEMENT AGREEMENTS, MANAGEMENT FEES, AND CENTRAL OFFICE SERVICES. (1) If a contractor intends to enter into a management agreement with an individual or firm ~~((which will manage))~~ managing the nursing home as an agent of the contractor, ~~the contractor shall send a copy of the agreement ((must be received by)) to the department at least sixty days before the agreement is to become effective. A contractor shall send a copy of any amendment to a management agreement ((must be received by)) to the department at least thirty days in advance of the date the amendment is to become effective. ((No)) The department shall not allow management fees for periods prior to the time the department receives a copy of the applicable agreement ((will be allowable)). When necessary for the health and safety of medical care recipients, the department may waive the sixty-day notice requirement ((may be waived,)) in writing((- by the department)).~~

(2) The department shall allow management fees ((will be allowed)) only if:

(a) A written management agreement both:

(i) Creates a principal and/or agent relationship between the contractor and the manager(,); and

(ii) Sets forth the items, services, and activities to be provided by the manager(, and).

(b) Documentation demonstrates the services contracted for were actually delivered.

((To be)) Fees are allowable((- fees must be)) only for necessary, nonduplicative services.

(3) Allowable fees for general management services, including corporate or business entity management and board of director's fees and including ~~((the portion of a))~~ management ~~((fee))~~ fees ~~((which is))~~ not allocated to specific services ~~((such as accounting)),~~ are limited to:

(a) The maximum allowable compensation under WAC 388-96-533 of the licensed administrator and, if the facility has at least eighty beds, of an assistant administrator, less

(b) Actual compensation received by the licensed administrator and by the assistant administrator and administrator-in-training, if any. In computing maximum allowable compensation under WAC 388-96-533 for a facility with at least eighty set-up beds, include the maximum compensation of an assistant administrator even if no assistant administrator is employed.

(4) A management fee paid to or for the benefit of a related organization ~~((with))~~ shall be allowable to the extent the fee does not exceed the lesser of:

(a) The limits set out in subsection (3) of this section; or

(b) The lower of the actual cost to the related organization of providing necessary services related to patient care under the agreement, or the cost of comparable services purchased elsewhere. Where costs to the related organization represent joint facility costs, the ~~((measurement of))~~ department shall comply with WAC 388-96-534 in measuring such costs ((shall comply with WAC 388-96-534)).

(5) Central office costs, owner's compensation, and other fees or compensation, including joint facility costs, for general administrative and management services, including the ~~((portion of a))~~ management expense ~~((which is))~~ not allocated to specific services, shall be subject to the management fee limits determined in subsections (3) and (4) of this section.

(6) Necessary travel and housing expenses of nonresident staff working at a contractor's nursing facility ~~((are))~~ shall be considered allowable costs if the visit does not exceed three weeks. Travel and housing expenses necessary for visits in excess of three weeks are management costs and shall be subject to the management fee limits determined in subsections (3) and (4) of this section.

(7) Bonuses paid to employees at a contractor's nursing facility ~~((are))~~ shall be considered compensation. Bonuses paid to employees:

(a) At a contractor's central office or ((otherwise not employed)) elsewhere other than at the nursing facility, and

(b) Who are not engaged in nonmanagerial services such as accounting, are management costs and shall be subject to the management fee limits determined in subsections (3) and (4) 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.

AMENDATORY SECTION (Amending Order 2485, filed 4/29/87 [4/20/87]):1

WAC 388-96-710 PROSPECTIVE REIMBURSEMENT RATE FOR NEW CONTRACTORS.

(1) The department shall establish a prospective reimbursement rate for a new contractor ((will be established)) within sixty days following receipt by the department of a properly completed projected budget (see WAC 388-96-026). ((It will be effective)) The rate shall take effect as of the effective date of the contract.

(2) The department shall base this prospective reimbursement rate ((will be based)) on the contractor's projected cost of operations, and on costs and payment rates of the prior contractor, if any, and/or of other contractors in comparable circumstances. This rate shall comply with all the provisions of rate setting contained in this chapter and shall comply with all lids and maximums set forth in this chapter. Subject to such provisions, lids, and maximums, the department shall follow the procedures set forth in this section ((shall be followed)).

(a) The department shall select from department records a sample comprised of all the current contractors in the same county in similar circumstances:

(i) For facilities not operated by a Medicaid contractor for the period of operation immediately prior to the effective date of the new contract, and

(ii) For new facilities going into operation for the first time (~~(; a sample comprised of all the current contractors in the same county in similar circumstances shall be selected from departmental records)~~). Similar circumstances shall consist of the same bed capacity, plus or minus twenty-five beds, and whether licensed or not to provide skilled nursing care or intermediate care. The department shall exclude from the sample facilities against which the department has assessed a civil penalty for health or safety violations or proposed licensed revocation, stop placement or decertification for health or safety violations within six months preceding the effective date of the new contract ((shall be excluded from the sample)). If the county-wide sample does not include at least six facilities, the department shall include in the sample all facilities in similar circumstances in the adjoining county or counties ((shall also be included)). Based upon the most recent information in its files relating to the topics set forth below, the department shall determine:

((~~(f)~~)) (A) The average sample debility score;

((~~(f)~~)) (B) The average sample nursing services wages and hours; and

((~~(f)~~)) (C) The average sample costs for nursing services, food, and administration and operations cost centers inflated in accordance with the provisions of this chapter.

((~~(A)~~)) (I) Nursing services. The department shall follow the projected budget ((shall be followed)) for rate setting to the extent it does not exceed the sample average wages, hours, and inflated costs plus ten percent of such wages, hours, and inflated costs. The department shall allow a budget ((shall be allowed)) above the sample averages plus ten percent only to the extent anticipated debility of the patient population to be served exceeds or is likely to exceed the sample average debility as demonstrated and documented by the contractor. In such cases, rate funding shall not exceed predicted staffing ((of)) for the anticipated debility. The department shall determine actual debility when sufficient data is available and shall recover any overpayment under rules relating to errors and omissions.

((~~(B)~~)) (II) Food. The food rate shall be the rate per patient day of other Medicaid contractors established in accordance with this chapter.

((~~(C)~~)) (III) Administration and operations. The department shall follow the projected budget ((shall be followed)) for rate setting to the extent it does not exceed:

(aa) The sample average inflated costs as determined under subsection (2)(a) of this section for administration and operations, plus

(bb) Ten percent of such costs. The department shall allow a budget ((shall be allowed)) above the sample average inflated costs plus ten percent only to the extent costs are likely to exceed the inflated sample average plus ten percent as demonstrated by the contractor(;;). However, the department shall allow budgeted salaries of administrators and assistant administrators ((shall be

allowed)) if not in excess of maximums set forth in this chapter.

((~~(D)~~)) (IV) Property. The property rate shall be set in accordance with the provisions of this chapter.

((~~(E)~~)) (V) Return on investment. The department shall set the return on investment rate ((shall be set)) in accordance with the provisions of this chapter ((and)). The department shall use budgeted food cost ((will be used)) in computing the financing allowance to the extent it does not exceed the inflated sample average food cost. The department shall allow a budget ((will be allowed)) above the inflated sample average only to the extent food cost is likely to exceed the inflated sample average as demonstrated and documented by the contractor.

(b) ~~((For facilities operated by a Medicaid contractor for the period of operation, if any, immediately prior to the effective date of the new contract,))~~ The department shall follow the procedures set forth in subsection (2)(a) of this section ((shall be followed, except that,)) for facilities operated by a Medicaid contractor, if any, for the period of operation immediately prior to the effective date of the new contract. However, the department shall use data used to set the preceding contractor's rate ((shall be used)) rather than data from a sample average plus ten percent. ((However,)) The department shall not use data used to set the preceding contractor's rate ((shall not be used)) if the department has assessed a civil penalty against such contractor for health or safety violations or has proposed licensed revocation, stop placement, or decertification for health or safety violations within six months preceding the effective date of the new contract. In such cases, the department shall use sample average data ((shall be used)).

(c) The department shall follow the procedures set forth in subsection (2)(a) of this section for existing facilities constructing additions or making renovations after obtaining certificate of need approval(;;) if:

(i) The operating entity for the period prior to the effective date of the new contract was not a Medicaid contractor(;;); or ((if))

(ii) The department assessed a civil penalty against the facility for health or safety violations or proposed license revocation, stop-placement, or decertification for health or safety violations within six months prior to the effective date of the new contract((; the department shall follow the procedures set forth in subsection (2)(a) of this section)). Otherwise, the department shall follow the procedures indicated in subsection (2)(b) of this section ((shall be followed, except that)). However, data used to set the preceding contractor's rate shall be adjusted to reflect increased bed capacity, if any.

(3) If the department has not received a properly completed projected budget ((is not received)) at least sixty days prior to the effective date of the contract, the department ((with)) shall establish a ((preliminary)) rate based on the other factors specified in subsection (2) of this section. This ((preliminary)) initial prospective rate ((with)) shall remain in effect until ((an initial)) a prospective rate can be set according to WAC 388-96-713.

(4) ~~((Where))~~ If a change of ownership ((is involved which)) is not an arm's-length transaction as defined in

WAC 388-96-010, the department shall set the new contractor's prospective rates in the administration and operation and property cost areas ~~((will be))~~ no higher than the rates of the old contractor, adjusted if necessary to take into account economic trends.

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

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

AMENDATORY SECTION (Amending Order 2172, filed 12/4/84)

WAC 388-96-716 COST AREAS. A contractor's overall reimbursement rate for medical care recipients ~~((consists))~~ shall consist of the total of ~~((five))~~ six component rates, each covering one cost area. The ~~((five))~~ six cost areas are:

- (1) Nursing services;
- (2) Food;
- (3) Administration and operations;
- (4) Property; ~~((and))~~
- (5) Return on investment; and
- (6) Enhancement.

AMENDATORY SECTION (Amending Order 2270, filed 8/19/85)

WAC 388-96-719 METHOD OF RATE DETERMINATION. (1) The department shall take data used in determining rates ~~((will be taken))~~ from the most recent complete, desk-reviewed annual cost report submitted by contractors.

(2) The department shall exclude data containing obvious errors ~~((will be excluded))~~ from the determination of predicted costs and rate upper limits for WAC 388-96-735.

(3) The department shall apply inflation adjustments ~~((shall be applied))~~ as follows:

(a) ~~((In the nursing services and administration and operations cost areas))~~ For July rate setting, a percentage adjustment determined by the legislature shall be applied to allowable costs ~~((in these))~~ in the nursing services and administration and operations cost areas if the cost report for a contractor covers all twelve months of the cost report period. If the cost report covers less than twelve months, the department shall reduce the inflation factor ~~((shall be reduced))~~ to reflect the shorter period.

(b) ~~((In the food cost area;))~~ The department shall apply an inflation factor of 2.5 percent ~~((shall be applied))~~ to the January 1, 1983, food cost area rate for all contractors to determine the July 1, 1983, food cost center rate. For July rate setting in subsequent years, the department shall apply the adjustment factor determined annually by the legislature ~~((shall be applied))~~ to the ~~((previous July))~~ January 1, 1983, rate.

(c) The department shall not adjust property ~~((and)),~~ return on investment, and enhancement rates ~~((will not be adjusted))~~ for inflation.

(4) The department shall compute the occupancy level for each facility ~~((shall be computed))~~ by dividing the

actual number of patient days by the product of the numbers of licensed beds and calendar days in the report period. ~~((For prospective rate computations, as well as determining lids for property and administration and operations reimbursement;))~~ If a facility's occupancy is below eighty-five percent, the department shall compute, per patient day ~~((cost shall be computed)),~~ property and administration and operation prospective rates and lids utilizing patient days at the eighty-five percent occupancy level. The department shall use actual occupancy level ~~((shall be utilized))~~ for facilities at or above eighty-five percent occupancy.

(5) If a nursing home provides residential care to individuals other than skilled or intermediate care patients~~((:))~~:

(a) The facility may request in writing, and

(b) The department may grant in writing an exception to the requirements of subsection (4) of this section by including such other residents in computing occupancy. Exceptions granted ~~((with))~~ shall be revocable effective ninety days after written notice of revocation is received from the department. No exception ~~((with))~~ shall be granted unless the contractor submits with the annual cost report a certified statement of occupancy including all residents of the facility and their status or level of care.

AMENDATORY SECTION (Amending Order 2372 [2485], filed 5/7/86 [4/20/87], effective 7/1/86 [5/20/87])

WAC 388-96-722 NURSING SERVICES COST AREA RATE. (1) The nursing services cost area reimbursement rate ~~((with))~~ shall reimburse for the necessary and ordinary costs of providing routine nursing and related care to recipients. The cost of one-to-one care provided by qualified therapists and their employees are included only to the extent the costs are not covered by Medicare, part B, or any other coverage.

(2) Nursing service costs ~~((with))~~ shall be subject to two reasonableness tests:

(a) A test for nursing staff hours; and

(b) A test for cost increases between the current and preceding report period.

~~((f))~~ (3) The test for nursing staff hours ~~((with))~~ shall use a regression of hours reported by facilities for registered nurses, licensed practical nurses, and nurses' ~~((aids))~~ assistants, including:

(a) Purchased and allocated nursing and ~~((aid))~~ assistant staff time, and

(b) The average Battelle patient debility score for the corresponding facilities as computed by the department. The department shall take data for the regression ~~((shall be taken))~~ from:

(i) Correctly completed cost reports, and ~~((from))~~

(ii) Patient assessments completed by the department for the corresponding calendar report year ~~((; which are))~~ and available at the time the regression equation is computed. Effective January 1, 1988, the department shall not include the hours associated with off-site or class room training of nursing assistants and the supervision of such training for nursing assistants in the test for nursing staff hours. The department shall calculate

and set for each facility a limit on nursing and nursing ~~((aid))~~ assistant staffing hours ~~((will be calculated and set for each facility))~~ at predicted staffing hours plus 1.75 standard errors, utilizing the regression equation calculated by the department. The department shall reduce costs for facilities with reported hours exceeding the limit ~~((will be reduced))~~ by an amount equivalent to:

(A) The hours exceeding the limit;

(B) Times the average wage rate for nurses and ~~((aids))~~ assistants indicated on cost reports for the year in question, including benefits and payroll taxes allocated to such staff. The department shall provide contractors' reporting hours exceeding the limit ~~((shall receive))~~ the higher of their January 1983 patient care rate or the nursing services rate computed for them according to the provisions of this subsection, plus applicable inflation adjustments.

~~((iii))~~ (4) The test for cost increases shall compare:

(a) The percentage change in allowable nursing services cost for the facility between the most recent cost report period and the next prior cost report period ~~((allowable nursing service costs for the facility));~~

(b) Against the percentage change in the medical care component of the consumer price index for all urban consumers between July of the most recent cost report period and July of the next prior cost report period ~~((medical care component of the consumer price index for urban consumers nationwide)).~~ The department shall limit facilities reporting increases greater than the medical care component of the consumer price index ~~((shall be limited))~~ to a rate determined by their adjusted patient care costs for the period immediately preceding the most recent cost report period, inflated by the medical care component of the consumer price index.

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

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

AMENDATORY SECTION (Amending Order 2485, filed 4/20/87)

WAC 388-96-745 PROPERTY COST AREA REIMBURSEMENT RATE. (1) The department shall determine the property cost area rate for each facility ~~((shall be determined))~~ by dividing ~~((the sum of))~~:

(a) The prior period depreciation costs subject to the provisions of this chapter, adjusted for any capitalized addition or replacements approved by the department ~~((and)), plus~~

(b) The retained savings from the property cost center as provided in WAC 388-96-228, by

(c) Total patient days for the facility in the prior period. Allowable depreciation costs are defined as the costs of depreciation of tangible assets meeting the criteria specified in WAC 388-96-557, regardless of whether owned or leased by the contractor. The department shall not reimburse depreciation of leased office equipment ~~((shall not be reimbursable)).~~

(2) If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the

ensuing period, the department shall adjust the prior period total patient days used in computing the property cost center rate ~~((shall be adjusted))~~ to anticipated patient day level.

(3) When a new facility is constructed after obtaining a certificate of need, the department shall determine allowable land cost and building construction cost. Reimbursement for such allowable costs, determined pursuant to the provisions of this chapter, shall not exceed the maximums set forth in this subsection and in subsections (4) and (5) of this section. The department shall determine construction types ~~((shall be determined by the department))~~ through examination of building plans submitted to the department and/or on-site inspections ~~((utilizing)).~~ The department shall use definitions and criteria contained in the marshall valuation service published by the marshall swift publication company, ~~((provided)).~~ Buildings of excellent quality construction shall be considered to be of good quality, without adjustment, for the purpose of applying these maximums.

(4) Construction costs shall be final labor, material, and service costs to the owner or owners and shall include:

(a) Architect's fees;

(b) Engineers' fees (including plans, plan check and building permit, and survey to establish building lines and grades);

(c) Interest on building funds during period of construction and processing fee or service charge;

(d) Sales tax on materials;

(e) Site preparation (including excavation for foundation and backfill);

(f) Utilities from structure to lot line;

(g) Contractors' overhead and profit (including job supervision, workmen's compensation, fire and liability insurance, unemployment insurance, etc.); and

(h) Other items included by the marshall swift valuation service when deriving the calculator method costs.

The department shall allow such construction costs ~~((shall be allowed)),~~ at the lower of actual costs or the maximums shown in the following tables, adjusted to the average date of construction for any changes in construction costs shown by relevant cost indexes published by marshall swift. The average date of construction shall be the midpoint date between award of the construction contract and completion of construction.

BASE COSTS PER BED FOR ALL BEDS IN THE FACILITY BY FACILITY CLASS, QUALITY, AND SIZE:

Class and Quality	0 to 60 Beds	61 to 120 Beds	Over 120 Beds
A-good	\$(39,014) 50,139	\$37,023 42,079	\$33,682) 39,006
A-average	((31,902) 40,967	30,274 34,381	27,543)) 31,870
B-good	((37,332) 48,104	35,427 40,371	32,231)) 37,422
B-average	((30,905) 39,786	29,329 33,389	26,682)) 30,951
C-good	((27,592) 35,939	26,184 30,161	23,822)) 27,959
C-average	((21,576) 27,924	20,475 23,435	18,628)) 21,723

Class and Quality	0 to 60 Beds	61 to 120 Beds	Over 120 Beds
C-low	((17,011 22,019	16,143 18,479	14,687)) 17,130
D-good	((25,051 32,622	23,773 27,377	21,628)) 25,378
D-average	((19,501 25,221	18,506 21,167	16,836)) 19,621
D-low	((15,297 19,796	14,516 16,613	13,206)) 15,400

ADDITIONS TO BASE COSTS BY FACILITY CLASS, QUALITY, AND SIZE:

Class and Quality	Add to Base Cost for All Facilities	Add for Each Bed from 61 to 120 Beds	Add for Each Bed Over 120 Beds
A-good	\$(228,577 239,773	\$2,679 2,810	\$1,897)) 1,990
A-average	((186,900 195,908	2,190 2,296	1,551)) 1,626
B-good	((218,726 230,041	2,563 2,696	1,816)) 1,910
B-average	((181,064 190,261	2,122 2,230	1,503)) 1,579
C-good	((161,649 171,866	1,894 2,014	1,342)) 1,427
C-average	((126,403 133,537	1,481 1,565	1,049)) 1,108
C-low	((99,676 105,299	1,168 1,234	827)) 874
D-good	((146,780 156,003	1,720 1,828	1,218)) 1,295
D-average	((114,258 120,612	1,339 1,413	948)) 1,001
D-low	((89,620 94,667	1,050 1,109	744)) 786

(5) Subject to provisions regarding allowable land contained in this chapter, allowable costs for land shall be the lesser of:

(a) Actual cost per square foot, or ~~((, at the time of purchase of the land in question,))~~

(b) The average per square foot land value of the ten nearest urban or rural nursing homes ~~((, depending upon))~~ at the time of purchase of the land in question. The average land value shall depend on classification of the home in question, assessed for purposes of taxation.

(6) If allowable costs for construction or land are determined to be less than actual costs pursuant to subsection (3) and (4) of this section, ~~((they))~~ the department may ~~((be increased))~~ increase the amount if the owner or contractor is able to show unusual or unique circumstances ~~((which have))~~ having substantially impacted the costs of construction or land. Actual costs ~~((with))~~ shall be allowed to the extent they resulted from such circumstances up to a maximum of ten percent above levels determined under subsections (3) and (4) for construction or land. An adjustment under this subsection shall be granted only if requested by the contractor. The contractor shall submit documentation of the unusual circumstances and an analysis of their financial impact ~~((must accompany))~~ with the request.

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.

NEW SECTION

WAC 388-96-756 **ENHANCEMENT COST AREA RATE.** (1) The enhancement cost area reimbursement rate shall reimburse for specific legislatively authorized enhancements for nonadministrative wages and benefits when funds have been appropriated for such enhancements by the legislature.

(2) Based on information provided by contractors, in the form required by the department and certified by the contractor or nursing home administrator, the department shall identify nursing homes paying wages less than the minimum wages established in WAC 388-96-768. The contractor shall submit documentation and verification of actual hours reimbursed for regular, vacation, sick, holiday, and over time. Documentation shall include a written policy regarding payment of vacation, sick, holiday, and over time. Effective January 1, 1988, and January 1, 1989, the department shall grant a prospective rate revision to fund the additional cost of increasing wages to the minimum established in WAC 388-96-768.

(3) On or before January 1, 1988 and January 1, 1989, contractors shall increase wages below the minimum wages established in WAC 388-96-768 by any inflation adjustment granted under WAC 388-96-719, beginning with the July 1, 1987 inflation adjustment.

(4) Reimbursement for minimum hourly wage requirements shall be based on the highest level paid in any of the three preceding cost years. Contractors shall provide justification if average hourly wages, as reported to the department on cost report schedules, decrease over time.

(5) Effective January 1, 1990, providers shall pay wages equal to those established in WAC 388-96-768 and shall be reimbursed for this cost only through the prospective reimbursement rate.

(6) Effective January 1, 1988 and January 1, 1989, the department shall allocate to all facilities a proportionate share of dollars appropriated by the legislature to enhance nonadministrative wages and benefits above the moneys necessary to fund the minimum wage established in WAC 388-96-768. The department shall not reimburse or allocate dollars in excess of those specified in the biennial appropriation. Dollars shall be allocated to each home based on hours worked by employees in the home earning more than the minimum wage established in WAC 388-96-768.

(7) Beginning October 1, 1987, the department may verify forms submitted by facilities for calculation of enhancement cost center reimbursement rates.

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 388-96-768 **MINIMUM WAGE.** Effective January 1, 1988, contractors shall adjust and maintain wages for all employees to conform to no less than the

minimum hourly wage established by the legislature. This wage is four dollars and seventy-six cents an hour beginning January 1, 1988, and five dollars and fifteen cents an hour beginning January 1, 1989. If moneys are appropriated by the legislature, costs to prospectively fund these minimum wage requirements shall be reimbursed in the enhancement cost center.

AMENDATORY SECTION (Amending Order 2270 [2485], filed 8/19/85 [4/20/87])

WAC 388-96-774 PROSPECTIVE RATE REVISIONS. (1) The department shall determine each contractor's reimbursement rates ((will be determined)) prospectively at least once each calendar year, to be effective July 1st. The department shall determine all prospective reimbursement rates for 1984 and thereafter ((shall be determined utilizing)) using the prior year's desk-reviewed cost reports. Prospective rates shall be maximum payment rates for contractors for the periods to which they apply ((and)). Revisions may be granted for inflation only as authorized in WAC 388-96-719(3) ((and)). Other revisions for cost increases may be granted only as authorized in this section. The department shall not grant rate adjustments for wage increases except as authorized in WAC 388-96-756 and not for increases in use of temporary employment services providing direct patient care. This section shall apply to rate revision requests and periods subsequent to May 20, 1985.

(2) The department shall adjust rates ((shall be adjusted)) for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department may adjust rates ((may be adjusted as determined by the department)) for the following:

(a) Variations ((of more than ten percent)) in the distribution of patient classifications or changes in patient characteristics from:

(i) The prior reporting year, or ((from))

(ii) Those used to set the rate for a new contractor, or ((which correspond))

(iii) Corresponding to the nursing staff funded for a new contractor.

(b) Program changes required by the department.

(c) Changes in staffing levels at a facility required by the department.

((d) Changes required by survey.))

(4) Contractors requesting an adjustment ((must)) shall submit:

(a) A financial analysis showing:

(i) The increased cost, and

(ii) An estimate of the rate increase, computed according to allowable methods, necessary to fund the cost;

(b) A written justification for granting the rate increase, and

(c) A certification and supporting documentation ((which shows)) showing the changes in staffing have commenced, or other commenced or completed improvements ((have been commenced or completed)).

(5) Contractors receiving prospective rate increases pursuant to this section ((must)) shall submit quarterly reports, beginning the first day of the month following

the date the increase is granted, showing how the additional rate funds were spent. If the funds were not spent for changes or improvements approved by the department in granting the adjustment, they shall be subject to immediate recovery by the department.

(6) A contractor requesting an adjustment pursuant to subsection (3)(a) of this section shall submit a written plan specifying:

(a) Additional staff to be added,

(b) Changes in Medicaid patient characteristics requiring the additional staff, and

(c) The ((patient care needs the facility has been unable to meet due to lack of sufficient staff)) predicted improvements in patient care services which will result. The department shall respond to such requests within sixty days following the receipt of a properly completed request.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider one or more of the following:

(a) Whether additional staff requested by a contractor is ((appropriate in meeting)) necessary to meet patient care needs((-);

(b) Comparisons of staffing ((levels)) patterns of facilities having similar size and patient characteristics((-);

(c) The physical layout of the facility((-);

(d) ((Supervision and management of current staff.)) Nursing service planning and management for maximum efficiency;

(e) Historic trends in underspending of a facility's nursing services component rate.

(f) Numbers and positions of existing staff;

(g) Increases in acuity (debility) levels of contractors' residents;

(h) Survey, inspection of care, and department consultation results; and

(i) Facility's ability to fund staffing request through existing nursing services and food rates.

(8) If a request made under subsection (3) of this section is approved by the department, the cost of funding the additional staff may be reduced for rate revision purposes by amounts shifted out of nursing services in 1986 or 1987, as reflected in the preliminary or final settlement reports for 1986 and 1987;

(9) Rates may also be adjusted to cover costs associated with placing a nursing home in receivership for costs not covered by the rate of the former contractor, including:

(a) Compensation of the receiver,

(b) Reasonable expenses of receivership and transition of control, and

(c) Costs incurred by the receiver in carrying out court instructions or rectifying deficiencies found.

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

AMENDATORY SECTION (Amending Order 2076, filed 2/17/84)

WAC 388-96-904 ADMINISTRATIVE REVIEW PROCESS. (1) Within thirty days after a contractor is

notified of an action or determination it wishes to challenge, ~~((it))~~ the contractor shall request, in writing, that the appropriate director or his or her designee review such determination. The contractor shall send the request ~~((shall be forwarded))~~ to the ~~((director, audit division,))~~ office of contracts management if the challenge pertains to audit findings (adjusting journal entries or AJEs) or other audit matters~~((, or to the director, bureau of nursing home affairs (director, BNHA))).~~ For other matters (such as rates, desk reviews, and settlements), the contractor shall send the request to the director, residential rates and licensure services (director, RRLS). ~~The ~~((request shall be signed by the))~~ contractor or the licensed administrator of the facility~~((:))~~ shall:~~

(a) Sign the request,

(b) Identify the challenged determination and the date thereof, and ~~((shall))~~

(c) State as specifically as practicable the issues and regulations involved and the grounds for its contention that the determination is erroneous. The contractor shall include with the request copies of any documentation ~~((on which))~~ the contractor intends to rely on to support ~~((is))~~ its position ~~((shall be included with the request)).~~

(2) After receiving a timely request meeting the criteria of this section, the department ~~((with))~~ shall contact the contractor to schedule a conference for the earliest mutually convenient time. The department shall schedule the conference ~~((shall be scheduled))~~ for no earlier than fourteen days after the contractor was notified of the conference and no later than ninety days after a properly completed request is received, unless both parties agree in writing to a specific later date. The conference may be conducted by telephone unless either the department or the contractor requests, in writing ~~((that)),~~ the conference be held in person.

(3) The contractor and appropriate representatives of the department shall participate in the conference. In addition, representatives selected by the contractor may participate. The contractor shall bring to the conference, or provide to the department in advance of the conference~~((:))~~:

(a) Any documentation requested by the department which the contractor is required to maintain for audit purposes pursuant to WAC 388-96-113, and

(b) Any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, the parties shall schedule a second session of the conference ~~((shall be scheduled))~~ for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) Regardless of whether agreement has been reached at the conference, the director of residential rates and licensure services or designee or the director of the office of nursing home audit or designee shall furnish a written decision ~~((by the appropriate director or his or her designee will be furnished))~~ to the contractor within sixty days after the conclusion of the conference.

(5) A contractor ~~((who is)),~~ aggrieved by a decision of the director, may appeal the decision in an administrative hearing.

(a) A contractor ~~((who desires))~~ desiring an administrative hearing shall file a written request for a hearing with the department's Office of Hearings ~~((mailing address:)),~~ P.O. Box 2465, Olympia, ~~((WA))~~ Washington 98504~~((?)).~~ The contractor shall file the request for hearing ~~((must be filed))~~ within thirty days of the date the contractor received the decision of the director that he or she desires to appeal~~((:)).~~

(b) Attach a copy of the director's decision being appealed ~~((must be attached))~~ to the request for hearing~~((: The request shall be signed by the contractor or)),~~

(c) Sign the request or have the licensed administrator of the facility sign it, ~~((and shall))~~

(d) State as specifically as practicable the issue or issues and regulation or regulations involved, ~~((and))~~

(e) State the grounds for contending the director's decision is erroneous~~((:)), and~~

(f) Include copies of any documentation on which the contractor intends to rely to support its position ~~((shall be included))~~ with the request.

~~((b))~~ (g) Sections of chapter 388-08 WAC not conflicting with this section shall apply to a hearing requested under WAC 388-96-904(5).

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 88-02-033
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2579—Filed December 31, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd ch. 388-86 WAC Medical care—Service provided.
Amd WAC 388-99-060 Scope of care for medically needy.

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 these rules are necessary to comply with a new state law effective January 1, 1988, providing dental services to Medicaid recipients.

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 December 23, 1987.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2495, filed 6/1/87)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF CATEGORICAL NEEDY MEDICAL ASSISTANCE. (1) The department shall provide the following Title XIX mandatory services:

(a) Early and periodic screening diagnosis and treatment services to eligible individuals under twenty-one years of age;

(b) Family planning services;

(c) Home health agency services;

(d) Inpatient and outpatient hospital care;

(e) Other laboratory and x-ray services;

(f) Skilled nursing home care;

(g) Certified registered nurse practitioner services;

(h) Physicians' services in the office or away from the office as needed for necessary and essential medical care, and

(i) Patient transportation services.

(2) The department shall provide the following Title XIX optional services:

(a) Anesthetization services;

(b) Blood;

(c) Chiropractic services;

(d) Drugs and pharmaceutical supplies;

(e) Eyeglasses and examination;

(f) Hearing aids and examinations;

(g) Nurse midwife services;

(h) Oxygen;

(i) Physical therapy services;

(j) Private duty nursing services;

(k) Rural health clinic services;

(l) Surgical appliances;

(m) Prosthetic devices and certain other aids to mobility;

(n) Dental services.

(3) Organ transplants shall be limited to the heart, kidney, liver, and bone marrow.

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

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

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

(7) ~~Adult dental services shall not be provided as a part of the medical assistance program.~~

~~(8))~~ The department shall approve requested services:

(a) That are listed in this section; and

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

~~((9))~~ (8) A request for medical services shall be denied by the department if the requested service:

(a) Is not medically necessary as defined in WAC 388-80-005; or

(b) Is generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient can demonstrate through sufficient objective clinical evidence the existence of particular circumstances which render the requested service medically necessary.

~~((10))~~ (9) The department shall:

(a) Approve or deny all requests for medical services within fifteen days of the receipt of the request; or

(b) If additional justifying information is necessary before a decision can be made, the request shall be neither approved nor denied but shall be returned to the provider within five working days of the original receipt. If additional justifying information:

(i) Is not returned within thirty days of the date it was returned to the provider, then the original request shall be approved or denied.

(ii) Is returned to the department, the request shall be acted upon within five working days of the receipt of the additional justifying information.

~~((11))~~ (10) Whenever the department denies a request for medical services the department shall, within five working days of the decision, give written notice of the denial to the recipient and the provider. The notice shall state:

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

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

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

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

(e) If a fair hearing is requested, a medical assessment other than that of the person or persons involved in making the original decision may be obtained at the expense of the department.

~~((12))~~ (11) For services available under:

(a) The limited casualty program—medically needy (see chapter 388-99 WAC); and

(b) The limited casualty program—medically indigent (see chapter 388-100 WAC.)

~~((13))~~ (12) The department may require a second opinion and/or consultation prior to the approval of any elective surgical procedure.

~~((14))~~ (13) The department shall designate those surgical procedures which:

(a) Can be performed in other than a hospital in-patient setting; and

(b) Require prior approval by the area medical unit for a hospital admission.

AMENDATORY SECTION (Amending Order 2321, filed 12/27/85)

WAC 388-86-020 DENTAL SERVICES. (1) The department shall provide the following dental services to recipients of ~~((EPSDT~~

~~(2) Services will include))~~ medical assistance:

(a) Initial and periodic oral examinations.

(b) Treatment necessary for the relief of pain and infection, restoration of teeth, and maintenance of dental health.

(c) Orthodontic treatment which is defined as the use of any appliance, intra oral or extra oral, removable or fixed, or any surgical procedure designed to move teeth. The following limitations apply:

(i) Limited to recipients of EPSDT,

(ii) Prior approval is required,

~~((iii))~~ (iii) Treatment is limited to medically necessary services as defined in chapter 388-80 WAC.

(2) The following additional requirements shall apply to recipients residing in a nursing home, congregate care facility or group home:

(i) Referral by the attending physician,

(ii) Bedside dental care shall be approved only when sufficient justification exists to show transporting the patient is inappropriate, and

(iii) Treatment of a nonemergent condition in the facility requires prior approval.

(3) Except for services as defined in WAC 388-86-027 group screening for dental services is not permitted under the program.

AMENDATORY SECTION (Amending Order 2539, filed 9/17/87)

WAC 388-86-120 MEDICAL CARE SERVICES.

(1) A recipient of medical care services shall be eligible to receive the same scope of care (WAC 388-86-005) as a recipient of Medicaid, except that:

(a) No care shall be provided outside the state of Washington other than in designated bordering cities as specified in chapter 388-82 WAC, and

(b) Mental health services shall be provided only in community mental health centers and to the extent that the recipient meets the client definitions and priorities established in the Community Mental Health Act, and

(c) Dental services shall not be provided.

(2) Eligibility for medical care services shall commence with the date of certification under WAC 388-84-120. The department shall not retroactively certify for medical care services.

AMENDATORY SECTION (Amending Order 2553, filed 11/4/87)

WAC 388-99-060 SCOPE OF CARE FOR MEDICALLY NEEDY. (1) The medical coverage under the

limited casualty-medically needy program shall include case management services; dental services; early and periodic screening; diagnosis and treatment (EPSDT) services; family planning clinic services; inpatient hospital services; outpatient hospital and rural health clinic services; physical medicine and rehabilitation services; physician and clinic services; prescribed drugs; dentures; prosthetic devices; eyeglasses; skilled nursing facility services; intermediate care facility services; intermediate care facility services for the mentally retarded; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) Conditions and limitations in chapter 388-86 WAC shall apply to the limited casualty-medically needy program.

(3) A request for an exception to policy shall require a review by the division of medical assistance.

WSR 88-02-034

ADOPTED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Order 2580—Filed December 31, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd ch. 388-86 WAC Medical care—Service provided.

Amd WAC 388-99-060 Scope of care for medically needy.

This action is taken pursuant to Notice No. WSR 87-23-058 filed with the code reviser on November 18, 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 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 December 23, 1987.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2495, filed 6/1/87)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF CATEGORICAL NEEDY MEDICAL ASSISTANCE. (1) The department shall provide the following Title XIX mandatory services:

(a) Early and periodic screening diagnosis and treatment services to eligible individuals under twenty-one years of age;

(b) Family planning services;

(c) Home health agency services;

(d) Inpatient and outpatient hospital care;

- (e) Other laboratory and x-ray services;
- (f) Skilled nursing home care;
- (g) Certified registered nurse practitioner services;
- (h) Physicians' services in the office or away from the office as needed for necessary and essential medical care; and

(i) Patient transportation services.
 (2) The department shall provide the following Title XIX optional services:

- (a) Anesthetization services;
- (b) Blood;
- (c) Chiropractic services;
- (d) Drugs and pharmaceutical supplies;
- (e) Eyeglasses and examination;
- (f) Hearing aids and examinations;
- (g) Nurse midwife services;
- (h) Oxygen;
- (i) Physical therapy services;
- (j) Private duty nursing services;
- (k) Rural health clinic services;
- (l) Surgical appliances;
- (m) Prosthetic devices and certain other aids to mobility;

(n) Dental services.
 (3) Organ transplants shall be limited to the heart, kidney, liver, and bone marrow.

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

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

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

(7) ~~((Adult dental services shall not be provided as a part of the medical assistance program.~~

~~(8))~~ The department shall approve requested services:

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

~~((9))~~ (8) A request for medical services shall be denied by the department if the requested service:

- (a) Is not medically necessary as defined in WAC 388-80-005; or
- (b) Is generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient can demonstrate through sufficient objective clinical evidence the existence of particular circumstances which render the requested service medically necessary.

~~((10))~~ (9) The department shall:

(a) Approve or deny all requests for medical services within fifteen days of the receipt of the request; or

(b) If additional justifying information is necessary before a decision can be made, the request shall be neither approved nor denied but shall be returned to the provider within five working days of the original receipt. If additional justifying information:

(i) Is not returned within thirty days of the date it was returned to the provider, then the original request shall be approved or denied.

(ii) Is returned to the department, the request shall be acted upon within five working days of the receipt of the additional justifying information.

~~((11))~~ (10) Whenever the department denies a request for medical services the department shall, within five working days of the decision, give written notice of the denial to the recipient and the provider. The notice shall state:

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

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

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

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

(e) If a fair hearing is requested, a medical assessment other than that of the person or persons involved in making the original decision may be obtained at the expense of the department.

~~((12))~~ (11) For services available under:

(a) The limited casualty program—medically needy (see chapter 388-99 WAC); and

(b) The limited casualty program—medically indigent (see chapter 388-100 WAC.)

~~((13))~~ (12) The department may require a second opinion and/or consultation prior to the approval of any elective surgical procedure.

~~((14))~~ (13) The department shall designate those surgical procedures which:

(a) Can be performed in other than a hospital in-patient setting; and

(b) Require prior approval by the area medical unit for a hospital admission.

AMENDATORY SECTION (Amending Order 2321, filed 12/27/85)

WAC 388-86-020 DENTAL SERVICES. (1) The department shall provide the following dental services to recipients of ~~((EPSDT:~~

~~(2) Services will include))~~ medical assistance:

(a) Initial and periodic oral examinations.

(b) Treatment necessary for the relief of pain and infection, restoration of teeth, and maintenance of dental health.

(c) Orthodontic treatment which is defined as the use of any appliance, intra oral or extra oral, removable or fixed, or any surgical procedure designed to move teeth. The following limitations apply:

(i) Limited to recipients of EPSDT,

(ii) Prior approval is required,
~~((iii))~~ (iii) Treatment is limited to medically necessary services as defined in chapter 388-80 WAC.

(2) The following additional requirements shall apply to recipients residing in a nursing home, congregate care facility or group home:

- (i) Referral by the attending physician,
 (ii) Bedside dental care shall be approved only when sufficient justification exists to show transporting the patient is inappropriate, and
 (iii) Treatment of a nonemergent condition in the facility requires prior approval.

(3) Except for services as defined in WAC 388-86-027 group screening for dental services is not permitted under the program.

AMENDATORY SECTION (Amending Order 2539, filed 9/17/87)

WAC 388-86-120 MEDICAL CARE SERVICES.
 (1) A recipient of medical care services shall be eligible to receive the same scope of care (WAC 388-86-005) as a recipient of Medicaid, except that:

(a) No care shall be provided outside the state of Washington other than in designated bordering cities as specified in chapter 388-82 WAC, and

(b) Mental health services shall be provided only in community mental health centers and to the extent that the recipient meets the client definitions and priorities established in the Community Mental Health Act, and

(c) Dental services shall not be provided.

(2) Eligibility for medical care services shall commence with the date of certification under WAC 388-84-120. The department shall not retroactively certify for medical care services.

AMENDATORY SECTION (Amending Order 2553, filed 11/4/87)

WAC 388-99-060 SCOPE OF CARE FOR MEDICALLY NEEDY. (1) The medical coverage under the limited casualty-medically needy program shall include case management services; dental services; early and periodic screening; diagnosis and treatment (EPSDT) services; family planning clinic services; inpatient hospital services; outpatient hospital and rural health clinic services; physical medicine and rehabilitation services; physician and clinic services; prescribed drugs; dentures; prosthetic devices; eyeglasses; skilled nursing facility services; intermediate care facility services; intermediate care facility services for the mentally retarded; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) Conditions and limitations in chapter 388-86 WAC shall apply to the limited casualty-medically needy program.

(3) A request for an exception to policy shall require a review by the division of medical assistance.

WSR 88-02-035
 EMERGENCY RULES
 DEPARTMENT OF
 SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 2583—Filed December 31, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to social services for families, children and adults, amending chapter 388-15 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 these rules are necessary to provide definitions of child abuse and neglect and goals of service; establish ninety day rule for time limited investigation; allow for an expanded role of the community and collaborating agencies as a resource to child protective services; provide guidelines for interviewing children and notifying parents and develop the review of case information to be effective January 1, 1988, per chapter 503, Laws of 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 503, 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 December 31, 1987.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-15-130 CHILD PROTECTIVE SERVICES—AUTHORITY. The authority for the department's child protective services (CPS) program is chapter 26.44 RCW and RCW 74.13.031.

(1) GOAL STATEMENT. The purpose of CPS is to protect children from child abuse and neglect (CA/N) through the provision of services to:

- (a) Assess risk of abuse or neglect to children;
 (b) Develop case plans preventing or remedying CA/N in the shortest reasonable time; and
 (c) Maintain, support, or reunify families to the extent possible consistent with the safety of the child.

(2) DEFINITION OF SERVICE. Child protective services are those services provided by the department on behalf of children who are reported to be abused, neglected, or exploited or who are threatened with harm through abusive, neglectful, or exploitive acts by ~~((those responsible for their health, safety and welfare. Services~~

~~are given to prevent, correct, improve or remedy the situations of children who are found to be neglected, abused or exploited, including runaways:~~

~~(2) Services may also include) any person:~~

~~(a) Legally responsible for the child's welfare, or~~

~~(b) Residing in the same home as the child, or~~

~~(c) Acting in loco parentis with the implied or expressed consent of the parent (RCW 26.44.010).~~

~~(3) DEFINITION OF CHILD ABUSE, NEGLECT, OR EXPLOITATION (CA/N). Abusive, neglectful, or exploitive acts defined in RCW 26.44.020 include:~~

~~(a) Inflicting physical injury on a child by other than accidental means, causing death, disfigurement, skin bruising, impairment of physical or emotional health, or loss or impairment of any bodily function.~~

~~(b) Creating a substantial risk of physical harm to such child's bodily functioning.~~

~~(c) Committing or allowing to be committed any sexual offense against such child as defined in the criminal code or intentionally touching, either directly or through the clothing, the genitals, anus, or breasts of a child for other than hygiene or child care purposes.~~

~~(d) Committing acts which are cruel or inhumane regardless of observable injury. Such acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child's pain and/or mental suffering.~~

~~(e) Assaulting or criminally mistreating a child as defined by the criminal code.~~

~~(f) Failing to provide food, shelter, clothing, supervision, or health care necessary to a child's health or safety.~~

~~(g) Engaging in actions or omissions resulting in injury to, or creating a substantial risk to the physical or mental health or development of a child.~~

~~(h) Failing to take reasonable steps to prevent the occurrence of (a) through (g).~~

~~(4) DESCRIPTION OF SERVICES.~~

~~(a) The department's child protective services shall include:~~

~~(i) Investigation of CA/N reports (RCW 26.44.050);~~

~~(ii) Development, management, and provision of services to ameliorate conditions endangering the welfare of children;~~

~~(iii) Coordination of programs and services relevant to the prevention and treatment of CA/N;~~

~~(iv) Case planning to ensure each child has a permanent home;~~

~~(v) Community education; and~~

~~(vi) Development of preventative services to reduce and/or eliminate CA/N.~~

~~(b) Department services may also include:~~

~~(i) Counseling with the children and their families((-)) or other responsible individuals((-));~~

~~(ii) Arranging ((for alternate living arrangements)) out-of-home placement, ((including)) e.g., relative placement, emergency foster care, etc.; ((day care, homemaker or chore service))~~

~~(iii) In-home support services, ((health support services and mental health services. Services also may include referral to appropriate law enforcement agencies and petitions to courts, as well as cooperation))~~

~~(iv) Petitions to courts;~~

~~(v) Information about and/or referral to other agencies or persons, and~~

~~(vi) Cooperating with out-of-state child protective service agencies.~~

~~((3)) (5) ((Goals for child protective services shall be limited to those specified in WAC 388-15-010(1)(c). Also see WAC 388-15-010(2))) COMMUNITY INVOLVEMENT. The department shall involve local community resources in the planning and provision of needed services. Involvement shall include:~~

~~(a) Notifying law enforcement of department activity in cases being investigated by both agencies.~~

~~(b) Coordination of community resources to provide identification, prevention, and treatment of CA/N.~~

~~(c) Organizing community child protection teams of professional persons or agencies providing services to abused or neglected children and/or parents of such children.~~

~~(d) Other activities to coordinate the investigation and keep participants apprised of case progress per RCW 26.44.035.~~

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-15-132 CHILD PROTECTIVE SERVICES—ACCEPTANCE OF REPORTS—ELIGIBILITY FOR SERVICES AND LIMITS TO AUTHORITY. ((Reports shall be made directly to the department's CSO:))

(1) ACCEPTANCE OF REPORTS. The ((departmental CSO)) department shall accept a ((complaint or referral concerned with child abuse or neglect, neglect or exploitation of children)) report of CA/N from any source, including one made anonymously. Reports shall be made directly to the department's division of children and family services (DCFS) local office per RCW 26.44.030.

(a) The department shall determine whether reports allege incidents, conditions, or circumstances meeting the definition of CA/N in RCW 26.44.020 and WAC 388-15-130, and

(b) The department shall have the authority to refuse to investigate reports which do not meet the statutory definition of CA/N.

(2) INVESTIGATION. The department, except as provided by RCW 26.44.050 and WAC 388-15-130(2), shall be responsible for investigation of reports of suspected CA/N.

(a) The department shall begin its investigation within twenty-four hours for all CA/N reports where children are assessed to be at risk of imminent harm;

(b) The department shall investigate all other reports meeting the legal definition of CA/N, but may determine an appropriate response time based on the assessed risk of CA/N; and

(c) The department:

(i) Shall develop and maintain records of its investigations of CA/N per RCW 26.44.035, and

(ii) May arrange for ongoing services by another agency.

(d) Upon receiving a report of incidents, conditions, or circumstances of CA/N, the department shall:

(i) Have access to any and all records of the child in the possession of mandated reporters and their employers;

(ii) Have the authority to interview children without prior parental notification or consent;

(iii) Have authority to interview children outside of the presence of parents at locations determined by the department to be suitable for an interview. The child or the department may have a third party present at the interview so long as the investigation is not jeopardized per RCW 26.44.030;

(iv) Not transport the child without parental permission, emergency placement authorization from a law enforcement agency, or court order; and

(v) Notify the child's parent, guardian, or caretaker about the interview per RCW 26.44.030(9).

(e) The department shall complete the investigation within ninety days from the date of report. The department shall make written findings of all investigations including:

(i) A description of any injuries or harm inflicted on the child;

(ii) An account of the department's investigation;

(iii) The findings regarding specific allegations;

(iv) An assessment of risk to the child; and

(v) The department's disposition of the case (RCW 13.34.120 and 26.44.040).

(3) LIMITS TO AUTHORITY. The department:

(a) Shall have the authority to share information for case planning and case consultation purposes with mandated reporters and agencies which have provided or will provide services to the child and family per RCW 26.44.030; and

(b) May share information with community child protection teams, designated members of Washington Indian tribes, and/or citizen advisory groups to assist in case planning, consultation, and policy review per RCW 26.44.030.

(4) SERVICE OPTIONS (NINETY-DAY RULE). Within ninety days of a determination where a child is at risk of CA/N, the department shall:

(a) Develop, with the family, a mutually agreed upon written service plan;

(b) File a dependency petition with the juvenile court; or

(c) Close the case.

(5) JUVENILE COURT CASE PLANS. When the department files a dependency petition, the department shall develop a written social study and proposed case plan for the court to consider at the dispositional hearing per RCW 13.34.120:

(a) Mail a copy to the parent or parents and their attorney at least ten days prior to the disposition hearing; and

(b) Provide the parent or parents an opportunity to review and comment on the plan at the local DCFS office.

(6) REOPENING CLOSED CASES. Any closed case may be reopened by the department for good cause including, but not limited to:

(a) Further allegations of CA/N;

(b) Additional information pertaining to the department's investigation; or

(c) When necessary witnesses or other persons, e.g., parent or child, are located or become available to complete the investigation.

(7) LENGTH OF ELIGIBILITY. Any child ((so)) reported to the department shall be eligible for child protective services ((and)). A child shall remain eligible until ((it is determined that)) he or she is ((not suffering from maltreatment and his welfare)) no longer abused or neglected or is ((not or is)) no longer ((in jeopardy)) at risk of CA/N subject to the provisions of WAC 388-15-130 and 388-15-132.

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-15-134 CHILD PROTECTIVE SERVICES—NOTIFICATION((=SUBSTANTIA-TION)). (1) DUTY TO NOTIFY. The department shall notify the ((parents, stepparents, guardians or other persons having custody of the child or other person alleged to be the abuser that)) person or persons legally responsible for the welfare and safety of a child when:

(a) The department ((has received)) is investigating a report alleging ((condition(s) specified in WAC 388-15-132 unless the report is for informational purposes only because the situation has been resolved by law enforcement and/or by the courts. The identity of the person making the report to the department shall not be revealed unless that person has given permission to do so)) an act or acts of child abuse or neglect (CA/N); and

(i) Their child is alleged to be the victim; and/or

(ii) The department interviews a child alleged to be the victim of CA/N.

(b) The department takes a child into custody pursuant to a court order issued under RCW 13.34.050;

(c) The department receives custody of a child from law enforcement pursuant to RCW 26.44.050; and

(d) The department files a dependency petition.

(2) ((The report was for information purposes only as specified in subsection (1), the parent or parents surrogate or other alleged abuser as specified above, shall be provided the opportunity to supply information about the allegation and his situation. This person's response about the allegation and his situation including a written statement, if any, shall be a part of the department's case record)) NOTIFICATION OF NONCUSTODIAL PARENTS.

(a) The department shall notify noncustodial parents when a child is taken into custody pursuant to RCW 26.44.050 or 13.34.050 and placed into the custody of the department; and

(b) Notification shall also occur when the department files a dependency petition.

(3) ((The person, if available, shall be notified that the information will be on file in the CSO)) DEPARTMENT NOTIFICATIONS under this section shall include:

(a) A description of the department's action;

(b) The reason for the department's action;

(c) A statement of rights under RCW 13.34.090; and

(d) Notifications shall comply to RCW 26.44.120. Further disclosure shall be made only in compliance with chapter 388-320 WAC.

(4) ((The person, if available, shall be informed of the placement of his name as an abuser in the central register)) OPPORTUNITY TO REVIEW CASE INFORMATION. The department shall:

(a) Notify the person or persons legally responsible for the child of the address of the office where the case record information will be on file, and

(b) Provide them with the opportunity to read parts of the case record relating to the allegations, provided:

(i) They have requested access to the information, and

(ii) Such access is not otherwise prohibited by law.

(5) ((The person, if available, shall be advised of his right to a fair hearing in accordance with chapter 388-08 WAC.

(6) The department shall determine if there is a factual basis for the report, unless the report is already substantiated or is for information purposes only.

(a) A report which contains facts about the state or condition of the child amounting to child abuse made by any person under a mandatory duty to report shall be considered substantiated and must be reported to the central registry. The substantiation of the identity of the alleged abuser shall be considered separately.

(b) Regardless of source, a report in which the facts support the conclusion(s) is to be considered substantiated. If the report is substantiated and falls within the definition of what is to be reported to the central registry, it must also be reported to the central registry. The parent or parent surrogate or other suspected/alleged perpetrator, if available, shall be notified that the information has been forwarded to the central registry. Even if the report is not substantiated, service may continue as per WAC 388-15-132)) EXCLUSIONS TO CASE INFORMATION. The department shall delete from any case record information provided for reading the name and address of any referrer who requests their identity be held in confidence. The department may delete the name and address of any victim from any case record information provided for reading.

(6) LIMITS OF DUTY TO NOTIFY. The duty of notification created by this section shall be subject to the ability of the department to ascertain the location of the person to be notified. The department shall exercise reasonable, good-faith efforts to ascertain the location of persons entitled to notification under 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 88-02-036
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 2582—Filed December 31, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Eligibility determination—Medically needy in own home, amending WAC 388-99-020.

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 reflect the increase in SSI payments and will be effective January 1, 1988.

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 1st 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 December 31, 1988 [1987].

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2522, filed 8/17/87)

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

(a) One person	\$	((368)) 382
(b) Two persons	\$	532
(c) Three persons	\$	((567)) 599
(d) Four persons	\$	667
(e) Five persons	\$	767
(f) Six persons	\$	875
(g) Seven persons	\$	1,008
(h) Eight persons	\$	1,117
(i) Nine persons	\$	1,225
(j) Ten persons and above	\$	1,333

(2) The department shall allow the following general income disregards:

(a) For families and children the department will determine countable income ((is determined)) by deducting, from gross income, amounts that would be deducted in determining AFDC grant eligibility. Earned income exemption of \$30 plus 1/3 of the remainder does not

apply for individuals applying solely for medical assistance.

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

(3) The department shall allow the following special income disregards:

(a) Health insurance premiums the individual expects to pay during the base period.

(b) An amount equal to the maintenance needs of an ineligible or nonapplying spouse not to exceed the one person medically needy income level.

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

(5) If countable income is greater than the appropriate MNIL, the applicant is required to spenddown the excess countable income for the base period. The base period shall be the three-month or six-month period which corresponds to the certification period, see WAC 388-99-055.

(6) Financial responsibility of relatives.

(a) For families and children,

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

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

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

(7) In mixed households, where more than one assistance unit exists, determine income for the AFDC related assistance unit according to subsections (2)(a) and (3) of this section, and for the SSI related assistance unit according to subsections (2)(b) and (3) of this section.

WSR 88-02-037

ADOPTED RULES

CHIROPRACTIC DISCIPLINARY BOARD

[Order PM 690—Filed December 31, 1987]

Be it resolved by the Chiropractic Disciplinary Board, acting at Olympia, Washington, that it does adopt the annexed rules regarding billing for chiropractic services, amending WAC 113-12-100.

This action is taken pursuant to Notice No. WSR 87-22-102 filed with the code reviser on November 4, 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 18.26.110 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 December 10, 1987.

By Leslie B. White, D.C.
Chairman

AMENDATORY SECTION (Amending Order PL 453, filed 12/16/83)

WAC 113-12-100 BILLING. (1) A chiropractor who bills separately for therapy procedures other than the chiropractic adjustment shall be considered engaging in unprofessional conduct. The use of x-ray, examination or consultation is not considered therapy. Approved chiropractic procedures which are preparatory to and complementary to the adjustment, may be used at the discretion of the attending chiropractor when used in combination with the adjustment. These procedures are considered as part of the adjustment and are not a treatment or therapy in and of themselves. This rule does not prohibit billing for varied levels of service as defined below for appropriate time dependent services which were necessary for the examination or treatment of a patient and which are not a routine part of the Chiropractor's examination and treatment procedures.

(2) Levels of service for chiropractic care:

(a) Brief Level of Service. A level of service requiring an abbreviated history and/or examination supported by subjective complaint (if any), objective findings, the assessment, and plan for care (if any). This level of service may consist of inter or intra-professional consultation regarding the assessment and care of the patient.

(b) Limited Level of Service - (i.e., Routine). A level of service pertaining to the evaluation of a circumscribed acute condition or existing condition with an interval history, examination, review of past care effectiveness, appropriate tests, adjustment of care if indicated, and supported by documentation of subjective complaints, objective findings and the assessment and plan for care. This service may include the application of unattended ancillary chiropractic procedures, including but not limited to, spinal traction and hot or cold packs performed in addition to a chiropractic spinal adjustment.

(c) Extended Level of Service. A level of service requiring an unusual amount of effort or judgment which may include detailed history, review of recorded examination, formal conference, a need for ongoing same day care, and is supported by documentation of subjective complaints, objective findings, assessment, and plan for care. This level of service may include the application of attended complementary and preparatory chiropractic procedures, including but not limited to, manual traction, massage, trigger point therapy, deep muscle goading, and/or attended ancillary chiropractic procedures including, but not limited to, nutritional counseling, gait training, instruction in the activities of daily living and neuromuscular rehabilitation performed in addition to a chiropractic spinal adjustment.

(d) Comprehensive Level of Service. A level of service providing an in-depth evaluation of a patient with a new or existing problem requiring the complete evaluation of chiropractic and health data. This procedure may include the documentation of chief complaints, present conditions, family history, past health history, a complete chiropractic examination, to include neurologic and orthopedic findings, appropriate tests and procedures, and documentation of assessment and plan for care.

~~((2))~~ (3) Because of the potential element of fraud being present advertising forgiveness of coinsurance is prohibited unless the insurance company is given true and accurate information relating to the billing system.

WSR 88-02-038
EMERGENCY RULES
DEPARTMENT OF LICENSING
 [Order PM 699—Filed December 31, 1987]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at the Highways-Licenses Building, 4th Floor, Olympia, Washington, the annexed rules relating to:

New	WAC 308-124E-012	Administration of funds held in trust—General procedures.
New	WAC 308-124E-013	Administration of funds held in trust—Real estate and business opportunity transactions.
New	WAC 308-124E-014	Administration of funds held in trust—Property management.
Rep	WAC 308-124E-011	Administration of funds held in trust.

I, Theresa Anna Aragon, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these rules are necessary to administer chapter 513, Laws of 1987, which is effective on January 1, 1988.

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

This rule is promulgated pursuant to RCW 18.85.310, as amended by chapter 513, 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 December 31, 1987.

By Theresa A. Aragon
 Director

NEW SECTION

WAC 308-124E-012 ADMINISTRATION OF FUNDS HELD IN TRUST. GENERAL PROCEDURES. Any real estate broker who receives funds or moneys from any principal or any party to a real estate

or business opportunity transaction, property management agreement, or contract/mortgage collection agreement shall hold the funds or moneys in trust for the purposes of the transaction or agreement, and shall not utilize such funds or moneys for the benefit of the broker or any person not entitled to such benefit. Except as specifically provided in this section, funds or moneys received in trust shall be deposited in a Washington state banking institution approved by the banking division, department of general administration, state of Washington, or successor. The broker is responsible for depositing, holding, disbursing and accounting for funds in trust as provided herein.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed.

(2) Interest credited to a clients account must be recorded as a liability on client ledger. Interest assigned or credited by written assignment agreement to the broker may not be maintained in the trust account. The broker is responsible to make arrangements with the financial institution to credit this interest to the general account of the firm.

(3) The broker shall establish and maintain a system of records and procedures approved by the director that provide an audit trail accounting for all funds received and disbursed, identified to the account of each individual client. Records and procedures described herein meet approval requirements. Any alternative records or procedures proposed for use by a broker shall be approved in advance by the department.

(4) The real estate broker shall be responsible for deposits, disbursements or transfers of clients' funds received and held in trust, whether disbursed by personal signature, signature plate or signature of another person authorized to act on the broker's behalf.

(5) All funds or moneys received for any reason pertaining to the sale, renting, leasing or option of real estate or business opportunities or contract or mortgage collections shall be deposited in the broker's real estate trust bank account not later than the first banking day following receipt thereof; except

(a) Checks received as earnest money deposits when the earnest money agreement states that a check is to be held for a specified length of time or until the occurrence of a specific event; and

(b) Checks, funds or moneys received as rent, contract payments or mortgage payments on real estate or business opportunities, owned exclusively by the real estate broker or the broker's real estate firm.

(6) All checks, funds or moneys received shall be identified by the day received and by the amount, source and purpose on either a cash receipts journal or duplicate receipt retained as a permanent record.

(7) All deposits to the trust bank account shall be documented by duplicate deposit slip, validated by bank imprint or electronic transfer memo identifying the source of funds and transaction to which it applies. Receipt of funds by wire transfer are to be posted in the same manner as other receipts provided there is a traceable identifying number provided by the financial institution or transferring entity. The broker must also make

arrangements for a follow-up "hard-copy" receipt for the deposit.

(8) An individual client's ledger sheet shall be established and maintained for each client for whom funds are received in trust, to which ledger sheet all receipts and disbursements shall be posted. The credit entries must show the date of deposit, amount of deposit, and item covered including, but not limited to "earnest money deposit," "down payment," "rent," "damage deposit," "rent deposit" "interest". The debit entries must show the date of the check, check number, amount of the check, name of payee and item covered. The "item covered" entry may indicate a code number per chart of accounts, or may be documented by entry in a cash receipts journal, cash disbursements journal, or check voucher.

(9) The real estate trust bank account balance must be equal at all times to the outstanding trust liability to clients. The balance shown in the check register or bank control account must equal the total liability to clients.

(10) The broker shall be responsible for preparation of a monthly trial balance of the client's ledger, reconciling the ledger with both the trust account bank statement and the trust account check register or bank control account.

(11) All disbursements of trust funds shall be made by check, or electronic transfer, drawn on the real estate trust bank account and identified thereon to a specific real estate or business opportunity transaction, or collection/management agreement. The number of each check, amount, date, payee, items covered and the specific client's ledger sheet debited must be shown on the check stub or check register and all data must agree exactly with the check as written.

(a) No disbursement from the trust account shall be made based upon wire transfer receipts until the deposit has been verified.

(b) The broker must make arrangements with the financial institution in which the trust account is located to provide a follow-up "hard-copy" debit memo when funds are disbursed via wire transfer.

(c) The broker shall retain in the transaction file a copy of instructions signed by the owner of funds to be wire-transferred which identifies the receiving entity and account number.

(12) Voided checks written on the trust bank account shall be permanently defaced and shall be retained.

(13) Commissions owed to another real estate broker may be paid from the real estate trust bank account. Those commissions shall be paid promptly upon receipt of funds. Commissions shared with another broker are a reduction of the gross commissions received.

(14) No deposits to the real estate trust bank account shall be made of funds:

(a) That belong to the real estate broker or the real estate firm, including funds to "open" the bank account or to keep the account from being "closed"; or

(b) That do not pertain to a client's real estate or business opportunity sales transaction or are not received in connection with a client's rental, contract or mortgage collection account.

(15) No disbursements from the real estate trust bank account shall be made:

(a) For items not pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account;

(b) Pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account in excess of the actual amount held in the real estate trust bank account in connection with that transaction or collection account;

(c) In payment of a commission owed to any person licensed to the real estate broker or in payment of any business expense of the broker. Payment of commissions to persons licensed to the broker or of any business expense of the broker shall be paid from the regular business bank account of the broker.

(d) For bank charges of any nature, including bank services, checks or other items, except as specified in WAC 308-124E-013 (1)(a). Bank charges are business overhead expenses of the broker. Arrangements must be made with the bank to have any such charges applicable to the real estate trust bank account charged to the regular business bank account, or to provide a separate monthly statement of bank charges so that they may be paid from the brokers business bank account.

(16) The provisions of this chapter are applicable to manual or computerized accounting systems. For clarity, the following is addressed for computer systems:

(a) The system must provide for a capability to back-up all data files.

(b) Receipt and check registers will be printed at least once monthly and retained as a permanent record. Reconciliation and trial balance will be accomplished at least once monthly, printed and retained as a permanent record.

(c) The broker will maintain a printed, dated source document file to support any changes to existing accounting records.

(d) If the program has the ability to write checks, the check number must be pre-printed on the check or retained voucher copy by the supplier. The program may, if desired assign suffixes or subaccount codes before or after the check number for identification purposes.

(e) The check number must appear in the magnetic coding which also identifies the account number for readability by the financial institution computer.

NEW SECTION

WAC 308-124E-013 ADMINISTRATION OF FUNDS HELD IN TRUST — REAL ESTATE AND BUSINESS OPPORTUNITY TRANSACTIONS. The procedures in this section are applicable to funds received by the broker in connection with real estate sales or business opportunity transactions or options thereon. These procedures are in addition to the requirements of the general trust account procedures contained in WAC 308-124E-012.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed. Trust bank accounts for real estate sales or business opportunity transactions shall be interest bearing demand deposit accounts. These accounts shall be

established as described in RCW 18.85.310 and this section.

(a) The broker shall maintain a pooled interest bearing trust account for deposit of client funds which, if placed into a separate account, would not produce a positive net income after payment of bank fees. Interest income from this account will be paid to the department by the depository institution, after deduction of bank charges. The real estate broker shall direct the depository institution to submit a statement, in accordance with RCW 18.85.310 (7)(b), with the interest income when paid to the department. The department shall remit the funds to the state treasurer.

(b)(i) For funds which would produce a positive net income after payment of bank fees if placed into a separate account, the broker shall maintain a separate interest-bearing account for each client whose funds would produce positive net income after payment of bank fees and the interest earned from this account shall be paid to the client; or

(ii) Maintain a pooled interest-bearing trust account for funds which would produce a positive net income after payment of bank fees with sub-accounting that will provide for computation of interest earned by each client and payment of the interest to the account of the client.

(2) A separate check shall be drawn on the real estate trust bank account, payable to the broker as licensed, for each commission earned, after the final closing of the real estate or business opportunity transaction. Each commission check shall be identified to the transaction to which it applies.

(3) No disbursements from the real estate trust bank account shall be made in advance of closing of a real estate or business opportunity transaction or before the happening of a condition set forth in the earnest money agreement, to any person or for any reason, without a written release from both the purchaser and seller, except that

(i) If the agreement terminates according to its own terms prior to closing, disbursement of funds shall be made as provided by the agreement without a written release; and

(ii) Funds may be disbursed to the escrow agent designated in writing by the purchaser and seller to close the transaction, reasonably prior to the date of closing in order to permit checks to clear.

NEW SECTION

WAC 308-124E-014 ADMINISTRATION OF FUNDS HELD IN TRUST — PROPERTY MANAGEMENT Any real estate broker who receives funds or moneys from any principal or any party to property management agreement or contract/mortgage collection agreement shall hold the funds or moneys in trust for the purposes of the agreement, and shall not utilize such funds or moneys for the benefit of the broker or any person not entitled to such benefit. These procedures are applicable to property management and contract/mortgage collection agreements, and are in addition to the general trust account procedures in WAC 308-124E-012.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed. Trust bank accounts for property management transactions are exempt from the interest-bearing requirement of RCW 18.85.310. However, interest-bearing accounts for property management transactions may be established as described in this section.

(a) Interest-bearing trust bank accounts or dividend-earning investment accounts containing only funds held on behalf of an individual owner of income property managed by the broker may be established when directed by written property management agreement or directive signed by the owner: **PROVIDED**, that all interest or earnings shall accrue to the owner;

(b) Interest-bearing trust bank accounts containing only damage or security deposits received from tenants of residential income properties managed by the broker for an individual owner may be established by the broker when directed by written management agreement, and the interest on such trust bank accounts may be paid to the owner, if the broker is by written agreement designated a "representative of the landlord" under the provisions of RCW 59.18.270, Residential Landlord-Tenant act;

(c) The broker is not required to establish individual interest-bearing accounts for each owner when all owners assign the interest to the broker;

(d) A common account, usually referred to as a "clearing account" may be established if desired. No funds which belong to the broker or firm or are related to transactions on property owned by the broker or firm shall be maintained in this account.

(2) Any property management accounting system is to be an accounting of cash received and disbursed by the managing broker only. Any other method of accounting offered to owners for their rental properties, unit and/or complexes are to be supplementary to the brokers accounting of all cash received and disbursed through his/her trust account(s). All owners' summary statements must include this accounting.

(3) The pre-authorization of disbursements or deductions by the financial institution for recurring expenses such as mortgage payments on behalf of the owner is not permitted if the account contains tenant security deposits or funds belonging to more than one client.

(4) A single check may be drawn on the real estate trust bank account, payable to the broker as licensed, in payment of all property management fees and commissions, if such check is supported by a schedule of commissions identified to each individual client. Property management commissions shall be withdrawn at least once monthly.

(5) No disbursements from the real estate trust bank account shall be made of funds received as damage or security deposit on a lease or rental contract for property managed by the broker to the owner or any other person without the written agreement of the tenant, until the end of the tenancy when the funds are to be disbursed to the person or persons entitled to the funds as provided by the terms of the rental or lease agreement and consistent with the provisions of RCW 59.18.270, Residential Landlord-tenant act, or other appropriate statute.

REPEALER

The following section of the Washington Administrative Code is repealed;

WAC 308-124E-011 ADMINISTRATION OF FUNDS HELD IN TRUST

WSR 88-02-039**EMERGENCY RULES****WHATCOM COMMUNITY COLLEGE**

[Order 87-1—Filed December 31, 1987]

Be it resolved by the board of trustees of Whatcom Community College, acting at the college, that it does adopt the annexed rules relating to parking and traffic regulations, chapter 132U-116 WAC; and health and safety, chapter 132U-52 WAC.

We, the board of trustees, 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 with the new facilities which are now permanent, we need parking regulations. Also, the health and safety aspects of dogs on campus has made it necessary to seek regulation of that; and smoking.

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

This rule is promulgated under the general rule-making authority of the board of trustees of Whatcom Community College as authorized in RCW 28B.50.130.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED December 30, 1987.

By Dennis A. Kole

Assistant Attorney General

Chapter 132U-116

Parking and Traffic Regulations

NEW SECTION

WAC 132U-116-010 AUTHORITY. Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of Whatcom Community College hereby establishes rules and regulations for vehicular parking on property owned, operated or maintained by the college district.

NEW SECTION

WAC 132U-116-020 PURPOSE. The rules and regulations contained in this chapter are established for the following purposes: (1) to protect and control pedestrian and vehicular traffic on property owned, operated and maintained by the college district.

(2) To assure access for emergency traffic.

(3) To facilitate the operation of the college by assuring access for vehicles.

(4) To regulate the use of parking spaces.

[Statutory authority: RCW 28B.50.140(10)]

Reviser's note: The brackets and enclosed material following 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.

NEW SECTION

WAC 132U-116-030 PARKING AND TRAFFIC REGULATIONS. (1) All students, faculty members and staff at Whatcom Community College shall receive parking permits upon registration or employment with the college and are required to display those permits on their vehicles in a prominent place. The Board of Trustees may establish a fee schedule for such permits.

(2) People who come upon the campus as guests, and people who lawfully visit the campus for purposes which are in keeping with the college's role as an institution of higher education may park in the campus visitor parking lot. Students, faculty and staff may park in spaces not designated for visitors.

(3) Students, faculty, staff and visitors shall obey any signs or painted instructions regarding parking regulations on the campus.

(4) The college reserves the right to have towed from the college premises any abandoned vehicle or any vehicle blocking a fire lane or parked in a handicapped parking space without the appropriate permit.

(5) Cars left in excess of 48 hours will be considered abandoned and may be towed at the expense of the owner.

(6) A student's failure to abide by these regulations shall constitute a conduct violation, subjecting the student to discipline under Chapter 132U-120 WAC.

(7) Faculty, administration or staff members who fail to abide by these regulations shall be subject to discipline under the system appropriate to the employee's status and classification.

[Statutory Authority: RCW 28B.50.140(10)]

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

Reviser's note: The brackets and enclosed material following 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.

Chapter 132U-52
HEALTH AND SAFETY

NEW SECTION

WAC 132U-52-001 SMOKING ON CAMPUS. Smoking shall no be permitted in any building on campus except in (1) clearly posted areas designated by the president or his designee; and (2) private enclosed inner faculty and administrative offices at the discretion of the individual in charge of each office.

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 132U-52-010 CONTROL OF DOGS. (1) Dogs are not permitted in college buildings except for seeing-eye dogs under immediate control of their owners.

(2) Dogs are not permitted on college property unless under immediate control of their owner.

WSR 88-02-040**NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE**

[Memorandum—December 24, 1987]

The time and place of regular meetings for the Everett Community College board of trustees for 1988 will be as follows: Third Monday of each month, 5 p.m. at Everett Community College or elsewhere, except January and February holidays which fall on the third Monday. The regular meeting for January will be January 19. The regular meeting for February will be February 16.

WSR 88-02-041**EMERGENCY RULES
DEPARTMENT OF FISHERIES**

[Order 87-206—Filed December 31, 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 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 this regulation is necessary for the harvest of available stocks of bottomfish, while preserving reduced stocks, and is adopted at the recommendation of the Pacific Fishery Management Council.

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

This rule is promulgated pursuant to RCW 75.08.080 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 30, 1987.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-44-05000L COASTAL BOTTOMFISH CATCH LIMITS. Notwithstanding the provisions of

WAC 220-44-050, effective January 1, 1988, 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*) – 30,000 pounds per vessel trip per calendar week, defined as Wednesday through the following Tuesday. It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds per calendar week.

(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 Wednesday through the following Tuesday, of which no more than 10,000 pounds may be yellowtail rockfish (*Sebastes flavidus*) except that a fisherman having made a 1988 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 Wednesday through the second Tuesday following of which no more than 20,000 pounds may be yellowtail rockfish or two landings of not more than 12,500 pounds of all other species in any one calendar week of which no more than 5,000 pounds in any one landing may be yellowtail rockfish. All previous declaration forms have expired and it is unlawful for any vessel to make other than one vessel trip per week unless a new declaration form has been completed as provided for in this subsection. The 1988 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.

(5) Sablefish -

(a) Trawl vessels - No restrictions on landing up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if sablefish represent 20 per cent or less of total weight of fish on board, or 6,000 pounds, round weight (to convert from round weight to dressed weight, multiply the dressed weight by 1.75), whichever is greater, with a limit of no more than two vessel trips per week. Minimum size 22 inches in length, unless dressed, in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. Trawl vessels are allowed an incidental catch less than the minimum size of 5,000 pounds, round weight, per trip.

(b) Non-trawl vessels - No trip limit. Minimum size 22 inches in length, unless dressed, in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. Non-trawl vessels are allowed an incidental catch less than the minimum size of 1,500 pounds, round weight, per trip.

(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.

REPEALER

The following section of the Washington Administrative Code is repealed effective January 1, 1988:

WAC 220-44-05000K COASTAL BOTTOMFISH CATCH LIMITS (87-185)

WSR 88-02-042

ADOPTED RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT

[Order 88-01—Filed January 4, 1988]

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 the energy matchmakers program.

This action is taken pursuant to Notice No. WSR 87-19-158 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 chapter 36, 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 January 4, 1988.

By John Swannack
Acting Deputy Director

**Chapter 365-180 WAC
ENERGY MATCHMAKERS**

WAC

- 365-180-010 Authority.
- 365-180-020 Purpose.
- 365-180-030 Definitions.
- 365-180-040 Program funding.
- 365-180-050 Proposal for use of funding—Eligible sponsors.
- 365-180-060 Sponsor match.
- 365-180-070 Local coordinated plan—Funding proposal process—Award of contracts.
- 365-180-080 Eligibility criteria for clients.
- 365-180-090 Program services.

NEW SECTION

WAC 365-180-010 AUTHORITY. These rules are adopted under the authority of chapter 70.164 RCW.

NEW SECTION

WAC 365-180-020 PURPOSE. To set forth the conditions and procedures under which funding will be made available to be used in combination with contributions to support local low-income weatherization programs.

NEW SECTION

WAC 365-180-030 DEFINITIONS. (1) "Department" means the department of community development.

(2) "Energy matchmakers local coordinated plan" means a proposal(s) for use of funding for local low-income weatherization programs in a specific geographical area.

(3) "Low-income" means household income that is at or below one hundred twenty-five percent of the federally established poverty level.

(4) "Nonutility sponsor" means an organization that is not an energy supplier and that submits a local coordinated plan.

(5) "Residence" means a house, including a stationary mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters; but excluding institutional buildings such as: A university, group care facility, nursing home, half-way residence, hospital, hotel, motel, etc.

(6) "Sponsor" means an organization that submits a match proposal as part of the energy matchmakers local coordinated plan.

(7) "Sponsor match" means the share, if any, of the cost of weatherization to be paid by the sponsor.

(8) "Weatherization" means materials or measures, and their installation, that are used to improve the thermal efficiency of a residence.

(9) "Weatherizing agency" means a public or non-profit private organization, approved by the department, responsible for doing all aspects of the weatherization work.

NEW SECTION

WAC 365-180-040 PROGRAM FUNDING. The legislature determines the amount of funding available during a specific biennium for low-income weatherization. Each county receives a "planning estimate" based on the number of low-income households and the climatic conditions of the county. This "planning estimate" is available for low-income weatherization in each county if matching requirements are met. Contingent on the availability of funds, the department may award funds in an amount that exceeds the county's "planning estimate".

NEW SECTION

WAC 365-180-050 PROPOSAL FOR USE OF FUNDING. (1) Any public or private organization in Washington, Idaho, or Oregon that conducts business in Washington state may propose funding for a geographical area(s) by submitting an energy matchmakers local coordinated plan.

(2) Plans submitted to the department shall be the result of local coordination and cooperation.

(3) Plans shall identify weatherizing agencies.

NEW SECTION

WAC 365-180-060 SPONSOR MATCH. (1) Plans submitted by energy suppliers shall include a commitment of a matching contribution. Matching contributions can be either cash, in-kind contributions, or both. The match must cover half of the total cost of the low-income weatherization being proposed in the local area.

(2) Only resources that would not otherwise have been used for low-income weatherization will be considered as match.

(3) A sponsor may pay the sponsor match as lump sum at the time of weatherization, or make yearly payments over a period not to exceed ten years. When the sponsor elects to make yearly payments, the value of the payments shall be determined by the department, but shall not be less than the value of the lump sum that would have been made.

(4) All match committed shall result in increasing the number of residences weatherized or increasing weatherization measures installed on or in the residence.

(5) Match waivers may be granted by the department for plans submitted by nonutility sponsors.

NEW SECTION

WAC 365-180-070 LOCAL COORDINATED PLAN—FUNDING PROPOSAL PROCESS—

AWARD OF CONTRACTS. (1) A sponsor shall make a formal proposal using forms issued by the department.

(2) A review team will evaluate the energy matchmakers local coordinated plans, and will be composed of persons with knowledge of energy conservation and of community-based public and private service organizations.

(3) Plans which include a commitment of matching resources will be given priority for funding.

(4) The department shall have the final discretion to award funds.

(5) The department will enter into a contract with weatherizing agencies identified in successful local coordinated plans. This contract shall be signed by an official with authority to bind the weatherizing agency and returned to the department prior to the release of any funds under this program.

NEW SECTION

WAC 365-180-080 ELIGIBILITY CRITERIA FOR CLIENTS. (1) Total income of all household members shall be at or below one hundred twenty-five percent of the federally established poverty level; or households shall meet other qualifications established by the department for its low-income weatherization program.

(2) Residences shall meet the qualifications established by the department for its low-income weatherization programs.

NEW SECTION

WAC 365-180-090 PROGRAM SERVICES. (1) Weatherizing agencies shall provide weatherization services to eligible low-income households in accordance with the "Washington state low-income weatherization assistance program procedures and guidelines" established by the department.

(2) No contribution may be required from the eligible household.

(3) Full levels of all cost-effective structurally feasible measures, as determined by the department, shall be installed when a residence is weatherized.

(4) No undue or excessive enhancement to a residence shall occur as a result of weatherization provided under this chapter.

(5) Before a leased or rented residence is weatherized, the department's "weatherization program owner/authorized agent approval form" must be signed by the owner of the building or the owner's authorized agent. Through this form the landlord ensures that, for twelve months from the date the form is signed, rent will not be increased, nor the tenant evicted, as a result of the weatherization provided.

(6) Benefits of weatherization work performed on behalf of a low-income tenant shall accrue primarily to the low-income tenant.

WSR 88-02-043**NOTICE OF PUBLIC MEETINGS
URBAN ARTERIAL BOARD**

[Memorandum—January 4, 1988]

TRANSPORTATION BUILDING
OLYMPIA, WASHINGTON 98504

Beginning at 9:30 a.m., Friday, January 15, 1988.

Note: Persons wishing to testify at this meeting will be required to contact the UAB in writing prior to January 8, 1988.

WSR 88-02-044**NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE**

[Memorandum—December 30, 1987]

The board of trustees of Whatcom Community College, District Number Twenty-One, will hold its regular meeting at the following time and place: January 12, 1988, Tuesday, 2:00 p.m., in the Board Room, Cordata Facility, 237 West Kellogg Road, Bellingham, WA 98226.

WSR 88-02-045**NOTICE OF PUBLIC MEETINGS
GREEN RIVER COMMUNITY COLLEGE**

[Memorandum—December 20, 1987]

The board of trustees will meet the third Thursday of each month as follows:

January 21	July 21
February 18	August 18
March 17	September 15
April 21	October 20
May 19	November 17
June 16	December 15

The board of trustees of Community College District No. 10 does hereby set the regular meeting dates for the board of trustees on the third Thursday of each month, commencing at 4:00 p.m. in the Board Room of the Administration Building, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98002. Notice of any change from such meeting schedule shall be published in the State Register for distribution at least twenty days prior to the rescheduled meeting date.

WSR 88-02-046**EMERGENCY RULES
LIBRARY COMMISSION**

[Order 88-01—Filed January 5, 1988]

Be it resolved by the Washington State Library Commission, acting at the Cascade Room, Sea-Tac West Coast Hotel, that it does adopt the annexed rules relating to Library Services and Construction Act Title II

construction grant application process, chapter 304-12 WAC.

We, the Washington State Library 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 unexpected occurrences of asbestos in library remodeling projects necessitates a change in definition of allowable costs for match. In order to best serve the library community, these rules need to be in place at the onset of the next competitive grant cycle for construction projects, which occurs January 1988.

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

This rule is promulgated under the general rule-making authority of the Washington State Library as authorized in chapter 27.04 RCW.

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

APPROVED AND ADOPTED December 3, 1987.

By Nancy Zussy
State Librarian**AMENDATORY SECTION** (Amending Order 86-02, filed 6/4/86)

WAC 304-12-290 CONSTRUCTION GRANT PROGRAM—RULES. The following final rules and regulations were adopted by the Washington state library commission in order to comply with the provisions of the Library Services and Construction Act of 1969 (formerly Public Law 88-269, Public Law 89-511 and now Public Law 91-600).

(1) Only projects to be owned by a state or local public agency are eligible for consideration.

(2) Requests for projects from any unit within a library district must be submitted with approval by the respective district library administration.

(3) Applicants will be required to give written evidence of official approval of any governmental unit involved in the project.

(4) Agreements to observe the legal requirements of the grants will be executed between the Washington state library commission and the officials administering approved projects.

(5) Applicants will be required to submit adequate evidence for evaluation of their request on the points established as criteria for evaluation by the Washington state library commission.

(6) Each application will be acknowledged and each applicant notified when the project will be considered by the state library commission.

(7) Each applicant will be notified concerning acceptance or rejection by the state library commission within ten days of such official action.

(8) Rejected applications will be accompanied by a statement as to why the project was not approved.

(9) Rejected applications may be resubmitted with evidence the objections have been met.

(10) Any applicant who feels their request has been unjustly rejected may request a hearing. Said hearing will be set to meet the convenience of both the Washington state library commission and the applicant insofar as is reasonably possible.

(11) The local share must be expended before grant funds will be paid, except for those projects covering two fiscal years, in which instance federal regulations will hold. Grant funds will be paid based upon a percentage of completion.

(12) Certification must be presented that local funds are on hand.

(13) Submission of a schedule of the planned progress of the project with estimated dates each step will be completed, is required.

(14) Upon receipt of formal approval by the state library commission, the project must be initiated within a six months' period.

(15) The building plans must meet the approval of the state library. Federal regulations, including but not limited to, evaluation of flood hazards, provision for the physically handicapped, environmental policies and procedures, and competitive bidding must be observed.

(16) When a plaque indicating completion date and source of funds is planned as part of the completed building or when a construction site sign is planned, acknowledgment shall be given to federal participation.

(17) The state library commission will establish a completion date, based upon the project architect's estimate of the time needed. A project is considered to be completed when it has been opened to the public for service.

(18) Expenses related to acquisition of an existing building or of land, architect's fees, ~~(and)~~ preliminary planning and capital improvements mandated by law or regulation may be considered an allowable previous expense and used as matching funds ~~(, if incurred no earlier than)~~. To be considered an allowable previous expense, the following criteria must be met:

(a) Expenses must be incurred within a three-year(s) period prior to the date of ((approval)) award of the ((project)) grant by the state library commission.

(b) Expenses must directly relate to the grant project.

(c) Type of funds used must meet allowable match criteria for Library Services and Construction Act projects.

(d) Expenditures must meet all federal regulations applicable to Library Services and Construction Act projects.

(19) Five percent of the federal share of the project will be withheld as the final payment. Final payment of the grant will be made upon completion of the project and when the state library commission has been satisfied that all conditions of the grant have been met, including the completion of a successful audit.

(20) When changes in federal regulations affect the above without sufficient time for formal notice and change, federal regulations will be considered as official.

(21) Projects are reviewed by the agency designated by the governor as federal coordinator.

(22) The advisory council will be kept fully informed as to pending projects, and progress of the approved project.

(23) Participants in federally-funded projects will cooperate with the advisory council during the period of evaluation.

WSR 88-02-047

EMERGENCY RULES

WHATCOM COMMUNITY COLLEGE

[Order 88-1—Filed January 5, 1988]

Be it resolved by the board of trustees of Whatcom Community College, acting at the college, that it does adopt the annexed rules relating to parking and traffic regulations, chapter 132U-116 WAC; and health and safety, chapter 132U-52 WAC (correcting language as filed December 31, 1987, WSR 88-02-039).

We, the board of trustees, 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 with new permanent facilities, parking regulations are needed, as well as regulations for dogs on campus. This corrects language in chapter 132U-52 WAC (new section) filed December 31, 1987.

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

This rule is promulgated under the general rule-making authority of the board of trustees of Whatcom Community College as authorized in RCW 28B.50.130.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED January 4, 1988.

By Wendy Bohlke
Assistant Attorney General

Chapter 132U-116 Parking and Traffic Regulations

NEW SECTION

WAC 132U-116-010 AUTHORITY. Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of Whatcom Community College hereby establishes rules and regulations for vehicular parking on property owned, operated or maintained by the college district.

NEW SECTION

WAC 132U-116-020 PURPOSE. The rules and regulations contained in this chapter are established for

the following purposes: (1) to protect and control pedestrian and vehicular traffic on property owned, operated and maintained by the college district.

(2) To assure access for emergency traffic.

(3) To facilitate the operation of the college by assuring access for vehicles.

(4) To regulate the use of parking spaces.

[Statutory authority: RCW 28B.50.140(10)]

Reviser's note: The brackets and enclosed material following 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.

NEW SECTION

WAC 132U-116-030 PARKING AND TRAFFIC REGULATIONS. (1) All students, faculty members and staff at Whatcom Community College shall receive parking permits upon registration or employment with the college and are required to display those permits on their vehicles in a prominent place. The Board of Trustees may establish a fee schedule for such permits.

(2) People who come upon the campus as guests, and people who lawfully visit the campus for purposes which are in keeping with the college's role as an institution of higher education may park in the campus visitor parking lot. Students, faculty and staff may park in spaces not designated for visitors.

(3) Students, faculty, staff and visitors shall obey any signs or painted instructions regarding parking regulations on the campus.

(4) The college reserves the right to have towed from the college premises any abandoned vehicle or any vehicle blocking a fire lane or parked in a handicapped parking space without the appropriate permit.

(5) Cars left in excess of 48 hours will be considered abandoned and may be towed at the expense of the owner.

(6) A student's failure to abide by these regulations shall constitute a conduct violation, subjecting the student to discipline under Chapter 132U-120 WAC.

(7) Faculty, administration or staff members who fail to abide by these regulations shall be subject to discipline under the system appropriate to the employee's status and classification.

[Statutory Authority: RCW 28B.50.140(10)]

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

Reviser's note: The brackets and enclosed material following 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.

Chapter 132U-52 HEALTH AND SAFETY

NEW SECTION

WAC 132U-52-010 CONTROL OF DOGS. Dogs are not permitted in Whatcom Community College buildings except when they are, (1) seeing-eye dogs, (2) dogs trained for assisting the hearing impaired under immediate control of their owners, or (3) dogs authorized by the Dean of Instruction for educational purposes.

WSR 88-02-048

EMERGENCY RULES DEPARTMENT OF FISHERIES

[Order 88-1—Filed January 5, 1988]

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 this regulation provides for the sturgeon catch record, and is temporary until the permanent regulations take effect.

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 January 5, 1988.

By Ray Ryan
for Joseph R. Blum
Director

NEW SECTION

WAC 220-55-06500A EXPIRATION. Notwithstanding the provisions of WAC 220-55-065, effective immediately until further notice, in the case of a two consecutive day combined license and catch record card the expiration shall be at 11:59 p.m. on the day following the validation date, except if the validation date is December 31st, the expiration date is also December 31st.

NEW SECTION

WAC 220-55-07000A VALID CATCH RECORD CARD. Notwithstanding the provisions of WAC 220-55-070, effective immediately until further notice:

(1) A valid catch record card shall consist of the appropriate validation stamp, if required, affixed to a sport catch record card as defined in WAC 220-69-237 or 220-69-238. A validation stamp is required of persons who do not meet the qualifications for a free catch record card (or punchcard) as defined in RCW 75.25-.110. Qualifications for a free sturgeon catch record are the same as those for a free salmon catch record card.

(2) A catch record card shall be invalid unless:

(a) The validation stamp, if required, is affixed to the catch record card.

(b) The angler has signed his name in ink across the face of the validation stamp, if a validation stamp is required.

(c) In the case of a two-consecutive day combined license and catch record card, the validation date is legibly written across the face of the stamp.

(d) The signature and the date on the validation stamp, if required, are legible and the validation stamp is not mutilated.

NEW SECTION

WAC 220-55-07500A SPORT SALMON VALIDATION STAMP. A sport salmon validation stamp shall be a stamp printed by the department to be affixed to a sport salmon catch record card for validation purposes.

NEW SECTION

WAC 220-55-07600A SPORT STURGEON VALIDATION STAMP. A sport sturgeon validation stamp shall be a stamp printed by the department to be affixed to a sport sturgeon catch record card for validation purposes. The fee for such stamp shall be three dollars.

NEW SECTION

WAC 220-55-12000A FREE PERSONAL USE LICENSE ISSUING PROCEDURE. Notwithstanding the provisions of WAC 220-55-120, effective immediately until further notice, upon request, a free personal use license and valid catch record card shall be issued by license dealers to persons under sixteen years of age or seventy years of age or older. Upon request a free personal use license and valid catch record card shall be issued by the license supervisor of the department to any other qualified applicant as provided for in RCW 75.25-.110. A lost or illegible free license will be replaced by the license supervisor upon request and a showing of proof.

NEW SECTION

WAC 220-55-13000A PERSONAL USE LICENSE VALIDATION. Notwithstanding the provisions of WAC 220-55-130, effective immediately until further notice, a personal use license is invalid unless the angler has signed his name in ink on the license.

NEW SECTION

WAC 220-56-17500A SALMON AND STURGEON CATCH RECORD CARD REQUIREMENTS. Notwithstanding the provisions of WAC 220-56-175, effective immediately until further notice it is unlawful for any fisherman to fail to comply with the salmon and sturgeon catch record card requirements of this section:

(1) In order to fish for or possess anadromous salmon or Columbia River, Grays Harbor, or Willapa Harbor sturgeon taken for personal use (including sturgeon taken from any tributary), a fisherman must obtain and have in possession the appropriate valid catch record card (also referred to as a punchcard in Chapter 75.25 RCW) as described in WAC 220-69-237 and 220-69-238.

(2) Any angler, when obtaining a catch record card, shall completely, accurately, and legibly complete all information in ink on the catch record stub prior to detaching the catch record card from the stub, and enter his name, address, and personal identification information, in ink, on the catch record card.

(3) Immediately upon catching and possessing a salmon or sturgeon, the angler shall enter in the appropriate space the place, date of catch, species, and for sturgeon length.

(4) Any person possessing a catch record card shall, upon demand, exhibit such card for inspection to any law enforcement officer or authorized department employee.

(5) A catch record card shall not be transferred, borrowed, altered, or loaned to another person.

NEW SECTION

WAC 220-69-238 DESCRIPTION OF STURGEON CATCH RECORD. (1) There is hereby created a sturgeon catch record card form to be prepared, printed, and distributed on request, by the department.

(2) The sturgeon catch record stub shall contain space for the following required information:

- (a) Name of angler.
- (b) Home address.
- (c) City, state, and zip code.
- (d) Angler's birthday, height, and weight.
- (e) Date of issue.

(3) The sturgeon catch record shall contain space for the following required information:

- (a) Name of angler.
- (b) Home address.
- (c) City, state, and zip code.
- (d) Angler's birthdate, height, and weight.
- (e) Angler's driver license number, or, if the angler does not have a driver's license, the first five letters of the angler's last name and the initial for the angler's first and middle name. If the last name is less than five letters, enter the entire last name, followed by the first and middle initial. If no middle name, leave blank the initial space.
- (f) Date of issue.
- (g) Number of days fished.
- (h) Month of catch.
- (i) Day of catch.
- (j) Location of catch: Area code or stream name.
- (k) Species caught: Catch type code.
- (l) Length of fish.

WSR 88-02-049

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed January 5, 1988]

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 sections WAC 308-124E-012, 308-124E-

013, 308-124E-014; and repealing WAC 308-124E-011;

that the agency will at 9:00 a.m., Friday, February 12, 1988, in the First Floor Examination Room, 1300 Quince Street, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.85.310.

The specific statute these rules are intended to implement is RCW 18.85.310.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 11, 1988.

Dated: January 5, 1988

By: John H. Keith
Assistant Attorney General

STATEMENT OF PURPOSE

Title and Number of Rule Section and Chapter: WAC 308-124E-012 Administration of funds held in trust—General procedures; 308-124E-013 Administration of funds held in trust—Real estate and business opportunity transactions; 308-124E-014 Administration of funds held in trust—Property management; and 308-124E-011 Administration of funds held in trust.

Statutory Authority and Specific Statute that Rules are Intended to Implement: RCW 18.85.310.

Summary of Rules and Reasons Supporting the Rules: WAC 308-124E-012, 308-124E-013, 308-124E-014 and 308-124E-011 implement RCW 18.85.310 as amended by chapter 513, Laws of 1987, effective January 1, 1988. Several of the changes are housekeeping in nature.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Theresa Anna Aragon, Director, Department of Licensing, Fourth Floor, Highways-Licenses Building, Olympia, WA 98504, 234-5029 scan, 753-5029 comm; Bob Van Schoorl, Assistant Director, Business and Professions, First Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-2241 scan, 753-2241 comm; and Sydney Beckett, Program Manager, Professional Program Management Division, Fourth Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-0775 scan, 753-0775 comm.

Name of Person or Organization that is Proposing These Rules: Department of Licensing.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to These Rules: None.

These rules are not necessary to comply with a federal law or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

The department has reviewed the impact that the adoption of these rules would have on real estate brokers and salespersons and schools offering real estate courses. Real estate brokers and salespersons are most appropriately classed in SIC Code 6531. They account for more

than 10 percent of the firms and individuals in this area. They are less than 20 percent of all firms and individuals in all industries. Cost for small business is estimated to be zero. Any impact that these proposed rules may have is intended to fall equally on all real estate brokers and salespersons.

NEW SECTION

WAC 308-124E-012 ADMINISTRATION OF FUNDS HELD IN TRUST. GENERAL PROCEDURES. Any real estate broker who receives funds or moneys from any principal or any party to a real estate or business opportunity transaction, property management agreement, or contract/mortgage collection agreement shall hold the funds or moneys in trust for the purposes of the transaction or agreement, and shall not utilize such funds or moneys for the benefit of the broker or any person not entitled to such benefit. Except as specifically provided in this section, funds or moneys received in trust shall be deposited in a Washington state banking institution approved by the banking division, department of general administration, state of Washington, or successor. The broker is responsible for depositing, holding, disbursing and accounting for funds in trust as provided herein.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed.

(2) Interest credited to a clients account must be recorded as a liability on client ledger. Interest assigned or credited by written assignment agreement to the broker may not be maintained in the trust account. The broker is responsible to make arrangements with the financial institution to credit this interest to the general account of the firm.

(3) The broker shall establish and maintain a system of records and procedures approved by the director that provide an audit trail accounting for all funds received and disbursed, identified to the account of each individual client. Records and procedures described herein meet approval requirements. Any alternative records or procedures proposed for use by a broker shall be approved in advance by the department.

(4) The real estate broker shall be responsible for deposits, disbursements or transfers of clients' funds received and held in trust, whether disbursed by personal signature, signature plate or signature of another person authorized to act on the broker's behalf.

(5) All funds or moneys received for any reason pertaining to the sale, renting, leasing or option of real estate or business opportunities or contract or mortgage collections shall be deposited in the broker's real estate trust bank account not later than the first banking day following receipt thereof; except

(a) Checks received as earnest money deposits when the earnest money agreement states that a check is to be held for a specified length of time or until the occurrence of a specific event; and

(b) Checks, funds or moneys received as rent, contract payments or mortgage payments on real estate or business opportunities, owned exclusively by the real estate broker or the broker's real estate firm.

(6) All checks, funds or moneys received shall be identified by the day received and by the amount, source and purpose on either a cash receipts journal or duplicate receipt retained as a permanent record.

(7) All deposits to the trust bank account shall be documented by duplicate deposit slip, validated by bank imprint or electronic transfer memo identifying the source of funds and transaction to which it applies. Receipt of funds by wire transfer are to be posted in the same manner as other receipts provided there is a traceable identifying number provided by the financial institution or transferring entity. The broker must also make arrangements for a follow-up "hard-copy" receipt for the deposit.

(8) An individual client's ledger sheet shall be established and maintained for each client for whom funds are received in trust, to which ledger sheet all receipts and disbursements shall be posted. The credit entries must show the date of deposit, amount of deposit, and item covered including, but not limited to "earnest money deposit," "down payment," "rent," "damage deposit," "rent deposit" "interest". The debit entries must show the date of the check, check number, amount of the check, name of payee and item covered. The "item covered" entry may indicate a code number per chart of accounts, or may be documented by entry in a cash receipts journal, cash disbursements journal, or check voucher.

(9) The real estate trust bank account balance must be equal at all times to the outstanding trust liability to clients. The balance shown in

the check register or bank control account must equal the total liability to clients.

(10) The broker shall be responsible for preparation of a monthly trial balance of the client's ledger, reconciling the ledger with both the trust account bank statement and the trust account check register or bank control account.

(11) All disbursements of trust funds shall be made by check, or electronic transfer, drawn on the real estate trust bank account and identified thereon to a specific real estate or business opportunity transaction, or collection/management agreement. The number of each check, amount, date, payee, items covered and the specific client's ledger sheet debited must be shown on the check stub or check register and all data must agree exactly with the check as written.

(a) No disbursement from the trust account shall be made based upon wire transfer receipts until the deposit has been verified.

(b) The broker must make arrangements with the financial institution in which the trust account is located to provide a follow-up "hard-copy" debit memo when funds are disbursed via wire transfer.

(c) The broker shall retain in the transaction file a copy of instructions signed by the owner of funds to be wire-transferred which identifies the receiving entity and account number.

(12) Voided checks written on the trust bank account shall be permanently defaced and shall be retained.

(13) Commissions owed to another real estate broker may be paid from the real estate trust bank account. Those commissions shall be paid promptly upon receipt of funds. Commissions shared with another broker are a reduction of the gross commissions received.

(14) No deposits to the real estate trust bank account shall be made of funds:

(a) That belong to the real estate broker or the real estate firm, including funds to "open" the bank account or to keep the account from being "closed"; or

(b) That do not pertain to a client's real estate or business opportunity sales transaction or are not received in connection with a client's rental, contract or mortgage collection account.

(15) No disbursements from the real estate trust bank account shall be made:

(a) For items not pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account;

(b) Pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account in excess of the actual amount held in the real estate trust bank account in connection with that transaction or collection account;

(c) In payment of a commission owed to any person licensed to the real estate broker or in payment of any business expense of the broker. Payment of commissions to persons licensed to the broker or of any business expense of the broker shall be paid from the regular business bank account of the broker.

(d) For bank charges of any nature, including bank services, checks or other items, except as specified in WAC 308-124E-013 (1)(a). Bank charges are business overhead expenses of the broker. Arrangements must be made with the bank to have any such charges applicable to the real estate trust bank account charged to the regular business bank account, or to provide a separate monthly statement of bank charges so that they may be paid from the brokers business bank account.

(16) The provisions of this chapter are applicable to manual or computerized accounting systems. For clarity, the following is addressed for computer systems:

(a) The system must provide for a capability to back-up all data files.

(b) Receipt and check registers will be printed at least once monthly and retained as a permanent record. Reconciliation and trial balance will be accomplished at least once monthly, printed and retained as a permanent record.

(c) The broker will maintain a printed, dated source document file to support any changes to existing accounting records.

(d) If the program has the ability to write checks, the check number must be pre-printed on the check or retained voucher copy by the supplier. The program may, if desired assign suffixes or subaccount codes before or after the check number for identification purposes.

(e) The check number must appear in the magnetic coding which also identifies the account number for readability by the financial institution computer.

NEW SECTION

WAC 308-124E-013 ADMINISTRATION OF FUNDS HELD IN TRUST — REAL ESTATE AND BUSINESS OPPORTUNITY TRANSACTIONS. The procedures in this section are applicable to funds received by the broker in connection with real estate sales or business opportunity transactions or options thereon. These procedures are in addition to the requirements of the general trust account procedures contained in WAC 308-124E-012.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed. Trust bank accounts for real estate sales or business opportunity transactions shall be interest bearing demand deposit accounts. These accounts shall be established as described in RCW 18.85.310 and this section.

(a) The broker shall maintain a pooled interest bearing trust account for deposit of client funds which, if placed into a separate account, would not produce a positive net income after payment of bank fees. Interest income from this account will be paid to the department by the depository institution in accordance with RCW 18.85.310(7) after deduction of bank charges. The department shall remit the funds to the state treasurer.

(b)(i) For funds which would produce a positive net income after payment of bank fees if placed into a separate account, the broker shall maintain a separate interest-bearing account for each client whose funds would produce positive net income after payment of bank fees and the interest earned from this account shall be paid to the client; or

(ii) Maintain a pooled interest-bearing trust account for funds which would produce a positive net income after payment of bank fees with sub-accounting that will provide for computation of interest earned by each client and payment of the interest to the account of the client.

(2) A separate check shall be drawn on the real estate trust bank account, payable to the broker as licensed, for each commission earned, after the final closing of the real estate or business opportunity transaction. Each commission check shall be identified to the transaction to which it applies.

(3) No disbursements from the real estate trust bank account shall be made in advance of closing of a real estate or business opportunity transaction or before the happening of a condition set forth in the earnest money agreement, to any person or for any reason, without a written release from both the purchaser and seller; except that

(i) If the agreement terminates according to its own terms prior to closing, disbursement of funds shall be made as provided by the agreement without a written release; and

(ii) Funds may be disbursed to the escrow agent designated in writing by the purchaser and seller to close the transaction, reasonably prior to the date of closing in order to permit checks to clear.

NEW SECTION

WAC 308-124E-014 ADMINISTRATION OF FUNDS HELD IN TRUST — PROPERTY MANAGEMENT Any real estate broker who receives funds or moneys from any principal or any party to property management agreement or contract/mortgage collection agreement shall hold the funds or moneys in trust for the purposes of the agreement, and shall not utilize such funds or moneys for the benefit of the broker or any person not entitled to such benefit. These procedures are applicable to property management and contract/mortgage collection agreements, and are in addition to the general trust account procedures in WAC 308-124E-012.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed. Trust bank accounts for property management transactions are exempt from the interest-bearing requirement of RCW 18.85.310. However, interest-bearing accounts for property management transactions may be established as described in this section.

(a) Interest-bearing trust bank accounts or dividend-earning investment accounts containing only funds held on behalf of an individual owner of income property managed by the broker may be established when directed by written property management agreement or directive signed by the owner: PROVIDED, that all interest or earnings shall accrue to the owner;

(b) Interest-bearing trust bank accounts containing only damage or security deposits received from tenants of residential income properties managed by the broker for an individual owner may be established by the broker when directed by written management agreement, and the interest on such trust bank accounts may be paid to the owner, if the

broker is by written agreement designated a "representative of the landlord" under the provisions of RCW 59.18.270, Residential Landlord-Tenant act;

(c) The broker is not required to establish individual interest-bearing accounts for each owner when all owners assign the interest to the broker;

(d) A common account, usually referred to as a "clearing account" may be established if desired. No funds which belong to the broker or firm or are related to transactions on property owned by the broker or firm shall be maintained in this account.

(2) Any property management accounting system is to be an accounting of cash received and disbursed by the managing broker only. Any other method of accounting offered to owners for their rental properties, unit and/or complexes are to be supplementary to the brokers accounting of all cash received and disbursed through his/her trust account(s). All owners' summary statements must include this accounting.

(3) The pre-authorization of disbursements or deductions by the financial institution for recurring expenses such as mortgage payments on behalf of the owner is not permitted if the account contains tenant security deposits or funds belonging to more than one client.

(4) A single check may be drawn on the real estate trust bank account, payable to the broker as licensed, in payment of all property management fees and commissions, if such check is supported by a schedule of commissions identified to each individual client. Property management commissions shall be withdrawn at least once monthly.

(5) No disbursements from the real estate trust bank account shall be made of funds received as damage or security deposit on a lease or rental contract for property managed by the broker to the owner or any other person without the written agreement of the tenant, until the end of the tenancy when the funds are to be disbursed to the person or persons entitled to the funds as provided by the terms of the rental or lease agreement and consistent with the provisions of RCW 59.18.270, Residential Landlord-tenant act, or other appropriate statute.

REPEALER

The following section of the Washington Administrative Code is repealed;

WAC 308-124E-011 ADMINISTRATION OF FUNDS HELD IN TRUST

WSR 88-02-050
EMERGENCY RULES
DEPARTMENT OF LICENSING
[Order PM 700—Filed January 5, 1988]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at the Highways-Licenses Building, 4th Floor, Olympia, Washington, the annexed rules relating to:

New	WAC 308-124B-150	Office requirement for brokers actively licensed in another jurisdiction.
Amd	WAC 308-124B-130	Names prohibited.
Rep	WAC 308-124B-010	Prevention of the same or deceptively similar real estate firm names.

I, Theresa Anna Aragon, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is WAC 308-124B-150, previously filed as an emergency rule with different language, expires on January 5, 1988. Prior to adopting that rule as a permanent rule input from Oregon and Idaho real estate licensing officials was necessary. The new language of WAC 308-124B-150 arose from this input.

WAC 308-124B-150 is necessary to allow brokers licensed in another jurisdiction to obtain licensure in this state. The amendment to WAC 308-124B-130 and repeal of WAC 308-124B-010 is necessary to eliminate a conflict between the rules.

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

This rule is promulgated pursuant to RCW 18.85.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 31, 1987.

By Theresa Anna Aragon
Director

NEW SECTION

WAC 308-124B-150 OFFICE REQUIREMENT FOR BROKERS ACTIVELY LICENSED IN ANOTHER JURISDICTION. The term "office" in RCW 18.85.180 for a broker actively licensed in another jurisdiction in which the broker's headquarter office is located shall mean the maintenance of trust account and transaction records for a period of three years in the state of Washington in one location at the Washington office of an escrow agent licensed in the state of Washington, a real estate broker licensed in the state of Washington, attorneys at law licensed to practice in the state of Washington or title companies for all Washington transactions for the broker. The trust account and transaction records shall be open and accessible to representatives of the Department of Licensing. The parties to the transaction shall have access to the transaction records prepared or retained for the requesting party.

A broker actively licensed in another jurisdiction seeking licensure in Washington, whose headquarter office is located in that other jurisdiction, shall notify the department of the location address where the records are maintained in the state of Washington and shall include this address with the headquarter's address on the license application.

The Washington license shall be posted at the location where the records are being maintained.

Within thirty (30) days after mailing of the notice of audit, the broker shall come to the department's office, after making an appointment, in the geographic location (Spokane, Seattle, or Olympia) nearest to the location of the records to sign the audit report.

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124B-130 NAMES PROHIBITED. A real estate broker shall not be issued a license nor advertise in any manner using names or trade styles which are similar to currently ((previously)) issued licenses or imply that the real estate firm is a nonprofit organization, research organization, public bureau or public

group. A bona fide franchisee may be licensed using the name of the franchisor with the firm name of the franchisee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-124B-010 PREVENTION OF THE SAME OR DECEPTIVELY SIMILAR REAL ESTATE FIRM NAMES

**WSR 88-02-051
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed January 5, 1988]**

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 section WAC 308-124B-150; amendatory WAC 308-124B-130 and 308-124A-130; and repealing WAC 308-124B-010;

that the agency will at 9:00 a.m., Friday, February 12, 1988, in the First Floor Examination Room, 1300 Quince Street, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.85.040.

The specific statute these rules are intended to implement is RCW 18.85.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 11, 1988.

Dated: January 5, 1988
By: Robert Van Schoorl
Assistant Director

STATEMENT OF PURPOSE

Title and Number of Rule Section and Chapter: WAC 308-124B-150 Office requirement for brokers actively licensed in another jurisdiction; 308-124B-130 Names prohibited; 308-124B-010 Prevention of the same or deceptively similar real estate firm names; and 308-124A-130 Salesperson, associate brokers—Termination of services.

Statutory Authority and Specific Statute that Rules are Intended to Implement: RCW 18.85.040.

Summary of Rules and Reasons Supporting the Rules: New WAC 308-124B-150 provides notice of how brokers who are headquartered in another jurisdiction are to comply with the requirement for an office in this state pursuant to RCW 18.85.180 and how an audit of those records will be performed; amendatory WAC 308-124B-130 and the repeal of WAC 308-124B-010 are necessary to eliminate a conflict between the two rules; and amendatory WAC 308-124A-130 clarifies the procedures for the surrender of a license upon the termination of services of a salesperson or associate broker.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Theresa Anna Aragon, Director, Department of Licensing, Fourth Floor, Highways-Licenses Building, Olympia, WA 98504, 234-5029 scan, 753-5029 comm; Bob Van Schoorl, Assistant Director, Business and Professions, First Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-2241 scan, 753-2241 comm; and Sydney Beckett, Program Manager, Professional Program Management Division, Fourth Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-0775 scan, 753-0775 comm.

Name of Person or Organization that is Proposing These Rules: Department of Licensing.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to These Rules: None.

These rules are not necessary to comply with a federal law or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

The department has reviewed the impact that the adoption of these rules would have on real estate brokers and salespersons and schools offering real estate courses. Real estate brokers and salespersons are most appropriately classed in SIC Code 6531. They account for more than 10 percent of the firms and individuals in this area. They are less than 20 percent of all firms and individuals in all industries. Cost for small business is estimated to be zero. Any impact that these proposed rules may have is intended to fall equally on all real estate brokers and salespersons.

NEW SECTION

WAC 308-124B-150 OFFICE REQUIREMENT FOR BROKERS ACTIVELY LICENSED IN ANOTHER JURISDICTION. The term "office" in RCW 18.85.180 for a broker actively licensed in another jurisdiction in which the broker's headquarter office is located shall mean the maintenance of trust account and transaction records for a period of three years in the state of Washington in one location at the Washington office of an escrow agent licensed in the state of Washington, a real estate broker licensed in the state of Washington, attorneys at law licensed to practice in the state of Washington, or title companies for all Washington transactions for the broker. The trust account and transaction records shall be open and accessible to representatives of the Department of Licensing. The parties to the transaction shall have access to the transaction records prepared or retained for the requesting party.

A broker actively licensed in another jurisdiction seeking licensure in Washington, whose headquarter office is located in that other jurisdiction, shall notify the department of the location address where the records are maintained in the state of Washington and shall include this address with the headquarter's address on the license application.

The Washington license shall be posted at the location where the records are being maintained.

Within thirty (30) days after mailing of the notice of audit, the broker shall come to the department's office, after making an appointment, in the geographic location (Spokane, Seattle, or Olympia) nearest to the location of the records to sign the audit report.

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124B-130 NAMES PROHIBITED. A real estate broker shall not be issued a license nor advertise in any manner using names or trade styles which are similar to currently ((previously)) issued licenses or imply that the real estate firm is a nonprofit organization, research organization, public bureau or public group. A bona fide

franchisee may be licensed using the name of the franchisor with the firm name of the franchisee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-124B-010 PREVENTION OF THE SAME OR DECEPTIVELY SIMILAR REAL ESTATE FIRM NAMES

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124A-130 SALESPERSON, ASSOCIATE BROKERS—TERMINATION OF SERVICES. A person licensed as salesperson or associate broker may perform duties and activities as licensed only under the direction and supervision of a licensed individual broker or designated broker and as a representative of such broker. This relationship may be terminated unilaterally by either the broker or salesperson or associate broker. Notice of such termination shall be given by the broker to the director without delay and such notice shall be accompanied by and include the surrender of the salesperson's or associate broker's license. The broker may not condition his or her surrender of license to the director upon performance of any act by the salesperson or associate broker. Notice of termination shall be provided by signature of the broker, or a person authorized by the broker to sign for the broker, on the surrendered license of the salesperson or associate broker or surrender of the license by the licensee to the department. ~~((The broker, or person authorized by the broker to sign for the broker, shall place the termination date on the surrendered license or if the licensee is terminating the relationship and the licensee surrenders the license to the department then the termination date shall be the postmark date or date hand delivered to the department.))~~ The termination date shall be the postmark date or date the license is hand delivered to the department.

If the license cannot be surrendered to the department because the license has been lost, the salesperson or associate broker and the broker shall complete an affidavit of lost license on a form provided by the department. No license transfers shall be permitted unless the license is surrendered or the affidavit of lost license is completed and filed with the department. If the license cannot be surrendered because the broker is conditioning the surrender of the license, the associate broker or salesperson shall so advise the department in writing and cooperate in full with the investigation of the broker's failure to comply with this rule. Upon receipt of the salesperson or associate broker's written statement about broker conditioning the release of the license, the department shall process the license transfer.

WSR 88-02-052

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF COMMUNITY DEVELOPMENT (Division for Community Services)

[Memorandum—January 4, 1988]

The Washington State Department of Community Development (DCD) plans to hold public hearings in Eastern and Western Washington on the proposed 1988 Department of Energy (DOE) weatherization assistance program state plan.

The Western Washington hearing will be held on Thursday, February 18, 1988, in the DCD Fifth Floor Conference Room, Ninth and Columbia Building, Fifth Floor, Olympia, Washington. This hearing will begin promptly at 10:00 a.m. and close at 12:00 noon, unless participation requires more time.

The Eastern Washington hearing will be held on Tuesday, February 23, 1988, in the Spokane Neighborhood Centers Conference Room, 2116 East First Avenue,

Spokane, Washington. This hearing is scheduled from 10:30 a.m. to 12:00 noon.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period. Written testimony will be accepted until 5:00 p.m. on Tuesday, February 23, 1988, sent to the attention of Katherine Friedt, Assistant Director, Division for Community Services, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151.

WSR 88-02-053

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF ECOLOGY

[Filed January 5, 1988]

Notice is hereby given that the Department of Ecology will not take further action under WSR 87-24-065 to amend WAC 173-19-310, Mason County.

This notice is given pursuant to WAC 1-12-033. The Department of Ecology may, at a later date, file a new notice of intent to amend the program.

Phillip C. Johnson
Deputy Director, Programs

WSR 88-02-054

PROPOSED RULES DEPARTMENT OF ECOLOGY

[Filed January 5, 1988]

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;

that the agency will at 7:00 p.m., Tuesday, February 9, 1988, in the Mason County Commissioners Chambers, 411 North 5th, Annex 2 Building, Shelton, WA 98584, conduct a public hearing on the proposed rules.

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.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 16, 1988.

Dated: January 5, 1988

By: Phillip C. Johnson
Deputy Director of Programs

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-310, Mason County.

Description of Purpose: Adoption of a revised shoreline master program into 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 Mason County.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by

local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry Wenger, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6767.

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: [No information supplied by agency.]

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order 84-29, filed 11/7/84)

WAC 173-19-310 MASON COUNTY. Mason County master program approved August 6, 1975. Revision approved December 18, 1975. Revision approved February 22, 1980. Revision approved June 23, 1982. Revision approved October 16, 1984. Revision approved March 1, 1988.

WSR 88-02-055
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed January 5, 1988]

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 support enforcement, amending chapter 388-14 WAC;

that the agency will at 10:00 a.m., Thursday, February 25, 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 February 26, 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 February 25, 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: January 5, 1988

By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.

Re: Amending chapter 388-14 WAC.

Purpose of the Rule Changes: To implement the Washington State Support Registry (WSSR).

Reason These Rules are Necessary: To enable the Office of Support Enforcement (OSE) to operate a central registry for the receipt and distribution of child support payments. OSE is also required to enforce support obligations under superior court and administrative orders, and to collect support payments for public assistance and nonassistance clients.

Statutory Authority: RCW 74.08.090 and chapter 26.23 RCW (chapter 435, Laws of 1987).

Summary of Rule Changes: Many of the amendments to chapter 388-14 WAC are technical in nature and merely simplify or clarify the rules. The following is a summary of the rule changes that are significant and substantive. WAC 388-14-010 is amended to provide that OSE is responsible for administering the WSSR; WAC 388-14-020 is amended to include definitions of the following terms: Physical custodian, support enforcement services, employer, employment, employee, earnings and disposable earnings, income and income withholding action; WAC 388-14-030 is amended to provide new rules governing the disclosure of OSE's records. These records are private and confidential unless there is a specific exception under which records can be disclosed to designated persons or agencies for stated purposes. This rule requires OSE, in most cases, to mail notice to the physical custodian before releasing the address information to the noncustodial parent; WAC 388-14-200 is amended to authorize OSE to continue to provide support enforcement services after public assistance is terminated. The provision which limits the department's ability to obtain necessary information in paternity cases is repealed; WAC 388-14-205 is amended to authorize OSE to provide support enforcement services whenever a court order directs support payments to be made through the WSSR (to OSE). This section is also amended to authorize OSE to collect a support debt for a nonassistance applicant even if there is no current support obligation. This service will only be provided if a court has reduced the debt to a sum certain judgment; WAC 388-14-210 is amended to provide that a responsible parent will not receive credit for support payments made to a person or agency other than OSE if the support order directs payments through the WSSR. An exception to this rule is created if the department, as the result of an administrative hearing, or superior court determines that special circumstances of an equitable nature exist; WAC 388-14-270 is amended to provide that

OSE shall distribute support payments in accordance with federal law. OSE is directed to divide support collections between families if the responsible parent owes a support obligation for more than one family. OSE will also distribute payments on support debts proportionally based on the size of the debts. If support payments are distributed in error, OSE may recover the erroneous payments from specified portions of future collections; WAC 388-14-302 is amended to provide that OSE may accept requests for nonassistance services to collect arrears only, if the arrears have been reduced to a sum certain judgment by a court. The subsection which deals with temporary support enforcement services, after public assistance is terminated, is repealed since OSE will automatically continue to provide services until they are terminated under this chapter. See the new section governing termination of services; WAC 388-14-305 is amended to provide that an application for nonassistance services is not necessary if a court order directs payment through the WSSR or after public assistance is terminated; WAC 388-14-310 is amended to require nonassistance clients to notify, and obtain the consent of, OSE when hiring an attorney or collection agency to collect support. Support payments must continue to be paid through the WSSR; WAC 388-14-320 is being repealed since the rules governing distribution in all cases are being consolidated in WAC 388-14-270; WAC 388-14-325 is being repealed since the rules governing termination of services in all cases are being consolidated in a new section; WAC 388-14-370 is amended to remove reference to incentive payments to political subdivisions since the contracts with the counties no longer provide for incentive payments; WAC 388-14-385 is amended to provide that notice that a conference board has been convened and a copy of the conference board decision will be mailed to all parties who have an interest in the proceeding; WAC 388-14-405 is amended to include a reference to the notice of payroll deduction; WAC 388-14-415 is amended to establish an administrative hearing process to resolve disputes about support debts owed under a court order, and to set the amount of current support if the order does not contain a sum certain for current support; a new section is added to chapter 388-14 WAC to define the circumstances under which OSE may terminate services, or discontinue or decline to perform certain services; a new section is added to chapter 388-14 WAC which authorizes OSE to issue a notice of payroll deduction to the responsible parent's employer if the parent is behind in making support payments. This section also defines the circumstances under which the notice may be terminated; and a new section is added which defines circumstances under which OSE may take income withholding action without further notice to the responsible parent.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule: Lucille Christenson, Director, Revenue Division, Support Enforcement, phone 459-6483, mailstop FU-11.

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

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-010 OFFICE OF SUPPORT ENFORCEMENT AS THE TITLE IV-D AGENCY. (1) ~~((Pursuant to chapters 74.20 and 74.20A RCW;))~~ The department of social and health services of the state of Washington through the office of support enforcement establishes the following provisions as the state plan for the child support ~~((pursuant to))~~ enforcement program. Authority for this plan is under Title IV-D of the Social Security Act and chapters 74.20 and 74.20A RCW. The plan shall be in effect statewide.

(2) The office ~~((of support enforcement))~~ is ~~((designated and established as))~~ the designated, single, and separate organizational unit within the state of Washington to administer the plan ~~((which shall be in effect in all political subdivisions of the state of Washington))~~.

(3) The office ~~((of support enforcement))~~ is the ~~((operating))~~ agency referred to in federal ~~((rules and regulations))~~ law as the Title IV-D agency. The office ~~((of support enforcement is authorized to assume any and))~~ shall perform all ~~((responsibilities))~~ duties assigned to the Title IV-D agency.

(4) The office ~~((of support enforcement is authorized to))~~ may enter into ~~((agreements as required or authorized))~~ contracts for support enforcement and related services with ~~((other states and the secretary, Department of Health and Human Services;))~~

(a) Other state agencies;

(b) ~~((To contract with))~~ Other states or foreign countries for ~~((the referral of cases))~~ action under the Uniform Reciprocal Enforcement of Support Act and other ~~((cases where enforcement or collection of))~~ laws to enforce or collect child support ~~((location of))~~, locate absent parents, or ~~((establishment of))~~ establish paternity ~~((are appropriate))~~. These contracts may include ~~((in such agreements))~~ the procedures for:

(i) Making referrals(:);

(ii) Assigning ~~((debt, distributing incentive payments, and))~~ debts;

(iii) Reporting actions and activities ~~((on the part of this state for another, or another state for this state and))~~;

(iv) Coordination of activities ~~((pursuant to))~~ under and ensuring compliance with the Uniform Reciprocal Enforcement of Support Act.

~~((fb))~~ (c) Private parties;

(d) ~~((To contract))~~ With the secretary, Department of Health and Human Services ~~((and maintain liaison for))~~ to refer and certify cases:

(i) ~~((Referral))~~ To the federal parent locator service ~~((including amount and collection of fees;))~~;

(ii) ~~((Certification and referral of cases as appropriate for the collection of support delinquencies by))~~ To the secretary of the treasury ~~((:))~~ for action to collect support debts;

(iii) ~~((Certification and referral of cases as appropriate for utilization of))~~ For action to enforce support debts in the U.S. district courts.

(5) The office ~~((of support enforcement is responsible for administration of))~~ shall manage the Title IV-D plan ~~((including supervisory authority for any and))~~. The office shall:

(a) Oversee all activities ~~((necessary to meet))~~ under the plan to ensure the standards for an efficient and effective program ~~((including formal evaluation of))~~ are met;

(b) Evaluate the quality ~~((: efficiency, effectiveness;))~~ and scope of services provided under the plan ~~((:))~~;

(c) ~~((The office will take necessary measures to meet))~~ Ensure that federal and state requirements for records management, accounting, and fiscal control ~~((: ensuring location))~~ are met;

(d) Provide all services under the plan in appropriate cases, including action to locate parents, ((establishment of)) establish paternity, and ((establishment)) establish, ((enforcement)) enforce, and ((collection of)) collect support ~~((functions are carried out effectively and efficiently;))~~ moneys;

(e) ~~((The office of support enforcement is also responsible to))~~ Assure that referrals and other communications with the Title IV-A agency meet the requirements of the Title IV-D and Title IV-A state plans.

(6) Under chapter 26.23 RCW, the office is designated as the agency responsible for administering the Washington state support registry.

(7) The office ~~((of support enforcement))~~ is responsible for the state-wide administration of wage withholding ~~((pursuant to federal statutes and regulations))~~ under Title IV-D.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-020 DEFINITIONS. The definitions contained in WAC 388-11-011 are incorporated into and made a part of this chapter.

(1) ~~((The terms "applicant/recipient," "applicant," or "recipient" include the caretaker relative, the children, and any other individual whose needs are considered in determining the amount of assistance. See also WAC 388-22-030.~~

~~(2) The term "applicant/custodian" shall designate the individual who is the physical custodian of any dependent child or children on whose behalf a request for nonassistance support enforcement services has been made to the office of support enforcement pursuant to RCW 74.20.040 and 42 U.S.C. 654(6) or 42 U.S.C. 657(C).~~

~~(3)) The term "absent parent" ((shall designate)) means that person who:~~

~~(a) Is not the physical custodian of the child; and
(b) Is a natural, or adoptive parent, or a stepparent owing a legal duty to support said child or children on whose behalf an application has been made for payment of public assistance, or ((application has been made)) for whom the office is providing nonassistance support enforcement services.~~

~~((4) "Putative father" as used in this section shall include any and all men who may possibly be the father of the child or children on whose behalf the application for assistance or support enforcement services may be made. See also WAC 388-14-200 (2)(c).))~~

~~((5)) (2) "Aid" or "public assistance" means aid to families with dependent children or AFDC foster care and includes family independence program services to families as an alternative to AFDC.~~

~~((6) "Title IV-D" refers to Title IV-D of the Social Security Act established under Title XX of the social security amendments and as incorporated in 42 U.S.C. (602).~~

~~(7) "Title IV-D plan" refers to a plan established under the conditions of Title IV-D approved by the secretary, Department of Health and Human Services.~~

~~(8) The "required support obligation for the current month" is defined as the amount of a superior court order for support or the periodic future support amount determined pursuant to chapter 388-11 WAC which is or will be owing for the current month.~~

~~(9) "Incentive payments" are payments distributed pursuant to WAC 388-14-370 to prosecuting attorneys or other political subdivision on the basis of enforcement and collection of support payments.~~

~~(10) "Secretary" means the secretary of the department of social and health services, his or her designee or authorized representative, which for all purposes as used in chapter 74.20A RCW shall mean the designee of the secretary, the chief, office of support enforcement or his or her designee, except as is provided for in WAC 388-11-011(5) wherein for purposes of RCW 74.20A.055 "secretary" has another meaning.~~

~~(11) "Family" shall mean the person or persons on behalf of whom support is sought which unit may include a custodial parent or other person and one or more children or a child or children in foster care placement.~~

~~(12) "Residential care" means foster care as defined in WAC 388-70-012.~~

~~(13) "Head of household" means the responsible parent or parents with whom the dependent child or children were residing at the time of placement in foster care.~~

~~(14) The term "resident" shall include persons physically present in the state of Washington intending to make their home in this state. Temporary absence from the state does not destroy residence once established))~~

~~(3) The term "applicant/custodian" means the person who is the physical custodian of any dependent child or children on whose behalf nonassistance support enforcement services are being provided by the office of support enforcement under RCW 74.20.040, chapter 26.23 RCW, and 42 U.S.C. 654(6) or 42 U.S.C. 657(C).~~

~~(4) The terms "applicant/recipient," "applicant," or "recipient" include the caretaker relative, the children, and any other person whose needs are considered in determining the amount of public assistance. See also WAC 388-22-030.~~

~~(5) The term "disposable earnings" means that part of earnings of an individual remaining after the deduction of amounts required by law to be withheld.~~

~~(6) The term "earnings" means compensation paid or payable for personal services.~~

~~(a) Earnings include:~~

~~(i) Wages or salary;~~

~~(ii) Commissions and bonuses;~~

~~(iii) Periodic payments under pension plans, retirement programs, and insurance policies of any type;~~

~~(iv) Disability payments under Title 51 RCW;~~

~~(v) Unemployment compensation as provided for in RCW 50.40.020 and 50.40.050, and Title 74 RCW;~~

~~(vi) Gains from capital, labor, or from both combined.~~

~~(b) Earnings do not include profit gained through the sale or conversion of capital assets.~~

~~(7) The term "employee" means a person in employment to whom an employer is paying, owes, or anticipates paying earnings as the result of services performed.~~

~~(8) The term "employer" means any person or organization having any person in employment. It includes:~~

~~(a) Partnerships and associations;~~

~~(b) Trusts and estates;~~

~~(c) Joint stock companies and insurance companies;~~

~~(d) Domestic and foreign corporations;~~

~~(e) The receiver or trustee in bankruptcy;~~

~~(f) The trustee or the legal representative of a deceased person.~~

~~(9) The term "employment" means personal services of whatever nature, including service in interstate commerce, performed for earnings or under any contract for personal services. The contract may be written or oral, express or implied.~~

~~(10) "Family" means the person or persons on behalf of whom support is sought which unit may include a custodial parent or other person and one or more children or a child or children in foster care placement.~~

~~(11) "Head of household" means the responsible parent or parents with whom the dependent child or children were residing at the time of placement in foster care.~~

~~(12) The term "income" includes all appreciable gains in real or personal property, including earnings.~~

~~(13) The term "income withholding action" includes all withholding action the office is authorized to take. The term includes, but is not limited to actions to:~~

~~(a) Assert liens under RCW 74.20A.060;~~

~~(b) Issue orders to withhold and deliver under RCW 74.20A.080, and notice of payroll deduction under chapter 26.23 RCW;~~

~~(c) Obtain wage assignment orders under RCW 26.18.080.~~

~~(14) The term "office" means the office of support enforcement.~~

~~(15) The term "physical custodian" means the natural or adoptive parent, or other person, with whom a dependent child resides a majority of the time. The physical custodian may be either an applicant/recipient or applicant/custodian.~~

~~(16) "Putative father" includes all men who may possibly be the father of the child or children on whose behalf the application for assistance or support enforcement services may be made. See also WAC 388-14-200 (2)(c).~~

~~(17) The "required support obligation for the current month" means the amount of a superior court order for support or the periodic future support amount that is or will be owing for the current month determined under chapter 388-11 WAC.~~

~~(18) The term "resident" means persons physically present in the state of Washington who intend to make their home in this state. Temporary absence from the state does not destroy residence once established.~~

~~(19) "Residential care" means foster care as defined in WAC 388-70-012.~~

~~(20) The term "support enforcement services" includes all action the office is required to perform under Title IV-D and state law. This includes action to establish, enforce, and collect child support obligations, and distribution support moneys.~~

~~(21) "Secretary" means the secretary of the department of social and health services, his or her designee, or authorized representative. For all purposes in chapter 74.20A RCW, secretary shall mean the designee of the secretary, the director, revenue division, or his or her designee, except as is provided for in WAC 388-11-011(5) where for purposes of RCW 74.20A.055 "secretary" has another meaning.~~

~~(22) "Title IV-D" means Title IV-D of the Social Security Act established under Title XX of the social security amendments and as incorporated in 42 U.S.C. (602).~~

~~(23) "Title IV-D plan" means the plan established under the conditions of Title IV-D approved by the secretary, department of health and human services.~~

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 1054, filed 9/25/75)

WAC 388-14-030 CONFIDENTIALITY. ((The department shall not give out any information to the absent parent concerning the recipient in the conduct of activities associated with this chapter except as authorized in chapter 388-48 WAC))

(1) Under RCW 26.23.120, all information and records, concerning persons who owe a support obligation or for whom the office provides support enforcement services, are private and confidential. The office shall disclose information and records only as follows:

- (a) The office shall disclose information and records only to:
 - (i) Persons or entities listed and for the specific purpose or purposes stated in federal law;
 - (ii) The person who is the subject of the information or records, unless they are exempt under RCW 42.17.310;
 - (iii) Local, state, and federal government agencies for support enforcement and related purposes;
 - (iv) A party to a judicial proceeding or a hearing under chapter 34.04 RCW, if the presiding officer enters an order to disclose. The order shall be based upon a written finding that the need for the information outweighs any reason for maintaining privacy and confidentiality;
 - (v) Parties under contract, if disclosure will allow them to assist in the management or operation of the program;
 - (vi) To persons or entities when necessary to the administration of the program or the performance of functions and duties as set forth in state and federal law. The office may publish information about responsible parents for locate and enforcement purposes.
 - (vii) Persons, representatives, or entities if the person who is the subject of the information and records consents, in writing, to disclosure.

(b) The last known address of, or employment information about, a party to a court or administrative order for child support may be given to another party to the order. This information may only be used to enforce or modify the support order. Disclosure of this information is subject to other limitations listed in this section;

(c) The last known address of natural or adoptive children may be given to a parent, who has a court order granting him or her visitation rights with, legal custody of or residential time with their natural or adoptive children. This information may only be used to enforce the terms of the court order;

(d) The Social Security number or numbers of the dependent child or children may be disclosed to the absent parent to enable the parent to claim the dependency exemption or exemptions as authorized by the Internal Revenue Service.

(e) The address of the physical custodian may only be disclosed to the office of hearings for inclusion in an administrative order as provided for by RCW 26.23.050 (4)(g) if a court of competent jurisdiction has entered an order granting the responsible parent visitation or residential time with the dependent child.

(2) The rules and procedures set forth in chapter 388-320 WAC, relating to the process for requesting and disclosing information and records, are applicable to requests for disclosure under this section.

(3) The office shall take timely action on requests for disclosure. The office shall respond in writing within ten working days of receipt of the request, unless the request is for disclosure of the address of the physical custodian or the dependent children. The office shall respond to requests for addresses within ten days of the date the twenty-day notice period, provided for in subsection (5) of this section, expires.

(4) The following provisions apply to requests for disclosure of the address of the physical custodian or dependent children under subsection (1)(b) and (c) of this section:

- (a) The office shall not release the address if:
 - (i) The department has determined, under WAC 388-24-111, that the physical custodian has good cause for refusing to cooperate;
 - (ii) Prior to the request for disclosure, the physical custodian informed the office that the custodian and/or the children may be endangered by release of the address. The office shall not disclose the address until a court of competent jurisdiction enters an order, directing disclosure, after a hearing at which all parties concerned were given a chance to be heard;
 - (iii) The order, upon which the request is based, restricts or limits a requesting party's right to contact or visit the other party or the children without supervision.
- (b) Persons shall submit requests for disclosure in writing and in person, with satisfactory evidence of identity, at any office of the office of support enforcement;

(c) If the request is made by the person's attorney, the office shall waive the provisions regarding submission in person with satisfactory evidence of identity;

(d) If the person resides outside the state of Washington, a representative of the state or local child support enforcement agency may submit a written request for disclosure on behalf of the person. The representative must attach a statement affirming the person appeared and presented satisfactory evidence of identity;

(e) The requester shall attach the following to a request for disclosure of an address:

(i) A copy of the superior court or administrative order upon which the request is based. The office shall waive this provision if the office has a true copy of the order on file;

(ii) A sworn statement by the individual that the order has not been modified;

(iii) A statement explaining the purpose of the request and how the information will be used.

(5) Prior to disclosing an address, the office shall mail a notice to the last known address of the party whose address has been requested, except as provided in subsection (6) of this section. The notice shall advise the party that:

(a) A request for disclosure has been made; and

(b) The office will disclose the address in twenty days, unless the office receives a copy of the court order which:

- (i) Enjoins disclosure; or
- (ii) Restricts the requesting party's right to contact or visit the other party or the children without supervision.

(6) The office will not mail a notice prior to disclosure:

(a) If the requesting party can show the other party will likely flee and that:

(i) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of the child or children to the requesting party; and

(ii) The custody order has not been altered, changed, modified, superseded, or dismissed; and

(iii) The child or children were taken or enticed from the physical custody of the requesting party without the requesting party's consent; and

(iv) The requesting party has not subsequently assented to being deprived of physical custody of the children; and

(v) The requesting party is making reasonable efforts to regain physical custody of the child or children; or

(b) When the child or children are receiving foster care services under chapter 74.13 RCW.

(7) If the child or children are receiving foster care services, parties shall contact their local community services office for disclosure of address information.

(8) The rules of confidentiality and penalties for misuse of information and reports that apply to employees of the department also apply to persons who receive information under this section.

(9) Nothing in these rules shall be construed:

(a) To prevent the office from disclosing information and records when such disclosure is necessary to the performance of its duties and functions as provided by state and federal law;

(b) To require the office to disclose information and records obtained from a confidential source.

AMENDATORY SECTION (Amending Order 2288, filed 10/1/85)

WAC 388-14-200 ELIGIBILITY—ASSIGNMENT OF SUPPORT RIGHTS—COOPERATION WITH OFFICE OF SUPPORT ENFORCEMENT—EFFECT OF NONCOOPERATION. This section establishes the initial and continuing requirements which affect eligibility for aid to families with dependent children. These requirements also affect eligibility for family independence program services.

(1) Beginning August 1, 1975, as a condition of eligibility for assistance, each applicant/recipient shall make assignment to the office ((of support enforcement)) of any and all right, title, and interest in any support obligation the applicant/recipient may have ((in his or her own behalf or in behalf)). This includes support rights of any other family member for whom the applicant/recipient is applying for or receiving financial assistance ((including)). It also includes rights to support which have accrued at the time such assignment is executed. Through this assignment, the applicant/recipient authorizes the office to provide services for the family, and to continue to provide services after the family stops receiving assistance, until services are terminated under this chapter.

(2) When subsection (1) of this section is satisfied, cooperation is further required as a continuing condition of eligibility for assistance unless the CSO determines the applicant/recipient has good cause not to cooperate under WAC 388-24-111. Cooperation includes ~~((identifying and locating absent parents including possible putative fathers, and in establishing paternity of a child or children, and/or in obtaining support payments or any other payments or property due the applicant/recipient or child or children as follows)), but is not limited to, assisting the office in or by doing the following:~~

(a) ~~((Cooperation in))~~ Identifying and locating absent parents ~~((including putative fathers includes, but is not limited to))~~ by:

(i) Providing all known ~~((relevant))~~ information about the absent parent, such as the absent parent's name ~~((including))~~, known aliases, address, telephone ~~((or message))~~ number~~(:)~~ or numbers, Social Security number, employment history, and physical description~~(, and)~~;

(ii) Providing data regarding the date and place of marriage, separation, divorce, or dissolution ~~((including))~~, and copies of any documents and any court orders establishing paternity and/or support obligations~~(:)~~;

(iii) Providing information to establish the amount of the support debt accrued prior to the application. Applicants shall give information ~~((must be given))~~ at the time of application and/or at a later time, if requested by the office ~~((of support enforcement))~~, to supplement existing information~~(:)~~.

~~((iii))~~ (b) ~~((Providing notice to))~~ Notifying the office ~~((of support enforcement of any and all necessary))~~ when there are changes in information concerning the absent parent ~~((or parents, including all putative fathers of a child on whose behalf the recipient applied for or receives public assistance, and also providing notice of changes in the information and/or notice of new information as available.))~~;

~~((b))~~ (c) ~~((Cooperation in))~~ Establishing the paternity of a child ~~((or children including, but not limited to, taking))~~;

(i) The applicant shall take all reasonable action ~~((in cooperation with))~~ requested by the office ~~((of support enforcement))~~, the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts, or other agencies~~(:)~~ in:

(A) Administrative hearings~~(:)~~; or ~~((m))~~

(B) Actions to prosecute or maintain any legal action or remedy for the establishment of paternity; or ~~((m))~~

(C) Investigations preparatory to or supplementary to such hearings or actions~~(, and to develop)~~;

(ii) The applicant shall assist in the development of medical and anthropological evidence relating to the alleged father's paternity based upon tests performed by experts on the mother and the child.

~~((c))~~ When a custodial mother has informed the department that a particular man is the father of her child, the department shall make no further inquiry into her personal life unless the man so identified has denied that he is the father of such child~~(:)~~

(d) ~~((Cooperation in))~~ Establishing and collecting support and/or in obtaining support payments or any other payments or property due the applicant/recipient or ~~((child or children includes taking))~~ a dependent child. The applicant shall take all reasonable action ~~((in cooperation with))~~ requested by the office ~~((of support enforcement))~~, the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts or other agencies in:

(i) Administrative hearings; or ~~((m))~~

(ii) Actions to prosecute or maintain any legal action or remedy for the establishment or collection of support obligations; or ~~((m))~~

(iii) Investigations preparatory to or supplementary to such hearings or actions.

(e) ~~((Cooperation in the obtaining of support payments further includes but is not limited to:~~

(i) Providing of specific information at the time of application to establish the amount of the support debt accrued to the applicant/recipient prior to application for assistance:

(ii) Remittance of) Remitting all support payments ~~((received by the applicant/recipient))~~ the applicant/recipient receives, from any person or agency, to the office of support enforcement within eight days of receipt of said payments~~(:)~~;

~~((iii))~~ (f) ~~((Execution of))~~ Executing a repayment agreement and ~~((the repayment of))~~ repaying retained support moneys ~~((in accordance with such an))~~ under the agreement.

(3) If the applicant/recipient fails to cooperate as defined in this section, the applicant/recipient shall be ineligible to receive assistance. The department shall provide any assistance for which the children

may be eligible ~~((shall be provided))~~ as specified in WAC 388-33-453. The ~~((determination of))~~ department shall compute requirements for the child or children ~~((shall be computed))~~ without regard to the requirements of the applicant/recipient.

(4) If the applicant/recipient does not remit support moneys ~~((are not remitted))~~ within eight days of receipt ~~((by the applicant/recipient))~~ as required under WAC 388-14-200 (2)(c)(ii) and the applicant/recipient is currently receiving an AFDC grant, or cash benefits under the family independence program, the office of support enforcement shall:

(a) Document the applicant/recipient has, in fact, received and retained support moneys and the amount of said money~~(:)~~;

(b) Issue a notice of debt as provided in WAC 388-13-020 to the applicant/recipient to recover the payments, which notice includes the following information:

(i) An explanation of the applicant/recipient's responsibility to cooperate by turning over the support moneys as a condition of eligibility for AFDC, and the sanction for failure to cooperate;

(ii) A list of the support moneys retained, including the dates and amounts as well as copies of any documentary evidence (such as copies of checks, front and back), the office of support enforcement possesses;

(iii) A proposed repayment agreement ~~((which))~~ that may include a provision for a voluntary grant deduction;

(iv) An explanation that repaying retained support moneys according to a repayment agreement is a condition of cooperation~~(:)~~;

(v) A notice that the recipient may request an informal meeting with OSE, within twenty days of the date of service of the notice of debt, to clarify the recipient's responsibilities for cooperation and to attempt to resolve any differences regarding the existence or amount of the claim for unremitting support moneys and/or the proposed repayment agreement~~(:)~~;

(vi) A notice that the recipient has the right to request a hearing pursuant to WAC 388-13-060 to contest the department's claim of ownership of the support money identified in the notice and/or the reasonableness of the proposed repayment agreement~~(:)~~;

(vii) A statement that the office of support enforcement will notify the CSO the recipient has failed to cooperate unless the recipient, within twenty days of the date of service of the notice of debt, executes the proposed repayment agreement, requests an informal meeting or requests an administrative hearing.

(5) The repayment agreement ~~((must))~~ shall be reasonably related to:

(a) The applicant/recipient's total income and resources including the AFDC grant; and

(b) The total amount of retained support moneys~~(:)~~.

~~((c))~~ (6) The monthly amount of the repayment ~~((must))~~ shall not exceed ten percent of:

(a) The grant payment standard during any month the applicant/recipient remains in public assistance status, or

(b) The cash benefits paid under the family independence program.

~~((c))~~ (7) If an applicant/recipient has retained support moneys but is no longer an active recipient of public assistance money, the office of support enforcement shall proceed pursuant to RCW 74.20A-.270 and chapter 388-13 WAC, without reference to the procedural requirements of WAC 388-14-200(4).

~~((c))~~ (8) The office of support enforcement shall notify the CSO that the recipient has failed to cooperate if:

(a) The recipient fails to sign a repayment agreement for the amount of retained support moneys claimed by OSE in the notice of debt or as determined by an administrative law judge if a hearing is requested pursuant to WAC 388-13-060;

(b) The recipient enters into a repayment agreement but subsequently fails to make a payment under the terms of the agreement, or fails to comply with the decision of the administrative law judge.

~~((c))~~ (9) The office of support enforcement shall promptly notify the CSO when either of the following changes in circumstances occurs:

(a) The recipient failing to enter into a repayment agreement consents to do so and signs a repayment agreement;

(b) The recipient defaulting on an agreement or an administrative decision makes a regularly scheduled payment according to the agreement or decision.

~~((c))~~ (10) Nothing in these rules shall be construed to make an otherwise eligible child ineligible for public assistance because of the failure of applicant/recipient to cooperate as defined in this section.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-205 RESPONSIBILITIES OF THE OFFICE OF SUPPORT ENFORCEMENT. (1) The office ~~((of support enforcement))~~ shall ~~((undertake))~~ provide services, until such services are terminated under this chapter, when:

~~(a) The department pays public assistance ((is paid;)) or provides foster care services;~~

~~(b) A former recipient of public assistance is eligible for services under WAC 388-14-302 (a) or (b);~~

~~(c) An applicant/custodian requests nonassistance support enforcement services ((are requested; or support enforcement services are requested by)) under RCW 74.20.040 and WAC 388-14-302.~~

~~(d) A support order or wage assignment order under chapter 26.18 RCW directs that support payments are to be made through the Washington state support registry;~~

~~(e) A support order under which there is a current support obligation for the dependent children, is submitted to the Washington state support registry;~~

~~(f) A former custodial parent requests services to collect a support debt that has been reduced to a sum certain judgment by the court or agency of competent jurisdiction; and~~

~~(g) A child support enforcement agency in another state ((to:~~

~~(a) Establish paternity of any child born out of wedlock; and~~

~~(b) Secure support for a child from any person legally liable for such)) or foreign country under reciprocal agreement requests support enforcement services.~~

(2) Whenever possible and/or appropriate under the circumstances, the office ~~((of support enforcement))~~ shall ~~((initiate))~~ take action under chapter 74.20A RCW to establish, enforce, and collect the child support obligation. The office may refer appropriate cases to the county prosecuting attorney or attorney general's office when judicial action is required.

~~((2))~~ (3) The office ~~((of support enforcement with))~~ shall not act to establish paternity or secure child support in any case for which it has received notice that the CSO has determined that there has been a finding of good cause under WAC 388-24-111.

(a) The office ~~((of support enforcement with))~~ shall request that all activities under Title IV-D to establish paternity or secure child support ~~((involving activities of agencies acting under cooperative agreements are))~~ be suspended ~~((when OSE receives notice from))~~ until the CSO ~~((that))~~ notifies the office of its final determination regarding an applicant or recipient who has claimed good cause ~~((until notified of the final determination of the CSO))~~. Any agency acting under a cooperative agreement who fails or refuses to comply with the request to suspend activities shall not be entitled to financial participation under the Title IV-D cooperative agreement as to said case or cases upon which the request is made.

(b) A child support obligation continues while enforcement and/or collection action is suspended pending a final determination of good cause and will be subject to collection when a decision is made that good cause for refusal to cooperate no longer exists.

~~((b))~~ (c) The office ~~((of support enforcement with))~~ shall review and comment on the findings and basis for the proposed determination by the CSO.

~~((c))~~ (d) The office ~~((of support enforcement with))~~ shall be a party to any hearing requested as a result of an applicant's or recipient's appeal of any agency action under WAC 388-24-111.

(4) The office shall:

(a) Establish, maintain, retain, and dispose of case records in accordance with the department's records management and retention policies and procedures adopted pursuant to chapter 40.14 RCW.

(b) Establish, maintain, and monitor support payment records; and

(c) Receive, account for, and distribute child support payments received under superior court and administrative orders for support.

(5) The office shall prepare a notice of satisfaction of judgment and file it with the clerk of the superior court in which the order was entered, when the support obligation under the order has been terminated, and any support debt under the order has been satisfied or is no longer enforceable.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-210 SUPPORT PAYMENTS TO OFFICE OF SUPPORT ENFORCEMENT. (1) ~~((AH))~~ Persons paying support

moneys ~~((paid))~~ to satisfy a support obligation assigned to the department or which the department has been authorized to enforce and collect shall ~~((be routed))~~ route such payments to the office ~~((of support enforcement))~~. See RCW 74.20.101.

(2) ~~((AH))~~ Recipients of public assistance or other persons or agencies receiving support moneys ~~((routed directly to a recipient of public assistance, or to another))~~ on behalf of a recipient of public assistance ~~((by any person or agency other than the office of support enforcement))~~ shall ~~((be remitted by the recipient or other person or agency))~~ remit all such moneys to the office ~~((of support enforcement))~~ within eight days of receipt of the payment.

(3) Persons paying support moneys to satisfy a support obligation under a superior court or administrative order for support, directing the responsible parent to make payments to the Washington state child support registry, shall route all such moneys to the office.

(4) After a responsible parent has been ordered or notified to make payments to the office or the Washington state child support registry, the office will not credit the parent for payments made to any other person or agency: PROVIDED HOWEVER, That credit may be granted if:

(a) The department determines that there is no prejudice to the custodial parent or other person or agency entitled to receive the support payments, or to the children, and that there are special circumstances of an equitable nature which justify credit for such payments; or

(b) A court of competent jurisdiction determines that credit should be granted after a hearing at which all interested parties were given an opportunity to be heard.

(5) The burden of providing that credit should be given is on the parent claiming credit for the payments.

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-14-220 SUBPOENA POWER. The ~~((chief, of the office of support enforcement))~~ secretary or ~~((his))~~ secretary's designee is a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., pursuant to RCW 74.04.290 and chapters 388-11 and 388-14 WAC as to matters ~~((he deems))~~ deemed relevant to the performance of ~~((his))~~ the secretary's duties.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-270 DISTRIBUTION OF SUPPORT PAYMENTS—PUBLIC ASSISTANCE. ~~((All payments collected as support on behalf of persons receiving public assistance in the state of Washington for whom an assignment is made shall be distributed under the following conditions:))~~

(1) When the office provides support enforcement services, the office shall distribute all support money collected by the office, or received by the office in its capacity, as the Washington state support registry:

(a) In accordance with federal law, if public assistance, or cash benefits under the family independence program, is being or has been provided for the support of the family unit;

(b) To the family or person to whom the support money is owed if public assistance funds have not been provided for the support of the family; and/or

(c) To the child support enforcement agency in another state or foreign country which submitted a request for support enforcement services.

(2) If the location of the family or person to whom the support money is owed is unknown, the office shall exercise reasonable efforts to locate the family or person. If the office is unable to locate and disburse the money to the family or person, the office shall handle the money in accordance with an agreement with the department of revenue and as required by state law.

(3) The following ~~((provisions--))~~ rules shall apply to ~~((this section))~~ the distribution of support money:

(a) The office shall record all payments ~~((will be))~~ reported in exact amounts without rounding.

(b) The date of collection shall be the date on which the payment is received by the office ~~((of support enforcement or the political subdivision making the collection under agreement and on behalf of the office of support enforcement))~~. For interstate collections, the date of collection shall be the date on which the payment is received by the IV-D agency of the state in which the family ~~((is)),~~ receiving aid)) support enforcement services, resides.

(c) The ~~((amounts collected as support during periods of time when aid is being provided, shall, for the purposes of this distribution section only, be treated first as payment on the required support obligation for~~

the month in which support was collected)) office shall apply all payments:

(i) To satisfy the support obligation for the month in which the payments are received and, then;

(ii) To any support debt or debts owed to:

(A) The family;

(B) A person for whom services are being provided;

(C) The department; or

(D) A child support agency in another state or foreign country.

(d) If the responsible parent owes a current support obligation to more than one family and does not pay enough money during the month to satisfy these current support obligations in full, the office shall distribute the money collected based on the proportionate share of the obligation owed to each family;

(e) If the support payment or payments received during a month exceeds the amount required to satisfy the current support obligation or obligations for that month and the responsible parent owes more than one support debt, the office shall apply the excess amount to the support debts based on the proportionate share of the debt owed to each: PROVIDED HOWEVER, That the office may apply amounts distributed under this subsection to a single support debt rather than make a proportionate distribution in the following circumstances:

(i) If a portion of the support debt will be lost due to the running of the statute of limitations; or

(ii) If proportionate distribution is administratively inefficient; or

(iii) If the collection resulted from the sale or disposition of a piece of property in which the applicant/recipient or applicant/custodian has a judgment lien for child support.

(f) The office shall convert amounts collected which are paid more frequently than once a month ((shall be converted)) to an amount ((which)) that represents payment on the required support obligation for the current month. The office of support enforcement is directed to distribute payments periodically to give effect to efficient administration.

((e)) (g) The office shall report any amounts distributed to ((the)) a family ((will be reported)), receiving public assistance, to the community service office identifying whether or not the payment is available to meet the need. This requirement shall not relieve the recipient of the duty to report receipt of any support moneys.

((f)) Any amounts collected which represent support shall be used to reduce dollar for dollar the amount of the support obligation as defined in WAC 388-14-100.

(2) The amounts collected as support by the IV-D agency pursuant to the state plan for children who are current recipients of aid under the state's Title IV-A plan by the office of support enforcement and for whom assignment under WAC 388-24-108 and 388-14-200 is effective shall be distributed as follows:

(a) The first fifty dollars of any amount that is collected in a month which represents payment of the required support obligation for that month shall be paid to the family. This payment may not be used in determining the amount paid, if any, to the family in subsection (2)(c) of this section. If the amount collected includes payment of the required support obligation for a previous month or months, the family shall only receive the first fifty dollars of the amount which represents the required support obligation for the month in which support was collected. If amounts are collected for one family which represents support payments from two or more absent parents, only the first fifty dollars of the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this subsection. No payment shall be made to a family under this subsection for a month in which no child support collection is received. The requirements of this subsection shall be applicable commencing October 1, 1984.

(b) Any amount that is collected in a month which represents payment on the required support obligation for that month and is in excess of the amount paid to the family under subsection (2)(a) of this section shall be retained by the state to reimburse, in whole or in part, the assistance payment for the month in which the child support was collected or the next month. Of the amount retained by the state as reimbursement for that month's assistance payment, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payment. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payments, if any, prescribed in WAC 388-14-370.

(c) If the amount collected is in excess of the amount required to be distributed under subsection (2)(a) and (b) of this section, the family shall be paid such excess up to the difference between the assistance payment for the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan and the court-ordered amount for that month. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan. If such court-ordered amount is less than such assistance payment, no amount shall be paid to the family under this subsection. In cases in which there is no court order, the family shall not be paid any amount under this subsection.

(d) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), and (c) of this section, any such excess shall be retained by the state as reimbursement for past assistance payments made to the family for which the state has not been reimbursed. The state may apply the amount retained to any sequence of months for which it has not yet been reimbursed. Of the amount retained by the state as reimbursement of past assistance payments, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payments. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payment, if any, prescribed in WAC 388-14-370. If past assistance payments are greater than the total support obligation owed, the maximum amount the state may retain as reimbursement for such assistance payments is the amount of such obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance under the state's Title IV-A plan, in which case such amounts shall be retained by the state to reimburse the difference between such support obligation and such assistance payments.

(e) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), (c), and (d) of this section, such excess shall be paid to the family. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan.)

(3) If an amount collected as child support represents payment on the required support obligation for future months, the office shall apply the amount ((shall be applied)) to such future months. However, ((no)) the office shall not apply such amounts ((shall be applied)) to future months unless amounts have been collected which fully satisfy the support obligation assigned under WAC 388-24-108 and 388-14-200 for the current month and all past months.

(4) ((Any amount paid under subsection (2)(a), (c), or (e) of this section shall be identified as not being an assistance payment)) The office may recover support money distributed to a person or to the family in error, after receipt of a check which is later dishonored, or the office is later required to refund or return the support payment, as follows:

(a) If the person or family to whom the money was distributed is receiving nonassistance support enforcement services, the office may deduct and retain, from subsequent support payments received on behalf of the person or family, any amounts collected on a support debt and up to ten percent of amounts collected as current support. The office shall send a notice to the last known address of the person or family prior to taking action to recover such payments. The notice shall identify the payments the office will recover and inform the person or family of the amounts that will be deducted from future collections; and

(b) If person or family is no longer receiving support enforcement services, the office of support enforcement may take action under RCW 74.20A.270 to recover the money.

(5) ((Whenever the office of support enforcement is making collections on delinquent support assigned to the department pursuant to WAC 388-24-108 and 388-14-200, the office of support enforcement may pay to the family pursuant to WAC 388-14-250 from said collections an amount equal to the monthly amount owed for current support as established by either the superior court order for support or the administrative order or final determination entered pursuant to chapter 388-11 WAC.

Payments to the family pursuant to this subsection may be made only during the five months following the last month in which aid was

~~paid and thereafter if the former recipient authorizes the office of support enforcement to continue to provide support enforcement services))~~ If the family is receiving public assistance and the applicant/recipient fails to remit support payments to the office as required, the office shall use the process set forth in WAC 388-14-200 to recover such support payments.

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 2340, filed 2/12/86)

WAC 388-14-302 NONASSISTANCE SUPPORT ENFORCEMENT—PERSONS ELIGIBLE. (1) The office of support enforcement shall provide support enforcement services to:

(a) Any resident of the state of Washington who is a physical custodian of a dependent child who is a resident of the state of Washington and who is not a recipient of public assistance ~~((may request nonassistance support enforcement services to establish, enforce, or collect an obligation for support including accrued arrears. PROVIDED, That the office of support enforcement may also act to establish paternity where it is a necessary part of establishing support obligations for nonassistance clients));~~ or

(b) A former custodial parent to collect a support debt that has been reduced to a sum certain judgment by a court or agency of competent jurisdiction.

(2) If a person other than the applicant has legal custody of the dependent child by order of a court, the applicant shall affirm that the legal custodian has not been wrongfully deprived of custody by the applicant and would not be excused from making support payments in accordance with WAC 388-11-065(10), in order to be eligible for support enforcement services.

~~((2))~~ (3) If a request for nonassistance support enforcement services is denied, the office shall send a written notice of the denial ((shall be sent)) by regular mail and shall include a statement of the reasons for the denial and a statement that the applicant may request an administrative hearing to contest the denial.

~~((3))~~ Any person who has been provided support enforcement services as a result of an approved application for public assistance may also request nonassistance support enforcement services effective with the date of termination of public assistance. A request made prior to termination shall not be effective until the first of the month following termination from assistance. Support enforcement services may be continued by the office of support enforcement for a period of time not to exceed five months following the last month in which public assistance was paid as a continuation of actions maintained as a result of an assignment pursuant to WAC 388-24-108 and 388-14-200 or by operation of law under RCW 74.20A.030. If support enforcement services on behalf of a public assistance recipient have resulted in the collection of support payments, the office of support enforcement shall continue, if appropriate, to provide support enforcement services during this five-month period, and thereafter, if authorized to do so by the former recipient. All support moneys collected, during the five-month period, except those collected to satisfy arrears assigned to the department under RCW 74.20.320, 74.20.330, 42 U.S.C. 602 (a)(26)(A), RCW 74.20A.250, and/or 74.20A.030 shall be remitted to the children's custodian.)

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-305 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICATION. (1) A person desiring nonassistance support enforcement services shall complete the appropriate forms requesting the the services unless:

(a) The superior court or administrative order directs that support payments shall be paid through the Washington state support registry, or

(b) The Clerk of Court submits an order under RCW 26.23.050(5), or

(c) The office is continuing to provide services to a former recipient of public assistance.

(2) If the support order directs payments through the registry, the person entitled to receive support payments under the order shall be deemed to:

(a) Have made a request for services, and

(b) Have authorized the office to take appropriate action to enforce and collect support and perform related and necessary functions.

(3) The person desiring nonassistance services shall complete the necessary forms ((must be completed)) in full, ((dated, signed)) date, sign, and ((forwarded)) forward them to the district office of support enforcement. The applicant shall supply copies of divorce or dissolution decrees, support orders and modifications thereof, and any allied or related documents ((which)) that reflect the marital and support status((, shall be supplied by the applicant)).

~~((2))~~ (4) The applicant shall also include or attach a statement of the amount of accrued arrears and list by date and amount all support payments received during the period of time when the arrears accrued. The office of support enforcement may require this statement to be by affidavit. The applicant may also be required to submit a written statement affirming the legal custodian has not been wrongfully deprived of custody of the dependent child or children, or affirming the applicant is and will continue to be a resident of this state even though the applicant is or will be temporarily absent from the state. The office shall deny requests on which statements are incomplete, unclear, or inconsistent ((will be denied and no service will be provided)) until such time as the request for services is presented in acceptable form.

~~((3))~~ (5) The department shall make the appropriate forms ((will be)) available at any community service office of the department of social and health services or at any district office of the office of support enforcement. Applicants may request the forms ((may be requested)) by phone, mail, or ((obtained personally)) in person.

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 2340, filed 2/12/86)

WAC 388-14-310 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICANT/CUSTODIAN'S AUTHORIZATION. (1) The applicant shall submit a written request for support enforcement services and authorize the office of support enforcement to ~~((initiate appropriate action to establish, enforce, and collect the support obligation))~~ provide support enforcement services, unless the applicant has or is deemed to have authorized the office to provide such services under WAC 388-14-200(1) or WAC 388-14-305(1).

(2) The applicant/custodian shall:

(a) Give consent to the office ~~((of support enforcement))~~ to take an assignment of earnings from the person owing a duty to pay support;

(b) Agree to remit, within eight days of receipt, to the office ~~((of support enforcement))~~ support moneys received directly from the person owing a duty to pay support ~~((during the period of time support enforcement services are maintained));~~ and

~~((3))~~ (c) ~~((The applicant/custodian, during the time support enforcement services are in effect, must send or deliver all support income received from the person owing a duty to pay support to the office of support enforcement providing the service and))~~ Agree to direct any payor or forwarding agent of support moneys to remit directly to office ((of support enforcement)).

(3) If the applicant/custodian fails to forward and/or fails to provide adequate documentation of ~~((such))~~ direct payment as requested, the office ~~((of support enforcement))~~ may discontinue providing support enforcement services or decline to provide certain services as provided for in this chapter.

(4) The applicant/custodian shall not hire an attorney or collection agency to collect the support obligation or support debt without notifying, and obtaining the consent of, the office. After receipt of such notice, the office shall send written consent to the applicant/custodian, and the attorney or collection agency, which shall include a directive that all support payments must continue to be made through the Washington state support registry.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-370 COOPERATIVE ARRANGEMENTS WITH COURTS AND LAW ENFORCEMENT OFFICIALS. (1) The office of support enforcement is ~~((herewith))~~ authorized to enter into cooperative arrangements, and written agreements including financial arrangements with appropriate courts and law enforcement officials to assist the office ~~((of support enforcement in administering))~~ to administer the state plan for support enforcement in order to assure optimum results under such program. These cooperative arrangements and written agreements also include entering into financial arrangements or agreements with such agencies and officials to provide for the

investigation and prosecution of fraud directly related to paternity, child support, and other matters of common concern.

(2) The office of support enforcement shall receive and distribute funds made available as payments to states to administer this plan (42 U.S.C. 655). ~~((The office of support enforcement shall also administer and distribute incentive payments to localities (42 U.S.C. 658).))~~ No payments may be made to any political subdivision, court or law enforcement official of the state of Washington under these provisions except in compliance with the requirements of agreements made between the office of support enforcement and the political subdivision, court or law enforcement official pursuant to this section. ~~((No incentive payments to localities may be made except for enforcement and collection of support rights assigned pursuant to WAC 388-24-108.))~~

(3) In order to qualify for payments ~~((to states or incentive payments to localities)),~~ a political subdivision, court or law enforcement official of the state of Washington ~~((must))~~ shall obtain referral of the case or cases involved from the office of support enforcement and pay all support payments made subsequent to referral ~~((shall be paid))~~ to the office of support enforcement. In the case of actions under the Uniform Reciprocal Enforcement of Support Act initiated in another state, a political subdivision or law enforcement official of the state of Washington may obtain referral status by submitting documents as determined by agreement, to the office of support enforcement for acceptance under this plan.

~~((4))~~ When a political subdivision of the state of Washington acting in compliance with the terms of an agreement entered into with the office of support enforcement or when a IV-D agency of another state under an approved Title IV-D plan or a political subdivision of another state pursuant to the approved Title IV-D plan makes the enforcement and collection of the support rights assigned under 42 U.S.C. 602 (a)(26)(A), or sections 17 and 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330], the office of support enforcement is authorized to pay to such political subdivision or other IV-D agency the following amounts from the amounts which would otherwise represent the share of the moneys to be reimbursed to the federal government:

(a) An amount equal to 15 percent of any amount collected and retained by the state of Washington to reduce or repay assistance payments which represent payment on the required support obligation;

(b) When more than one agency or jurisdiction within the state of Washington or more than one state is involved in enforcement or collection the amount of incentive stated above shall be allocated among such jurisdiction in a manner prescribed by instructions issued by the office of child support enforcement of the department of health, education, and welfare.))

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-385 CONFERENCE BOARD. (1) A conference board is herewith established to ~~((make inquiry))~~ inquire into, determine facts, and attempt to resolve matters in which a responsible parent, custodial parent, or other person feels aggrieved by actions taken by the office of support enforcement pursuant to chapters 74.20, 74.20A RCW, or Title IV-D of the Social Security Act (Title 42 U.S.C.).

(a) The intent and purpose of the conference board is to facilitate the informal speedy resolution of grievances ~~((by))~~ of responsible parents, custodial parents, or other persons. An applicant for a conference board proceeding ~~((must))~~ shall have made a reasonable attempt and have failed to resolve the grievance or issue with the workers before a conference board may act to attempt to resolve the issue.

(b) The ~~((chief, office of support enforcement))~~ director, revenue division, or ((his or her)) director's designee may assemble a conference board on application of the aggrieved person or on ~~((his or her))~~ the director's own motion to investigate, find facts, and state or apply policy or law to the end of resolving grievances.

(c) The director or the director's designee may take such action, as deemed appropriate, and may individually exercise any of the authority provided for in this regulation, if:

(i) The grievance or issue presented in an application for conference board does not involve a factual dispute, or

(ii) ~~((if))~~ The disputed fact or facts even if resolved in favor of the applicant would not provide a basis upon which relief could be granted to the applicant by a conference board acting in accordance with the standards provided for ~~((herein, the chief or his or her designee may take such action as he or she deems appropriate and to that end he or she may individually exercise any of the authority provided for in this regulation))~~ in this section.

~~((d))~~ If an apparent factual dispute exists((:)):

~~((i))~~ The director or director's designee shall assemble a conference board ~~((shall be))~~ composed of the ~~((chief))~~ director or ((his or her)) director's designee, who shall serve as chairman, and two staff members, if deemed necessary ~~((, appointed by the chief or his or her designee. The conference board shall dissolve upon issuance of decisions on matters for which it was appointed)).~~

~~((ii))~~ The chairman of the conference board shall mail a notice, to the applicant and any other person or agency who is a party in interest to the proceeding, that a conference board has been convened and inform the parties of the time and place of the conference board at least seven days prior to the date the conference board is scheduled.

~~((d))~~ (e) The chairman of the conference board is herewith authorized as a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., as provided for in RCW 74.04.290 and shall have power to subpoena witnesses, administer oaths, take testimony, and compel the production of such papers, books, records, and documents ~~((as he or she deems))~~ deemed relevant to the resolution of the grievance under consideration. Additional evidence may be taken by affidavit or other written submission when necessary or practicable together with written or oral argument. The director may designate persons having specific familiarity with the matter at issue or technical expertise with the subject ~~((may be designated))~~ to advise the board as required.

~~((e))~~ (f) The conference board's jurisdiction shall include but shall not be limited to the following areas:

(i) Complaints as to the conduct of individual staff members while acting in the scope of their duties. The decision of the board shall be directed to the first line supervisor for action as appropriate;

(ii) Review of denial of application for or termination of nonassistance support enforcement services;

(iii) Review of allegations of error as to the distribution of support moneys;

(iv) Resolution of amounts of arrears claimed due and rate of repayments;

(v) Requests to release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of responsible parent or parents and minor children in their home;

(vi) Requests for deferral of support enforcement action;

(vii) Requests for partial or total charge-off of support arrears pursuant to RCW 74.20A.220 or declination to collect support arrears pursuant to RCW 74.20.040 on nonassistance cases;

(viii) Requests to waive interest pursuant to RCW 74.20A.190;

(ix) Requests to waive or defer the nonassistance support enforcement fee pursuant to RCW 74.20.040;

(x) Any other matter requiring explanation of or application of policy or law to an issue in a specific case or clarification of facts in said case.

(xi) Requests for administrative review of cases submitted to the IRS for offset of a tax refund in accordance with federal statutes and regulations.

~~((2))~~ The conference board shall dissolve upon issuance of decisions on matters for which it was appointed.

~~((3))~~ The board's decision, including a decision to deny a request for a conference board, shall be in accordance with applicable statutes, case law, department of social and health services rules and regulations, published office of support enforcement manuals, support enforcement policy bulletins and the exercise of reasonable administrative discretion. The decision shall be in writing and shall find the facts, applicable law, policies applied, and clearly state the decision. If the decision is the result of a conference board, that decision shall represent the decision of a majority of the board. The director shall vacate decisions inconsistent with the standards in this section ~~((shall be vacated by the chief of the office of support enforcement))~~ and ~~((remanded))~~ remand them for issuance of a new decision in compliance with the standards.

~~((3))~~ (4) The office shall establish a file of pertinent documents ~~((shall be established))~~ for each case and distribute a copy of the decision, signed by the chairman, ~~((shall be distributed))~~ to the ~~((petitioning party))~~ applicant and other parties in interest, the appropriate office of support enforcement district field office for action consistent with the decision of the board, and the ~~((chief, office of support enforcement))~~ director.

~~((4))~~ (5) The board shall base decisions under RCW 74.20A.220 to grant partial or total charge-off ~~((pursuant to RCW 74.20A.220))~~ of arrears owed to the department of social and health services under RCW 74.20A.030, 74.20A.250, 74.20.320, 74.20.330, or 42 U.S.C. 602 (a)(26)(A) ~~((shall be based))~~ on the following considerations

~~((which))~~ and shall ~~((be found and stated))~~ state them in the written decision of the conference board fully justifying the action taken:

(a) Error in law or bona fide legal defects ~~((which))~~ that materially diminish chances of collection; or

(b) Substantial hardship to minor children in the household of the responsible parent or other minor children for whom the responsible parent actually provides support which hardship is to be measured against income standards for public assistance and consideration of all available income, property, and resources of the responsible parent and the necessity to apportion the income and resources of the responsible parent on an equitable basis with the children for whom the arrears accrued; or

(c) Costs of collection action in the future ~~((which))~~ that are greater than the amount to be charged off; or

(d) Settlement from lump-sum cash payment ~~((which))~~ that is beneficial to the state considering future costs of collection and likelihood of collection.

~~((5))~~ (6) The considerations and decision of the conference board shall not be a contested case subject to review by the superior court and shall not be a substitute for any constitutionally or statutorily permitted hearing. Aggrieved parties may be represented before the board by a person of their choice but the department ~~((with))~~ shall not be responsible for any costs incurred by the aggrieved person in connection with the conference.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-405 ORDER TO WITHHOLD AND DELIVER—RESPONSIBILITIES OF EMPLOYER. (1) Where money is due and owing to the debtor under any contract of employment, the notice of payroll deduction or the order to withhold and deliver shall direct the employer to begin withholding the disposable earnings of the debtor immediately upon receipt of the order and to remit any such earnings withheld after the expiration of the twenty-day answer period. The notice or order shall direct the employer to remit earnings that are withheld subsequently within ten days of the date the earnings are due and owing to the debtor. The notice or order shall also provide the employer may deduct a processing fee from the remainder of the debtor's earnings, even if the remainder would otherwise be exempt under RCW 74.20A.090. The processing fee shall not exceed ten dollars for the first remittance to the office of support enforcement and one dollar for each subsequent remittance.

(2) If the employer is required to withhold and deliver the disposable earnings of two or more debtors, the employer may combine the amounts withheld and remit a single check to the office of support enforcement. The employer shall clearly and separately identify the portions of the check which is attributable to each debtor and is required to remit the check within the time frames set forth in subsection (1) of this section.

(3) The notice of payroll deduction or order to withhold and deliver shall direct the employer to notify the office of support enforcement promptly when the debtor terminates employment and to provide the debtor's last known address and the name of the debtor's new employer if known.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-415 NOTICE OF SUPPORT DEBT. (1) The notice of support debt issued, ~~((b-pursuant to))~~ under RCW 74.20A.040, shall ~~((contain a provision))~~ state that:

(a) ~~((appropriate collection action, including the issuance of an))~~ The office is providing support enforcement services on behalf of the responsible parent's dependent children.

(b) ~~Twenty-one days after service of the notice, the office will take action to collect the responsible parent's support obligation. The office shall take collection action without further notice if a support payment is more than fifteen days past due in an amount equal to the support payable for one month. Collection action includes issuing orders to withhold and deliver ((against the earnings or property of the debtor, may be taken by the office of support enforcement without further notice after twenty days from the date of service of the notice if the debtor is delinquent in his or her support obligation in an amount equal to the support payable for one month))~~ and notices of payroll deduction, or taking other income withholding action.

(c) After service of the notice, the responsible parent must make all support payments through the Washington state support registry.

~~(d) The responsible parent will not receive credit for payments made to a person or agency other than the support registry under RCW 26.23.050(7) and RCW 74.20.101.~~

~~(2) The notice shall be served on the responsible parent like a summons in a civil action, or shall be mailed to his or her last known address by certified mail, return receipt requested.~~

~~(3) The notice of support debt shall contain:~~

~~(a) The current monthly amount for support under a court or administrative order;~~

~~(b) An initial finding of the current support amount if there is no fixed dollar amount in the order, and the basis, rationale, or formula used to make the initial finding;~~

~~(c) The amount of any support debt, including medical support, owed by the responsible parent;~~

~~(d) A statement that the responsible parent has twenty days after service of the notice to contest the initial finding for current support or support debt amount by either:~~

~~(i) Making a written request for an administrative hearing to be held under chapter 34.04 RCW; or~~

~~(ii) Filing an action in superior court.~~

~~(4) The office may make the initial finding based upon:~~

~~(a) The factors stated in the order; and~~

~~(b) The responsible parent's earnings, if known; or~~

~~(c) The responsible parent's ability to earn if the actual earnings are unknown; or~~

~~(d) The needs of the dependent child(ren) if the responsible parent's earnings and ability to earn are unknown.~~

~~(5) If the responsible parent does not request a hearing or start an action in superior court the office shall:~~

~~(a) Collect the amounts stated in the notice without further notice;~~

~~(b) Issue a default order stating the notice amounts if the notice contained an initial finding of the amount for current support;~~

~~(c) Mail a copy of the order to the last known address of the responsible parent. A copy of the order shall also be mailed to the person to whom support is payable under the support order.~~

~~(6) If the responsible parent requests a hearing under this section, the department shall issue a notice of hearing. The notice shall direct the responsible parent to appear and show why the current support amount and/or the support debt amount is wrong. A copy of the notice of hearing shall also be mailed to the person to whom the support is payable under the support order.~~

~~(7) The responsible parent shall:~~

~~(a) List the defenses to liability and/or state the reasons why support should not be set as stated in the notice in the request for a hearing;~~

~~(b) Attach an office approved financial affidavit;~~

~~(c) Serve the request for a hearing on the office by certified mail, return receipt requested, or like a summons in a civil action.~~

~~(8) If the responsible parent requests a hearing within twenty days, the office shall stay collection action pending the outcome of the hearing, except as provided in subsection (9) of this section.~~

~~(9) The office may take action to collect:~~

~~(a) Temporary support if the administrative law judge issues an order for temporary support;~~

~~(b) Any part of the support debt that the responsible parent fails to allege is not owed;~~

~~(c) A fixed or minimum dollar amount for current support stated in the court order;~~

~~(d) Any part of a support debt that has been reduced to a sum certain judgment by a proper court or agency.~~

~~(10) The responsible parent shall prove defenses to the initial finding for current support and/or the amount of the support debt.~~

~~(11) The following WAC provisions are incorporated by reference and apply to the hearing process under this section if and when relevant:~~

~~WAC 388-11-011, 388-11-065, 388-11-070, 388-11-100, 388-11-105, 388-11-115, 388-11-120, 388-11-130, 388-11-135, 388-11-140, 388-11-145, 388-11-150, 388-11-155, 388-11-170, 388-11-180, 388-11-185, 388-11-190, and chapter 10-08 WAC.~~

~~(12) After evidence has been presented at a hearing, the hearing examiner shall, within twenty days:~~

~~(a) Find the amount current support payable under the order;~~

~~(b) Find the amount of the support debt, including medical support, accrued prior to the date of service of the notice;~~

~~(c) Issue findings of fact, conclusions of law, and initial decision and order.~~

(13) The hearing examiner's order shall also provide for a yearly review of the support order. Either the office or the responsible parent may request such a review.

(14) The hearing examiner in the initial decision, and the secretary or designee in review of the proposed decision, shall be limited to:

(a) Interpretation of the court order for support only. The hearing examiner shall have no authority to change or defer the support amount owed except to:

(i) Find the amount of monthly support as a fixed dollar amount; and

(ii) Find any arrears accrued prior to service of the notice of support debt.

(b) Correct mathematical computation of the stated debt;

(c) Superior court orders which have modified the superior court order in issue. Contempt orders and orders entered under chapters 26.21 or 26.20 RCW shall not be construed as modifications.

(15) If the debtor fails to appear at the hearing, the hearing examiner shall, after proof of proper service, enter a decision and order declaring the support debt subject to collection action.

(16) The hearing examiner shall file the original of the initial decision and order with the secretary or the secretary's designee.

(17) The hearing examiner shall mail copies of the decision and order to:

(a) The office;

(b) The last known address of the responsible parent by certified mail;

(c) The last known address of the person to whom support is payable under the support order.

(18) The responsible parent or the office may request review of the initial decision within thirty days of receipt of the initial decision. Review shall be as set forth under WAC 388-11-105.

(19) Informal disposition of any hearing is favored where possible and not precluded by law. The office may dispose of cases by an agreed settlement, or consent order. The administrative law judge shall approve any consent order unless it is contrary to law.

(20) A support order issued under this section shall:

(a) Contain the notice and information listed in RCW 26.23.050(4), and

(b) Be filed with the clerk of the court that has jurisdiction over the court order.

(21) The office is not required to serve a notice of support debt on the responsible parent prior to collection action if:

(a) The office is providing services on behalf of the responsible parent's dependent children, and

(b) A superior court or administrative order directs the responsible parent to make support payments through the office or the Washington state support registry.

(22) The responsible parent may request a hearing under this section if the responsible parent claims credit for payments under WAC 388-14-210(4).

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 388-14-420 TERMINATION OF SUPPORT ENFORCEMENT SERVICES. (1) After the office begins providing services under chapter 74.20 RCW, chapter 26.23 RCW, and this chapter, the office may terminate services as follows:

(a) If the support order was entered in the state of Washington, the office shall provide appropriate services until:

(i) The support obligation under the order ends and any support debt is paid or cannot be enforced under the laws of the state of Washington, or

(ii) The office receives proof that the responsible parent is dead and there is no available estate; or

(iii) A court of competent jurisdiction orders the office to terminate its services, based on an approved alternate payment plan or finding that it is not in the best interests of the child(ren) for the office to continue providing services.

(b) If the support order was entered in another state, the office shall provide appropriate services until:

(i) The person or agency withdraws the request for services;

(ii) The support obligation under the order ends and any support debt is paid or cannot be enforced; or

(iii) The physical custodian and the dependent child(ren) moves to and resides in another state or country. The office may provide services for no longer than five months from the date of the move; or

(iv) The office receives proof that the responsible parent is dead and there is no available estate; or

(v) The office receives no support payment for three years, despite reasonable collection efforts, and future collections are not foreseeable; or

(vi) The office makes reasonable efforts to locate the responsible parent, using local, state, and federal locate sources, and does not find any new locate information for three years; or

(vii) The physical custodian fails or refuses to cooperate with the office and the office cannot or should not proceed without such cooperation; or

(viii) The physical custodian hires a lawyer or collection agency to collect the support obligation or support debt without notice to and consent from the office, and fails or refuses to cooperate with the office's request to have support payments made through the support registry.

(c) If the office concludes that a support order cannot be obtained because:

(i) There is not enough information to identify or locate the responsible parent, and the office has made reasonable efforts to locate the parent;

(ii) There is not enough proof to establish the support obligation; or

(iii) The office has exhausted legal remedies.

(2) The office may terminate or decline to provide certain services when:

(a) The physical custodian fails or refuses to cooperate with the office and the office cannot provide services without such cooperation; or

(b) The department or a court of competent jurisdiction finds that the person receiving services has wrongfully deprived the responsible parent of physical custody of the dependent child(ren) under the standards in WAC 388-11-065(10); or

(c) The support order was entered in the state of Washington and either:

(i) The office receives no support payment for three years, despite reasonable collection efforts, and future collections are not foreseeable; or

(ii) The office makes reasonable efforts to locate the responsible parent, using local, state, and federal locate sources, and does not discover new locate information for three years.

(d) The office finds that it is either not advisable or not proper to provide and/or continue certain services; or

(e) The department or a court of competent jurisdiction finds that action to pursue a support obligation is reasonably likely to result in harm to the child(ren) or the child(ren)'s custodian.

(3) When the office terminates its services, the office shall mail a notice to the physical custodian. The office shall:

(a) Send the notice by regular mail to the last known address of the physical custodian;

(b) Include in the notice the reason(s) for terminating services; and

(c) State in the notice that the physical custodian may ask for a hearing to contest the office's decision to terminate services.

(4) A physical custodian who receives nonassistance services as of December 31, 1987, may ask the office to terminate those services up to one year from that date.

(5) The office may terminate support enforcement services when the department terminates foster care under Title 13 RCW.

(6) After the office terminates support enforcement services, the office shall return any moneys the office receives to the payor with instructions to send all support moneys directly to the applicant/custodian, court, or other forwarding agent.

NEW SECTION

WAC 388-14-425 PAYROLL DEDUCTION—NOTICE AND ORDER—ISSUANCE AND TERMINATION. (1) Under RCW 26.23.050 and RCW 26.23.060, the office may issue and serve a notice of payroll deduction upon the employer of a responsible parent. The office shall issue this notice:

(a) If a support payment, owed under a superior court or administrative order for support, is more than fifteen days past due in an amount equal to or greater than the support payable for one month; and

(b) When the office identifies the responsible parent's earnings.

(2) The notice of payroll deduction shall remain in effect until:

(a) The payroll deduction is quashed, modified, or terminated by the superior court pursuant to a motion filed by the support debtor; or

(b) The office agrees to release the payroll deduction after the support debtor proves by competent evidence that:

(i) The support obligation was not delinquent at the time the notice of payroll deduction was issued; or

(ii) The payroll deduction causes extreme hardship or substantial injustice.

NEW SECTION

WAC 388-14-430 INCOME WITHHOLDING ACTION. The office may take income withholding action as defined in this chapter if:

(1) A support order contains the notice set forth in RCW 26.23.050 (1) or (2), or the office served a notice on the responsible parent under RCW 26.23.050(3) or RCW 74.20A.040; and

(2) A support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month.

If the support order contains the notice set forth in RCW 26.23.050 (1) or (2), the office may take such action, without further notice to the responsible parent, even though another provision of law states that some other form of notice should be given before the office takes collection action.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-14-320 NONASSISTANCE SUPPORT ENFORCEMENT—DISTRIBUTION.

WAC 388-14-325 NONASSISTANCE SUPPORT ENFORCEMENT—TERMINATION OF SERVICES.

WSR 88-02-056
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2584—Filed January 5, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to support enforcement, amending chapter 388-14 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 1987 Washington state legislature created the Washington State Support Registry, to be effective January 1, 1988. On that date all court ordered support payments must be made through the Office of Support Enforcement.

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

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED January 5, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-010 OFFICE OF SUPPORT ENFORCEMENT AS THE TITLE IV-D AGENCY. (1) ~~((Pursuant to chapters 74.20 and 74.20A RCW;))~~ The department of social and health services of the state of Washington through the office of support enforcement establishes the following provisions as the state plan for the child support ((pursuant to)) enforcement program. Authority for this plan is under Title IV-D of the Social Security Act and chapters 74.20 and 74.20A RCW. The plan shall be in effect statewide.

(2) ~~The office ((of support enforcement)) is ((designated and established as)) the designated, single, and separate organizational unit within the state of Washington to administer the plan ((which shall be in effect in all political subdivisions of the state of Washington)).~~

(3) ~~The office ((of support enforcement)) is the ((operating)) agency referred to in federal ((rules and regulations)) law as the Title IV-D agency. The office ((of support enforcement is authorized to assume any and)) shall perform all ((responsibilities)) duties assigned to the Title IV-D agency.~~

(4) ~~The office ((of support enforcement is authorized to)) may enter into ((agreements as required or authorized)) contracts for support enforcement and related services with ((other states and the secretary, Department of Health and Human Services.)):~~

(a) ~~Other state agencies;~~

(b) ~~((To contract with)) Other states or foreign countries for ((the referral of cases)) action under the Uniform Reciprocal Enforcement of Support Act and other ((cases where enforcement or collection of)) laws to enforce or collect child support ((location of)), locate absent parents, or ((establishment of)) establish paternity ((are appropriate)). These contracts may include ((in such agreements)) the procedures for:~~

(i) ~~Making referrals((:));~~

(ii) ~~Assigning ((debt, distributing incentive payments, and)) debts;~~

(iii) ~~Reporting actions and activities ((on the part of this state for another, or another state for this state and));~~

(iv) ~~Coordination of activities ((pursuant to)) under and ensuring compliance with the Uniform Reciprocal Enforcement of Support Act.~~

~~((fb)) (c) Private parties;~~

(d) ~~((To contract)) With the secretary, Department of Health and Human Services ((and maintain liaison for)) to refer and certify cases:~~

(i) ~~((Referral)) To the federal parent locator service ((including amount and collection of fees.));~~

(ii) ~~((Certification and referral of cases as appropriate for the collection of support delinquencies by)) To the secretary of the treasury((:)) for action to collect support debts;~~

~~(iii) ((Certification and referral of cases as appropriate for utilization of)) For action to enforce support debts in the U.S. district courts.~~

~~(5) The office ((of support enforcement is responsible for administration of)) shall manage the Title IV-D plan ((including supervisory authority for any and)). The office shall:~~

~~(a) Oversee all activities ((necessary to meet)) under the plan to ensure the standards for an efficient and effective program ((including formal evaluation of)) are met;~~

~~(b) Evaluate the quality((, efficiency, effectiveness,)) and scope of services provided under the plan((:));~~

~~(c) ((The office will take necessary measures to meet)) Ensure that federal and state requirements for records management, accounting, and fiscal control((, ensuring location)) are met;~~

~~(d) Provide all services under the plan in appropriate cases, including action to locate parents, ((establishment of)) establish paternity, and ((establishment)) establish, ((enforcement)) enforce, and ((collection of)) collect support ((functions are carried out effectively and efficiently:)) moneys;~~

~~(e) ((The office of support enforcement is also responsible to)) Assure that referrals and other communications with the Title IV-A agency meet the requirements of the Title IV-D and Title IV-A state plans.~~

~~(6) Under chapter 26.23 RCW, the office is designated as the agency responsible for administering the Washington state support registry.~~

~~(7) The office ((of support enforcement)) is responsible for the state-wide administration of wage withholding ((pursuant to federal statutes and regulations)) under Title IV-D.~~

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-020 DEFINITIONS. The definitions contained in WAC 388-11-011 are incorporated into and made a part of this chapter.

~~(1) ((The terms "applicant/recipient," "applicant," or "recipient" include the caretaker relative, the children, and any other individual whose needs are considered in determining the amount of assistance. See also WAC 388-22-030.~~

~~(2) The term "applicant/custodian" shall designate the individual who is the physical custodian of any dependent child or children on whose behalf a request for nonassistance support enforcement services has been made to the office of support enforcement pursuant to RCW 74.20.040 and 42 U.S.C. 654(6) or 42 U.S.C. 657(C).~~

~~(3)) The term "absent parent" ((shall designate)) means that person who:~~

~~(a) Is not the physical custodian of the child; and~~

~~(b) Is a natural, or adoptive parent, or a stepparent owing a legal duty to support said child or children on whose behalf an application has been made for payment of public assistance, or ((application has been made)) for whom the office is providing nonassistance support enforcement services.~~

~~((4) "Putative father" as used in this section shall include any and all men who may possibly be the father of the child or children on whose behalf the application for assistance or support enforcement services may be made. See also WAC 388-14-200(2)(c).))~~

~~((5)) (2) "Aid" or "public assistance" means aid to families with dependent children or AFDC foster care and includes family independence program services to families as an alternative to AFDC.~~

~~((6) "Title IV-D" refers to Title IV-D of the Social Security Act established under Title XX of the social security amendments and as incorporated in 42 U.S.C. (602).~~

~~(7) "Title IV-D plan" refers to a plan established under the conditions of Title IV-D approved by the secretary, Department of Health and Human Services.~~

~~(8) The "required support obligation for the current month" is defined as the amount of a superior court order for support or the periodic future support amount determined pursuant to chapter 388-11 WAC which is or will be owing for the current month.~~

~~(9) "Incentive payments" are payments distributed pursuant to WAC 388-14-370 to prosecuting attorneys or other political subdivision on the basis of enforcement and collection of support payments.~~

~~(10) "Secretary" means the secretary of the department of social and health services, his or her designee or authorized representative, which for all purposes as used in chapter 74.20A RCW shall mean the designee of the secretary, the chief, office of support enforcement or his or her designee, except as is provided for in WAC 388-11-011(5) wherein for purposes of RCW 74.20A.055 "secretary" has another meaning.~~

~~(11) "Family" shall mean the person or persons on behalf of whom support is sought which unit may include a custodial parent or other person and one or more children or a child or children in foster care placement.~~

~~(12) "Residential care" means foster care as defined in WAC 388-70-012.~~

~~(13) "Head of household" means the responsible parent or parents with whom the dependent child or children were residing at the time of placement in foster care.~~

~~(14) The term "resident" shall include persons physically present in the state of Washington intending to make their home in this state. Temporary absence from the state does not destroy residence once established))~~

~~(3) The term "applicant/custodian" means the person who is the physical custodian of any dependent child or children on whose behalf nonassistance support enforcement services are being provided by the office of support enforcement under RCW 74.20.040, chapter 26.23 RCW, and 42 U.S.C. 654(6) or 42 U.S.C. 657(C).~~

~~(4) The terms "applicant/recipient," "applicant," or "recipient" include the caretaker relative, the children, and any other person whose needs are considered in determining the amount of public assistance. See also WAC 388-22-030.~~

~~(5) The term "disposable earnings" means that part of earnings of an individual remaining after the deduction of amounts required by law to be withheld.~~

(6) The term "earnings" means compensation paid or payable for personal services.

(a) Earnings include:

(i) Wages or salary;

(ii) Commissions and bonuses;

(iii) Periodic payments under pension plans, retirement programs, and insurance policies of any type;

(iv) Disability payments under Title 51 RCW;

(v) Unemployment compensation as provided for in RCW 50.40.020 and 50.40.050, and Title 74 RCW;

(vi) Gains from capital, labor, or from both combined.

(b) Earnings do not include profit gained through the sale or conversion of capital assets.

(7) The term "employee" means a person in employment to whom an employer is paying, owes, or anticipates paying earnings as the result of services performed.

(8) The term "employer" means any person or organization having any person in employment. It includes:

(a) Partnerships and associations;

(b) Trusts and estates;

(c) Joint stock companies and insurance companies;

(d) Domestic and foreign corporations;

(e) The receiver or trustee in bankruptcy;

(f) The trustee or the legal representative of a deceased person.

(9) The term "employment" means personal services of whatever nature, including service in interstate commerce, performed for earnings or under any contract for personal services. The contract may be written or oral, express or implied.

(10) "Family" means the person or persons on behalf of whom support is sought which unit may include a custodial parent or other person and one or more children or a child or children in foster care placement.

(11) "Head of household" means the responsible parent or parents with whom the dependent child or children were residing at the time of placement in foster care.

(12) The term "income" includes all appreciable gains in real or personal property, including earnings.

(13) The term "income withholding action" includes all withholding action the office is authorized to take. The term includes, but is not limited to actions to:

(a) Assert liens under RCW 74.20A.060;

(b) Issue orders to withhold and deliver under RCW 74.20A.080, and notice of payroll deduction under chapter 26.23 RCW;

(c) Obtain wage assignment orders under RCW 26.18.080.

(14) The term "office" means the office of support enforcement.

(15) The term "physical custodian" means the natural or adoptive parent, or other person, with whom a dependent child resides a majority of the time. The physical custodian may be either an applicant/recipient or applicant/custodian.

(16) "Putative father" includes all men who may possibly be the father of the child or children on whose behalf the application for assistance or support enforcement services may be made. See also WAC 388-14-200 (2)(c).

(17) The "required support obligation for the current month" means the amount of a superior court order for support or the periodic future support amount that is or will be owing for the current month determined under chapter 388-11 WAC.

(18) The term "resident" means persons physically present in the state of Washington who intend to make their home in this state. Temporary absence from the state does not destroy residence once established.

(19) "Residential care" means foster care as defined in WAC 388-70-012.

(20) The term "support enforcement services" includes all action the office is required to perform under Title IV-D and state law. This includes action to establish, enforce, and collect child support obligations, and distribution support moneys.

(21) "Secretary" means the secretary of the department of social and health services, his or her designee, or authorized representative. For all purposes in chapter 74.20A RCW, secretary shall mean the designee of the secretary, the director, revenue division, or his or her designee, except as is provided for in WAC 388-11-011(5) where for purposes of RCW 74.20A.055 "secretary" has another meaning.

(22) "Title IV-D" means Title IV-D of the Social Security Act established under Title XX of the social security amendments and as incorporated in 42 U.S.C. (602).

(23) "Title IV-D plan" means the plan established under the conditions of Title IV-D approved by the secretary, department of health and human services.

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 1054, filed 9/25/75)

WAC 388-14-030 CONFIDENTIALITY. ((The department shall not give out any information to the absent parent concerning the recipient in the conduct of activities associated with this chapter except as authorized in chapter 388-48 WAC))

(1) Under RCW 26.23.120, all information and records, concerning persons who owe a support obligation or for whom the office provides support enforcement services, are private and confidential. The office shall disclose information and records only as follows:

(a) The office shall disclose information and records only to:

(i) Persons or entities listed and for the specific purpose or purposes stated in federal law;

(ii) The person who is the subject of the information or records, unless they are exempt under RCW 42.17.310;

(iii) Local, state, and federal government agencies for support enforcement and related purposes;

(iv) A party to a judicial proceeding or a hearing under chapter 34.04 RCW, if the presiding officer enters an order to disclose. The order shall be based upon a

written finding that the need for the information outweighs any reason for maintaining privacy and confidentiality;

(v) Parties under contract, if disclosure will allow them to assist in the management or operation of the program;

(vi) To persons or entities when necessary to the administration of the program or the performance of functions and duties as set forth in state and federal law. The office may publish information about responsible parents for locate and enforcement purposes.

(vii) Persons, representatives, or entities if the person who is the subject of the information and records consents, in writing, to disclosure.

(b) The last known address of, or employment information about, a party to a court or administrative order for child support may be given to another party to the order. This information may only be used to enforce or modify the support order. Disclosure of this information is subject to other limitations listed in this section;

(c) The last known address of natural or adoptive children may be given to a parent, who has a court order granting him or her visitation rights with, legal custody of or residential time with their natural or adoptive children. This information may only be used to enforce the terms of the court order;

(d) The Social Security number or numbers of the dependent child or children may be disclosed to the absent parent to enable the parent to claim the dependency exemption or exemptions as authorized by the Internal Revenue Service.

(e) The address of the physical custodian may only be disclosed to the office of hearings for inclusion in an administrative order as provided for by RCW 26.23.050 (4)(g) if a court of competent jurisdiction has entered an order granting the responsible parent visitation or residential time with the dependent child.

(2) The rules and procedures set forth in chapter 388-320 WAC, relating to the process for requesting and disclosing information and records, are applicable to requests for disclosure under this section.

(3) The office shall take timely action on requests for disclosure. The office shall respond in writing within ten working days of receipt of the request, unless the request is for disclosure of the address of the physical custodian or the dependent children. The office shall respond to requests for addresses within ten days of the date the twenty-day notice period, provided for in subsection (5) of this section, expires.

(4) The following provisions apply to requests for disclosure of the address of the physical custodian or dependent children under subsection (1)(b) and (c) of this section:

(a) The office shall not release the address if:
(i) The department has determined, under WAC 388-24-111, that the physical custodian has good cause for refusing to cooperate;

(ii) Prior to the request for disclosure, the physical custodian informed the office that the custodian and/or the children may be endangered by release of the address. The office shall not disclose the address until a court of competent jurisdiction enters an order, directing

disclosure, after a hearing at which all parties concerned were given a chance to be heard;

(iii) The order, upon which the request is based, restricts or limits a requesting party's right to contact or visit the other party or the children without supervision.

(b) Persons shall submit requests for disclosure in writing and in person, with satisfactory evidence of identity, at any office of the office of support enforcement;

(c) If the request is made by the person's attorney, the office shall waive the provisions regarding submission in person with satisfactory evidence of identity;

(d) If the person resides outside the state of Washington, a representative of the state or local child support enforcement agency may submit a written request for disclosure on behalf of the person. The representative must attach a statement affirming the person appeared and presented satisfactory evidence of identity;

(e) The requester shall attach the following to a request for disclosure of an address:

(i) A copy of the superior court or administrative order upon which the request is based. The office shall waive this provision if the office has a true copy of the order on file;

(ii) A sworn statement by the individual that the order has not been modified;

(iii) A statement explaining the purpose of the request and how the information will be used.

(5) Prior to disclosing an address, the office shall mail a notice to the last known address of the party whose address has been requested, except as provided in subsection (6) of this section. The notice shall advise the party that:

(a) A request for disclosure has been made; and

(b) The office will disclose the address in twenty days, unless the office receives a copy of the court order which:

(i) Enjoins disclosure; or

(ii) Restricts the requesting party's right to contact or visit the other party or the children without supervision.

(6) The office will not mail a notice prior to disclosure:

(a) If the requesting party can show the other party will likely flee and that:

(i) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of the child or children to the requesting party; and

(ii) The custody order has not been altered, changed, modified, superseded, or dismissed; and

(iii) The child or children were taken or enticed from the physical custody of the requesting party without the requesting party's consent; and

(iv) The requesting party has not subsequently assented to being deprived of physical custody of the children; and

(v) The requesting party is making reasonable efforts to regain physical custody of the child or children; or

(b) When the child or children are receiving foster care services under chapter 74.13 RCW.

(7) If the child or children are receiving foster care services, parties shall contact their local community services office for disclosure of address information.

(8) The rules of confidentiality and penalties for misuse of information and reports that apply to employees of the department also apply to persons who receive information under this section.

(9) Nothing in these rules shall be construed:

(a) To prevent the office from disclosing information and records when such disclosure is necessary to the performance of its duties and functions as provided by state and federal law;

(b) To require the office to disclose information and records obtained from a confidential source.

AMENDATORY SECTION (Amending Order 2288, filed 10/1/85)

WAC 388-14-200 ELIGIBILITY—ASSIGNMENT OF SUPPORT RIGHTS—COOPERATION WITH OFFICE OF SUPPORT ENFORCEMENT—EFFECT OF NONCOOPERATION. This section establishes the initial and continuing requirements which affect eligibility for aid to families with dependent children. These requirements also affect eligibility for family independence program services.

(1) Beginning August 1, 1975, as a condition of eligibility for assistance, each applicant/recipient shall make assignment to the office ((of support enforcement)) of any and all right, title, and interest in any support obligation the applicant/recipient may have ((in his or her own behalf or in behalf)). This includes support rights of any other family member for whom the applicant/recipient is applying for or receiving financial assistance ((including)). It also includes rights to support which have accrued at the time such assignment is executed. Through this assignment, the applicant/recipient authorizes the office to provide services for the family, and to continue to provide services after the family stops receiving assistance, until services are terminated under this chapter.

(2) When subsection (1) of this section is satisfied, cooperation is further required as a continuing condition of eligibility for assistance unless the CSO determines the applicant/recipient has good cause not to cooperate under WAC 388-24-111. Cooperation includes ((identifying and locating absent parents including possible putative fathers, and in establishing paternity of a child or children, and/or in obtaining support payments or any other payments or property due the applicant/recipient or child or children as follows)), but is not limited to, assisting the office in or by doing the following:

(a) ((Cooperation in)) Identifying and locating absent parents ((including putative fathers includes, but is not limited to)) by:

(i) Providing all known ((relevant)) information about the absent parent, such as the absent parent's name ((including)), known aliases, address, telephone ((or message)) number(;;) or numbers, Social Security number, employment history, and physical description(;; and);

(ii) Providing data regarding the date and place of marriage, separation, divorce, or dissolution ((including)), and copies of any documents and any court orders establishing paternity and/or support obligations(;;);

(iii) Providing information to establish the amount of the support debt accrued prior to the application. Applicants shall give information ((must be given)) at the time of application and/or at a later time, if requested by the office ((of support enforcement)), to supplement existing information(;;).

((ii)) (b) ((Providing notice to)) Notifying the office ((of support enforcement of any and all necessary)) when there are changes in information concerning the absent parent ((or parents, including all putative fathers of a child on whose behalf the recipient applied for or receives public assistance, and also providing notice of changes in the information and/or notice of new information as available.);

((b)) (c) ((Cooperation in)) Establishing the paternity of a child ((or children including, but not limited to: Taking);

(i) The applicant shall take all reasonable action ((in cooperation with)) requested by the office ((of support enforcement)), the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts, or other agencies(;;) in:

(A) Administrative hearings(;;) or ((in))

(B) Actions to prosecute or maintain any legal action or remedy for the establishment of paternity, or ((in))

(C) Investigations preparatory to or supplementary to such hearings or actions(;; and to develop);

(ii) The applicant shall assist in the development of medical and anthropological evidence relating to the alleged father's paternity based upon tests performed by experts on the mother and the child.

((c) When a custodial mother has informed the department that a particular man is the father of her child, the department shall make no further inquiry into her personal life unless the man so identified has denied that he is the father of such child.);

(d) ((Cooperation in)) Establishing and collecting support and/or in obtaining support payments or any other payments or property due the applicant/recipient or ((child or children includes taking)) a dependent child. The applicant shall take all reasonable action ((in cooperation with)) requested by the office ((of support enforcement)), the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts or other agencies in:

(i) Administrative hearings, or ((in))

(ii) Actions to prosecute or maintain any legal action or remedy for the establishment or collection of support obligations, or ((in))

(iii) Investigations preparatory to or supplementary to such hearings or actions.

(e) ((Cooperation in the obtaining of support payments further includes but is not limited to:

(i) Providing of specific information at the time of application to establish the amount of the support debt accrued to the applicant/recipient prior to application for assistance.

(ii) Remittance of)) Remitting all support payments ((received by the applicant/recipient)) the applicant/recipient receives, from any person or agency, to the office of support enforcement within eight days of receipt of said payments(;;);

~~((iii))~~ (f) ~~((Execution of))~~ Executing a repayment agreement and ~~((the repayment of))~~ repaying retained support moneys ~~((in accordance with such an))~~ under the agreement.

(3) If the applicant/recipient fails to cooperate as defined in this section, the applicant/recipient shall be ineligible to receive assistance. The department shall provide any assistance for which the children may be eligible ~~((shall be provided))~~ as specified in WAC 388-33-453. The ~~((determination of))~~ department shall compute requirements for the child or children ~~((shall be computed))~~ without regard to the requirements of the applicant/recipient.

(4) If the applicant/recipient does not remit support moneys ~~((are not remitted))~~ within eight days of receipt ~~((by the applicant/recipient))~~ as required under WAC 388-14-200 (2)(e)(ii) and the applicant/recipient is currently receiving an AFDC grant, or cash benefits under the family independence program, the office of support enforcement shall:

(a) Document the applicant/recipient has, in fact, received and retained support moneys and the amount of said money(-);

(b) Issue a notice of debt as provided in WAC 388-13-020 to the applicant/recipient to recover the payments, which notice includes the following information:

(i) An explanation of the applicant/recipient's responsibility to cooperate by turning over the support moneys as a condition of eligibility for AFDC, and the sanction for failure to cooperate;

(ii) A list of the support moneys retained, including the dates and amounts as well as copies of any documentary evidence (such as copies of checks, front and back), the office of support enforcement possesses;

(iii) A proposed repayment agreement ~~((which))~~ that may include a provision for a voluntary grant deduction;

(iv) An explanation that repaying retained support moneys according to a repayment agreement is a condition of cooperation(-);

(v) A notice that the recipient may request an informal meeting with OSE, within twenty days of the date of service of the notice of debt, to clarify the recipient's responsibilities for cooperation and to attempt to resolve any differences regarding the existence or amount of the claim for unremitted support moneys and/or the proposed repayment agreement(-);

(vi) A notice that the recipient has the right to request a hearing pursuant to WAC 388-13-060 to contest the department's claim of ownership of the support money identified in the notice and/or the reasonableness of the proposed repayment agreement(-);

(vii) A statement that the office of support enforcement will notify the CSO the recipient has failed to cooperate unless the recipient, within twenty days of the date of service of the notice of debt, executes the proposed repayment agreement, requests an informal meeting or requests an administrative hearing.

(5) The repayment agreement ~~((must))~~ shall be reasonably related to:

(a) The applicant/recipient's total income and resources including the AFDC grant; and

(b) The total amount of retained support moneys(-);

~~((c))~~ (6) The monthly amount of the repayment ~~((must))~~ shall not exceed ten percent of:

(a) The grant payment standard during any month the applicant/recipient remains in public assistance status, or

(b) The cash benefits paid under the family independence program.

~~((f))~~ (7) If an applicant/recipient has retained support moneys but is no longer an active recipient of public assistance money, the office of support enforcement shall proceed pursuant to RCW 74.20A.270 and chapter 388-13 WAC, without reference to the procedural requirements of WAC 388-14-200(4).

~~((7))~~ (8) The office of support enforcement shall notify the CSO that the recipient has failed to cooperate if:

(a) The recipient fails to sign a repayment agreement for the amount of retained support moneys claimed by OSE in the notice of debt or as determined by an administrative law judge if a hearing is requested pursuant to WAC 388-13-060;

(b) The recipient enters into a repayment agreement but subsequently fails to make a payment under the terms of the agreement, or fails to comply with the decision of the administrative law judge.

~~((8))~~ (9) The office of support enforcement shall promptly notify the CSO when either of the following changes in circumstances occurs:

(a) The recipient failing to enter into a repayment agreement consents to do so and signs a repayment agreement;

(b) The recipient defaulting on an agreement or an administrative decision makes a regularly scheduled payment according to the agreement or decision.

~~((9))~~ (10) Nothing in these rules shall be construed to make an otherwise eligible child ineligible for public assistance because of the failure of applicant/recipient to cooperate as defined in this section.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-205 RESPONSIBILITIES OF THE OFFICE OF SUPPORT ENFORCEMENT. (1) The office ~~((of support enforcement))~~ shall ~~((undertake))~~ provide services, until such services are terminated under this chapter, when:

(a) The department pays public assistance ~~((is paid,))~~ or provides foster care services;

(b) A former recipient of public assistance is eligible for services under WAC 388-14-302 (a) or (b);

(c) An applicant/custodian requests nonassistance support enforcement services ~~((are requested, or support enforcement services are requested by))~~ under RCW 74.20.040 and WAC 388-14-302.

(d) A support order or wage assignment order under chapter 26.18 RCW directs that support payments are to be made through the Washington state support registry;

(e) A support order under which there is a current support obligation for the dependent children, is submitted to the Washington state support registry;

(f) A former custodial parent requests services to collect a support debt that has been reduced to a sum certain judgment by the court or agency of competent jurisdiction; and

(g) A child support enforcement agency in another state ((to:

(a) Establish paternity of any child born out of wedlock, and

(b) Secure support for a child from any person legally liable for such)) or foreign country under reciprocal agreement requests support enforcement services.

(2) Whenever possible and/or appropriate under the circumstances, the office ((of support enforcement)) shall ((initiate)) take action under chapter 74.20A RCW to establish, enforce, and collect the child support obligation. The office may refer appropriate cases to the county prosecuting attorney or attorney general's office when judicial action is required.

((2)) (3) The office ((of support enforcement with)) shall not act to establish paternity or secure child support in any case for which it has received notice that the CSO has determined that there has been a finding of good cause under WAC 388-24-111.

(a) The office ((of support enforcement with)) shall request that all activities under Title IV-D to establish paternity or secure child support ((involving activities of agencies acting under cooperative agreements are)) be suspended ((when OSE receives notice from)) until the CSO ((that)) notifies the office of its final determination regarding an applicant or recipient who has claimed good cause ((until notified of the final determination of the CSO)). Any agency acting under a cooperative agreement who fails or refuses to comply with the request to suspend activities shall not be entitled to financial participation under the Title IV-D cooperative agreement as to said case or cases upon which the request is made.

(b) A child support obligation continues while enforcement and/or collection action is suspended pending a final determination of good cause and will be subject to collection when a decision is made that good cause for refusal to cooperate no longer exists.

((b)) (c) The office ((of support enforcement with)) shall review and comment on the findings and basis for the proposed determination by the CSO.

((c)) (d) The office ((of support enforcement with)) shall be a party to any hearing requested as a result of an applicant's or recipient's appeal of any agency action under WAC 388-24-111.

(4) The office shall:

(a) Establish, maintain, retain, and dispose of case records in accordance with the department's records management and retention policies and procedures adopted pursuant to chapter 40.14 RCW.

(b) Establish, maintain, and monitor support payment records, and

(c) Receive, account for, and distribute child support payments required under superior court and administrative orders for support.

(5) The office shall prepare a notice of satisfaction of judgment and file it with the clerk of the superior court

in which the order was entered, when the support obligation under the order has been terminated, and any support debt under the order has been satisfied or is no longer enforceable.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-210 SUPPORT PAYMENTS TO OFFICE OF SUPPORT ENFORCEMENT. (1) ((AH)) Persons paying support moneys ((paid)) to satisfy a support obligation assigned to the department or which the department has been authorized to enforce and collect shall ((be routed)) route such payments to the office ((of support enforcement)). See RCW 74.20.101.

(2) ((AH)) Recipients of public assistance or other persons or agencies receiving support moneys ((routed directly to a recipient of public assistance, or to another)) on behalf of a recipient of public assistance((- by any person or agency other than the office of support enforcement)) shall ((be remitted by the recipient or other person or agency)) remit all such moneys to the office ((of support enforcement)) within eight days of receipt of the payment.

(3) Persons paying support moneys to satisfy a support obligation under a superior court or administrative order for support, directing the responsible parent to make payments to the Washington state child support registry, shall route all such moneys to the office.

(4) After a responsible parent has been ordered or notified to make payments to the office or the Washington state child support registry, the office will not credit the parent for payments made to any other person or agency: PROVIDED HOWEVER, That credit may be granted if:

(a) The department determines that there is no prejudice to the custodial parent or other person or agency entitled to receive the support payments, or to the children, and that there are special circumstances of an equitable nature which justify credit for such payments; or

(b) A court of competent jurisdiction determines that credit should be granted after a hearing at which all interested parties were given an opportunity to be heard.

(5) The burden of providing that credit should be given is on the parent claiming credit for the payments.

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-14-220 SUBPOENA POWER. The ((chief, of the office of support enforcement)) secretary or ((his)) secretary's designee is a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., pursuant to RCW 74.04.290 and chapters 388-11 and 388-14 WAC as to matters ((he deems)) deemed relevant to the performance of ((his)) the secretary's duties.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-270 DISTRIBUTION OF SUPPORT PAYMENTS—PUBLIC ASSISTANCE. ((AH)

~~payments collected as support on behalf of persons receiving public assistance in the state of Washington for whom an assignment is made shall be distributed under the following conditions:))~~

~~(1) When the office provides support enforcement services, the office shall distribute all support money collected by the office, or received by the office in its capacity, as the Washington state support registry:~~

~~(a) In accordance with federal law, if public assistance, or cash benefits under the family independence program, is being or has been provided for the support of the family unit;~~

~~(b) To the family or person to whom the support money is owed if public assistance funds have not been provided for the support of the family, and/or~~

~~(c) To the child support enforcement agency in another state or foreign country which submitted a request for support enforcement services.~~

~~(2) If the location of the family or person to whom the support money is owed is unknown, the office shall exercise reasonable efforts to locate the family or person. If the office is unable to locate and disburse the money to the family or person, the office shall handle the money in accordance with an agreement with the department of revenue and as required by state law.~~

~~(3) The following ~~((provisionse=))~~ rules shall apply to ~~((this section))~~ the distribution of support money:~~

~~(a) The office shall record all payments ~~((will be))~~ reported in exact amounts without rounding.~~

~~(b) The date of collection shall be the date on which the payment is received by the office ~~((of support enforcement or the political subdivision making the collection under agreement and on behalf of the office of support enforcement))~~. For interstate collections, the date of collection shall be the date on which the payment is received by the IV-D agency of the state in which the family ~~((is))~~, receiving aid) support enforcement services, resides.~~

~~(c) The ~~((amounts collected as support during periods of time when aid is being provided, shall, for the purposes of this distribution section only, be treated first as payment on the required support obligation for the month in which support was collected))~~ office shall apply all payments:~~

~~(i) To satisfy the support obligation for the month in which the payments are received and, then;~~

~~(ii) To any support debt or debts owed to:~~

~~(A) The family;~~

~~(B) A person for whom services are being provided;~~

~~(C) The department; or~~

~~(D) A child support agency in another state or foreign country.~~

~~(d) If the responsible parent owes a current support obligation to more than one family and does not pay enough money during the month to satisfy these current support obligations in full, the office shall distribute the money collected based on the proportionate share of the obligation owed to each family;~~

~~(e) If the support payment or payments received during a month exceeds the amount required to satisfy the current support obligation or obligations for that month and the responsible parent owes more than one support~~

debt, the office shall apply the excess amount to the support debts based on the proportionate share of the debt owed to each: PROVIDED HOWEVER, That the office may apply amounts distributed under this subsection to a single support debt rather than make a proportionate distribution in the following circumstances:

(i) If a portion of the support debt will be lost due to the running of the statute of limitations; or

(ii) If proportionate distribution is administratively inefficient; or

(iii) If the collection resulted from the sale or disposition of a piece of property in which the applicant/recipient or applicant/custodian has a judgment lien for child support.

(f) The office shall convert amounts collected which are paid more frequently than once a month ~~((shall be converted))~~ to an amount ~~((which))~~ that represents payment on the required support obligation for the current month. The office of support enforcement is directed to distribute payments periodically to give effect to efficient administration.

~~((f))~~ (g) The office shall report any amounts distributed to ~~((the))~~ a family ~~((will be reported))~~, receiving public assistance, to the community service office identifying whether or not the payment is available to meet the need. This requirement shall not relieve the recipient of the duty to report receipt of any support moneys.

~~((f))~~ Any amounts collected which represent support shall be used to reduce dollar for dollar the amount of the support obligation as defined in WAC 388-14-100.

~~(2) The amounts collected as support by the IV-D agency pursuant to the state plan for children who are current recipients of aid under the state's Title IV-A plan by the office of support enforcement and for whom assignment under WAC 388-24-108 and 388-14-200 is effective shall be distributed as follows:~~

~~(a) The first fifty dollars of any amount that is collected in a month which represents payment of the required support obligation for that month shall be paid to the family. This payment may not be used in determining the amount paid, if any, to the family in subsection (2)(c) of this section. If the amount collected includes payment of the required support obligation for a previous month or months, the family shall only receive the first fifty dollars of the amount which represents the required support obligation for the month in which support was collected. If amounts are collected for one family which represents support payments from two or more absent parents, only the first fifty dollars of the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this subsection. No payment shall be made to a family under this subsection for a month in which no child support collection is received. The requirements of this subsection shall be applicable commencing October 1, 1984.~~

~~(b) Any amount that is collected in a month which represents payment on the required support obligation for that month and is in excess of the amount paid to the family under subsection (2)(a) of this section shall be retained by the state to reimburse, in whole or in part,~~

~~the assistance payment for the month in which the child support was collected or the next month. Of the amount retained by the state as reimbursement for that month's assistance payment, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payment. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payments, if any, prescribed in WAC 388-14-370.~~

~~(c) If the amount collected is in excess of the amount required to be distributed under subsection (2)(a) and (b) of this section, the family shall be paid such excess up to the difference between the assistance payment for the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan and the court-ordered amount for that month. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan. If such court-ordered amount is less than such assistance payment, no amount shall be paid to the family under this subsection. In cases in which there is no court order, the family shall not be paid any amount under this subsection.~~

~~(d) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), and (c) of this section, any such excess shall be retained by the state as reimbursement for past assistance payments made to the family for which the state has not been reimbursed. The state may apply the amount retained to any sequence of months for which it has not yet been reimbursed. Of the amount retained by the state as reimbursement of past assistance payments, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payments. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payment, if any, prescribed in WAC 388-14-370. If past assistance payments are greater than the total support obligation owed, the maximum amount the state may retain as reimbursement for such assistance payments is the amount of such obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance under the state's Title IV-A plan, in which case such amounts shall be retained by the state to reimburse the difference between such support obligation and such assistance payments.~~

~~(e) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), (c), and (d) of this section, such excess shall be paid to the family. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan.))~~

~~(3) If an amount collected as child support represents payment on the required support obligation for future~~

~~months, the office shall apply the amount ((shall be applied)) to such future months. However, ((no)) the office shall not apply such amounts ((shall be applied)) to future months unless amounts have been collected which fully satisfy the support obligation assigned under WAC 388-24-108 and 388-14-200 for the current month and all past months.~~

~~(4) ((Any amount paid under subsection (2)(a), (c), or (e) of this section shall be identified as not being an assistance payment)) The office may recover support money distributed to a person or to the family in error, after receipt of a check which is later dishonored, or the office is later required to refund or return the support payment, as follows:~~

~~(a) If the person or family to whom the money was distributed is receiving nonassistance support enforcement services, the office may deduct and retain, from subsequent support payments received on behalf of the person or family, any amounts collected on a support debt and up to ten percent of amounts collected as current support. The office shall send a notice to the last known address of the person or family prior to taking action to recover such payments. The notice shall identify the payments the office will recover and inform the person or family of the amounts that will be deducted from future collections, and~~

~~(b) If person or family is no longer receiving support enforcement services, the office of support enforcement may take action under RCW 74.20A.270 to recover the money.~~

~~(5) ((Whenever the office of support enforcement is making collections on delinquent support assigned to the department pursuant to WAC 388-24-108 and 388-14-200, the office of support enforcement may pay to the family pursuant to WAC 388-14-250 from said collections an amount equal to the monthly amount owed for current support as established by either the superior court order for support or the administrative order or final determination entered pursuant to chapter 388-11 WAC.~~

~~Payments to the family pursuant to this subsection may be made only during the five months following the last month in which aid was paid and thereafter if the former recipient authorizes the office of support enforcement to continue to provide support enforcement services)) If the family is receiving public assistance and the applicant/recipient fails to remit support payments to the office as required, the office shall use the process set forth in WAC 388-14-200 to recover such support payments.~~

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 2340, filed 2/12/86)

WAC 388-14-302 NONASSISTANCE SUPPORT ENFORCEMENT—PERSONS ELIGIBLE.

(1) The office of support enforcement shall provide support enforcement services to:

(a) Any resident of the state of Washington who is a physical custodian of a dependent child who is a resident

of the state of Washington and who is not a recipient of public assistance (~~(may request nonassistance support enforcement services to establish, enforce, or collect an obligation for support including accrued arrears. PROVIDED, That the office of support enforcement may also act to establish paternity where it is a necessary part of establishing support obligations for nonassistance clients); or~~); or

(b) A former custodial parent to collect a support debt that has been reduced to a sum certain judgment by a court or agency of competent jurisdiction.

(2) If a person other than the applicant has legal custody of the dependent child by order of a court, the applicant shall affirm that the legal custodian has not been wrongfully deprived of custody by the applicant and would not be excused from making support payments in accordance with WAC 388-11-065(10), in order to be eligible for support enforcement services.

~~((2))~~ (3) If a request for nonassistance support enforcement services is denied, the office shall send a written notice of the denial (~~(shall be sent)~~) by regular mail and shall include a statement of the reasons for the denial and a statement that the applicant may request an administrative hearing to contest the denial.

~~((3))~~ Any person who has been provided support enforcement services as a result of an approved application for public assistance may also request nonassistance support enforcement services effective with the date of termination of public assistance. A request made prior to termination shall not be effective until the first of the month following termination from assistance. Support enforcement services may be continued by the office of support enforcement for a period of time not to exceed five months following the last month in which public assistance was paid as a continuation of actions maintained as a result of an assignment pursuant to WAC 388-24-108 and 388-14-200 or by operation of law under RCW 74.20A.030. If support enforcement services on behalf of a public assistance recipient have resulted in the collection of support payments, the office of support enforcement shall continue, if appropriate, to provide support enforcement services during this five-month period, and thereafter, if authorized to do so by the former recipient. All support moneys collected, during the five-month period, except those collected to satisfy arrears assigned to the department under RCW 74.20.320, 74.20.330, 42 U.S.C. 602 (a)(26)(A), RCW 74.20A.250, and/or 74.20A.030 shall be remitted to the children's custodian.)

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-305 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICATION. (1) A person desiring nonassistance support enforcement services shall complete the appropriate forms requesting the services unless:

(a) The superior court or administrative order directs that support payments shall be paid through the Washington state support registry, or

(b) The Clerk of Court submits an order under RCW 26.23.050(5), or

(c) The office is continuing to provide services to a former recipient of public assistance.

(2) If the support order directs payments through the registry, the person entitled to receive support payments under the order shall be deemed to:

(a) Have made a request for services, and

(b) Have authorized the office to take appropriate action to enforce and collect support and perform related and necessary functions.

(3) The person desiring nonassistance services shall complete the necessary forms (~~(must be completed)~~) in full, (~~(dated, signed)~~) date, sign, and (~~(forwarded)~~) forward them to the district office of support enforcement. The applicant shall supply copies of divorce or dissolution decrees, support orders and modifications thereof, and any allied or related documents (~~(which)~~) that reflect the marital and support status(~~(, shall be supplied by the applicant)~~).

~~((2))~~ (4) The applicant shall also include or attach a statement of the amount of accrued arrears and list by date and amount all support payments received during the period of time when the arrears accrued. The office of support enforcement may require this statement to be by affidavit. The applicant may also be required to submit a written statement affirming the legal custodian has not been wrongfully deprived of custody of the dependent child or children, or affirming the applicant is and will continue to be a resident of this state even though the applicant is or will be temporarily absent from the state. The office shall deny requests on which statements are incomplete, unclear, or inconsistent (~~(will be denied and no service will be provided)~~) until such time as the request for services is presented in acceptable form.

~~((3))~~ (5) The department shall make the appropriate forms (~~(will be)~~) available at any community service office of the department of social and health services or at any district office of the office of support enforcement. Applicants may request the forms (~~(may be requested)~~) by phone, mail, or (~~(obtained personally)~~) in person.

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 2340, filed 2/12/86)

WAC 388-14-310 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICANT/CUSTODIAN'S AUTHORIZATION. (1) The applicant shall submit a written request for support enforcement services and authorize the office of support enforcement to (~~(initiate appropriate action to establish, enforce, and collect the support obligation)~~) provide support enforcement services, unless the applicant has or is deemed to have authorized the office to provide such services under WAC 388-14-200(1) or WAC 388-14-305(1).

(2) The applicant/custodian shall:

(a) Give consent to the office (~~(of support enforcement)~~) to take an assignment of earnings from the person owing a duty to pay support,

(b) Agree to remit, within eight days of receipt, to the office ((of support enforcement)) support moneys received directly from the person owing a duty to pay support ((during the period of time support enforcement services are maintained.)); and

~~((3)) (c) ((The applicant/custodian, during the time support enforcement services are in effect, must send or deliver all support income received from the person owing a duty to pay support to the office of support enforcement providing the service and))~~ Agree to direct any payor or forwarding agent of support moneys to remit directly to office ((of support enforcement)).

(3) If the applicant/custodian fails to forward and/or fails to provide adequate documentation of ((such)) direct payment as requested, the office ((of support enforcement)) may discontinue providing support enforcement services or decline to provide certain services as provided for in this chapter.

(4) The applicant/custodian shall not hire an attorney or collection agency to collect the support obligation or support debt without notifying, and obtaining the consent of, the office. After receipt of such notice, the office shall send written consent to the applicant/custodian, and the attorney or collection agency, which shall include a directive that all support payments must continue to be made through the Washington state support registry.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-370 COOPERATIVE ARRANGEMENTS WITH COURTS AND LAW ENFORCEMENT OFFICIALS. (1) The office of support enforcement is ((herewith)) authorized to enter into cooperative arrangements, and written agreements including financial arrangements with appropriate courts and law enforcement officials to assist the office ((of support enforcement in administering)) to administer the state plan for support enforcement in order to assure optimum results under such program. These cooperative arrangements and written agreements also include entering into financial arrangements or agreements with such agencies and officials to provide for the investigation and prosecution of fraud directly related to paternity, child support, and other matters of common concern.

(2) The office of support enforcement shall receive and distribute funds made available as payments to states to administer this plan (42 U.S.C. 655). ((The office of support enforcement shall also administer and distribute incentive payments to localities (42 U.S.C. 658).)) No payments may be made to any political subdivision, court or law enforcement official of the state of Washington under these provisions except in compliance with the requirements of agreements made between the office of support enforcement and the political subdivision, court or law enforcement official pursuant to this section. ((No incentive payments to localities may be made except for enforcement and collection of support rights assigned pursuant to WAC 388-24-108.))

(3) In order to qualify for payments ((to states or incentive payments to localities)), a political subdivision, court or law enforcement official of the state of

Washington ((must)) shall obtain referral of the case or cases involved from the office of support enforcement and pay all support payments made subsequent to referral ((shall be paid)) to the office of support enforcement. In the case of actions under the Uniform Reciprocal Enforcement of Support Act initiated in another state, a political subdivision or law enforcement official of the state of Washington may obtain referral status by submitting documents as determined by agreement, to the office of support enforcement for acceptance under this plan.

~~((4) When a political subdivision of the state of Washington acting in compliance with the terms of an agreement entered into with the office of support enforcement or when a IV-D agency of another state under an approved Title IV-D plan or a political subdivision of another state pursuant to the approved Title IV-D plan makes the enforcement and collection of the support rights assigned under 42 U.S.C. 602 (a)(26)(A), or sections 17 and 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330], the office of support enforcement is authorized to pay to such political subdivision or other IV-D agency the following amounts from the amounts which would otherwise represent the share of the moneys to be reimbursed to the federal government.~~

~~(a) An amount equal to 15 percent of any amount collected and retained by the state of Washington to reduce or repay assistance payments which represent payment on the required support obligation;~~

~~(b) When more than one agency or jurisdiction within the state of Washington or more than one state is involved in enforcement or collection the amount of incentive stated above shall be allocated among such jurisdiction in a manner prescribed by instructions issued by the office of child support enforcement of the department of health, education, and welfare.))~~

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-385 CONFERENCE BOARD. (1) A conference board is herewith established to ((make inquiry)) inquire into, determine facts, and attempt to resolve matters in which a responsible parent, custodial parent, or other person feels aggrieved by actions taken by the office of support enforcement pursuant to chapters 74.20, 74.20A RCW, or Title IV-D of the Social Security Act (Title 42 U.S.C.).

(a) The intent and purpose of the conference board is to facilitate the informal speedy resolution of grievances ((by)) of responsible parents, custodial parents, or other persons. An applicant for a conference board proceeding ((must)) shall have made a reasonable attempt and have failed to resolve the grievance or issue with the workers before a conference board may act to attempt to resolve the issue.

(b) The ((chief, office of support enforcement)) director, revenue division, or ((his or her)) director's designee may assemble a conference board on application of the aggrieved person or on ((his or her)) the director's own motion to investigate, find facts, and state or apply policy or law to the end of resolving grievances.

(c) The director or the director's designee may take such action, as deemed appropriate, and may individually exercise any of the authority provided for in this regulation, if:

(i) The grievance or issue presented in an application for conference board does not involve a factual dispute, or

(ii) ((if)) The disputed fact or facts even if resolved in favor of the applicant would not provide a basis upon which relief could be granted to the applicant by a conference board acting in accordance with the standards provided for ((herein, the chief or his or her designee may take such action as he or she deems appropriate and to that end he or she may individually exercise any of the authority provided for in this regulation)) in this section.

(d) If an apparent factual dispute exists(,):

(i) The director or director's designee shall assemble a conference board ((shall be)) composed of the ((chief)) director or ((his or her)) director's designee, who shall serve as chairman, and two staff members, if deemed necessary((, appointed by the chief or his or her designee. The conference board shall dissolve upon issuance of decisions on matters for which it was appointed)).

(ii) The chairman of the conference board shall mail a notice, to the applicant and any other person or agency who is a party in interest to the proceeding, that a conference board has been convened and inform the parties of the time and place of the conference board at least seven days prior to the date the conference board is scheduled.

((d)) (e) The chairman of the conference board is herewith authorized as a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., as provided for in RCW 74.04.290 and shall have power to subpoena witnesses, administer oaths, take testimony, and compel the production of such papers, books, records, and documents ((as he or she deems)) deemed relevant to the resolution of the grievance under consideration. Additional evidence may be taken by affidavit or other written submission when necessary or practicable together with written or oral argument. The director may designate persons having specific familiarity with the matter at issue or technical expertise with the subject ((may be designated)) to advise the board as required.

((e)) (f) The conference board's jurisdiction shall include but shall not be limited to the following areas:

(i) Complaints as to the conduct of individual staff members while acting in the scope of their duties. The decision of the board shall be directed to the first line supervisor for action as appropriate;

(ii) Review of denial of application for or termination of nonassistance support enforcement services;

(iii) Review of allegations of error as to the distribution of support moneys;

(iv) Resolution of amounts of arrears claimed due and rate of repayments;

(v) Requests to release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable

necessities of responsible parent or parents and minor children in their home;

(vi) Requests for deferral of support enforcement action;

(vii) Requests for partial or total charge-off of support arrears pursuant to RCW 74.20A.220 or declination to collect support arrears pursuant to RCW 74.20.040 on nonassistance cases;

(viii) Requests to waive interest pursuant to RCW 74.20A.190;

(ix) Requests to waive or defer the nonassistance support enforcement fee pursuant to RCW 74.20.040;

(x) Any other matter requiring explanation of or application of policy or law to an issue in a specific case or clarification of facts in said case.

(xi) Requests for administrative review of cases submitted to the IRS for offset of a tax refund in accordance with federal statutes and regulations.

(2) The conference board shall dissolve upon issuance of decisions on matters for which it was appointed.

(3) The board's decision, including a decision to deny a request for a conference board, shall be in accordance with applicable statutes, case law, department of social and health services rules and regulations, published office of support enforcement manuals, support enforcement policy bulletins and the exercise of reasonable administrative discretion. The decision shall be in writing and shall find the facts, applicable law, policies applied, and clearly state the decision. If the decision is the result of a conference board, that decision shall represent the decision of a majority of the board. The director shall vacate decisions inconsistent with the standards in this section ((shall be vacated by the chief of the office of support enforcement)) and ((remanded)) remand them for issuance of a new decision in compliance with the standards.

((3)) (4) The office shall establish a file of pertinent documents ((shall be established)) for each case and distribute a copy of the decision, signed by the chairman, ((shall be distributed)) to the ((petitioning party)) applicant and other parties in interest, the appropriate office of support enforcement district field office for action consistent with the decision of the board, and the ((chief, office of support enforcement)) director.

((4)) (5) The board shall base decisions under RCW 74.20A.220 to grant partial or total charge-off ((pursuant to RCW 74.20A.220)) of arrears owed to the department of social and health services under RCW 74.20A.030, 74.20A.250, 74.20.320, 74.20.330, or 42 U.S.C. 602 (a)(26)(A) ((shall be based)) on the following considerations ((which)) and shall ((be found and stated)) state them in the written decision of the conference board fully justifying the action taken:

(a) Error in law or bona fide legal defects ((which)) that materially diminish chances of collection; or

(b) Substantial hardship to minor children in the household of the responsible parent or other minor children for whom the responsible parent actually provides support which hardship is to be measured against income standards for public assistance and consideration of all available income, property, and resources of the

responsible parent and the necessity to apportion the income and resources of the responsible parent on an equitable basis with the children for whom the arrears accrued; or

(c) Costs of collection action in the future (~~which~~) that are greater than the amount to be charged off; or

(d) Settlement from lump-sum cash payment (~~which~~) that is beneficial to the state considering future costs of collection and likelihood of collection.

~~((f5))~~ (6) The considerations and decision of the conference board shall not be a contested case subject to review by the superior court and shall not be a substitute for any constitutionally or statutorily permitted hearing. Aggrieved parties may be represented before the board by a person of their choice but the department (~~will~~) shall not be responsible for any costs incurred by the aggrieved person in connection with the conference.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-405 ORDER TO WITHHOLD AND DELIVER—RESPONSIBILITIES OF EMPLOYER. (1) Where money is due and owing to the debtor under any contract of employment, the notice of payroll deduction or the order to withhold and deliver shall direct the employer to begin withholding the disposable earnings of the debtor immediately upon receipt of the order and to remit any such earnings withheld after the expiration of the twenty-day answer period. The notice or order shall direct the employer to remit earnings that are withheld subsequently within ten days of the date the earnings are due and owing to the debtor. The notice or order shall also provide the employer may deduct a processing fee from the remainder of the debtor's earnings, even if the remainder would otherwise be exempt under RCW 74.20A.090. The processing fee shall not exceed ten dollars for the first remittance to the office of support enforcement and one dollar for each subsequent remittance.

(2) If the employer is required to withhold and deliver the disposable earnings of two or more debtors, the employer may combine the amounts withheld and remit a single check to the office of support enforcement. The employer shall clearly and separately identify the portions of the check which is attributable to each debtor and is required to remit the check within the time frames set forth in subsection (1) of this section.

(3) The notice of payroll deduction or order to withhold and deliver shall direct the employer to notify the office of support enforcement promptly when the debtor terminates employment and to provide the debtor's last known address and the name of the debtor's new employer if known.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-14-415 NOTICE OF SUPPORT DEBT. (1) The notice of support debt issued, (~~(b-pur-~~suant to)) under RCW 74.20A.040, shall (~~(contain-~~ a provision)) state that:

~~(a) ((appropriate collection action, including the issuance of an))~~ The office is providing support enforcement services on behalf of the responsible parent's dependent children.

~~(b) Twenty-one days after service of the notice, the office will take action to collect the responsible parent's support obligation. The office shall take collection action without further notice if a support payment is more than fifteen days past due in an amount equal to the support payable for one month. Collection action includes issuing orders to withhold and deliver ((against the earnings or property of the debtor, may be taken by the office of support enforcement without further notice after twenty days from the date of service of the notice if the debtor is delinquent in his or her support obligation in an amount equal to the support payable for one month)) and notices of payroll deduction, or taking other income withholding action.~~

~~(c) After service of the notice, the responsible parent must make all support payments through the Washington state support registry.~~

~~(d) The responsible parent will not receive credit for payments made to a person or agency other than the support registry under RCW 26.23.050(7) and RCW 74.20.101.~~

~~(2) The notice shall be served on the responsible parent like a summons in a civil action, or shall be mailed to his or her last known address by certified mail, return receipt requested.~~

~~(3) The notice of support debt shall contain:~~

~~(a) The current monthly amount for support under a court or administrative order,~~

~~(b) An initial finding of the current support amount if there is no fixed dollar amount in the order, and the basis, rationale, or formula used to make the initial finding;~~

~~(c) The amount of any support debt, including medical support, owed by the responsible parent;~~

~~(d) A statement that the responsible parent has twenty days after service of the notice to contest the initial finding for current support or support debt amount by either:~~

~~(i) Making a written request for an administrative hearing to be held under chapter 34.04 RCW; or~~

~~(ii) Filing an action in superior court.~~

~~(4) The office may make the initial finding based upon:~~

~~(a) The factors stated in the order, and~~

~~(b) The responsible parent's earnings, if known; or~~

~~(c) The responsible parent's ability to earn if the actual earnings are unknown; or~~

~~(d) The needs of the dependent child(ren) if the responsible parent's earnings and ability to earn are unknown.~~

~~(5) If the responsible parent does not request a hearing or start an action in superior court the office shall:~~

~~(a) Collect the amounts stated in the notice without further notice,~~

~~(b) Issue a default order stating the notice amounts if the notice contained an initial finding of the amount for current support;~~

~~(c) Mail a copy of the order to the last known address of the responsible parent. A copy of the order shall also~~

be mailed to the person to whom support is payable under the support order.

(6) If the responsible parent requests a hearing under this section, the department shall issue a notice of hearing. The notice shall direct the responsible parent to appear and show why the current support amount and/or the support debt amount is wrong. A copy of the notice of hearing shall also be mailed to the person to whom the support is payable under the support order.

(7) The responsible parent shall:

(a) List the defenses to liability and/or state the reasons why support should not be set as stated in the notice in the request for a hearing;

(b) Attach an office approved financial affidavit;

(c) Serve the request for a hearing on the office by certified mail, return receipt requested, or like a summons in a civil action.

(8) If the responsible parent requests a hearing within twenty days, the office shall stay collection action pending the outcome of the hearing, except as provided in subsection (9) of this section.

(9) The office may take action to collect:

(a) Temporary support if the administrative law judge issues an order for temporary support;

(b) Any part of the support debt that the responsible parent fails to allege is not owed;

(c) A fixed or minimum dollar amount for current support stated in the court order;

(d) Any part of a support debt that has been reduced to a sum certain judgment by a proper court or agency.

(10) The responsible parent shall prove defenses to the initial finding for current support and/or the amount of the support debt.

(11) The following WAC provisions are incorporated by reference and apply to the hearing process under this section if and when relevant:

WAC 388-11-011, 388-11-065, 388-11-070, 388-11-100, 388-11-105, 388-11-115, 388-11-120, 388-11-130, 388-11-135, 388-11-140, 388-11-145, 388-11-150, 388-11-155, 388-11-170, 388-11-180, 388-11-185, 388-11-190, and chapter 10-08 WAC.

(12) After evidence has been presented at a hearing, the hearing examiner shall, within twenty days:

(a) Find the amount current support payable under the order;

(b) Find the amount of the support debt, including medical support, accrued prior to the date of service of the notice;

(c) Issue findings of fact, conclusions of law, and initial decision and order.

(13) The hearing examiner's order shall also provide for a yearly review of the support order. Either the office or the responsible parent may request such a review.

(14) The hearing examiner in the initial decision, and the secretary or designee in review of the proposed decision, shall be limited to:

(a) Interpretation of the court order for support only. The hearing examiner shall have no authority to change or defer the support amount owed except to:

(i) Find the amount of monthly support as a fixed dollar amount, and

(ii) Find any arrears accrued prior to service of the notice of support debt.

(b) Correct mathematical computation of the stated debt;

(c) Superior court orders which have modified the superior court order in issue. Contempt orders and orders entered under chapters 26.21 or 26.20 RCW shall not be construed as modifications.

(15) If the debtor fails to appear at the hearing, the hearing examiner shall, after proof of proper service, enter a decision and order declaring the support debt subject to collection action.

(16) The hearing examiner shall file the original of the initial decision and order with the secretary or the secretary's designee.

(17) The hearing examiner shall mail copies of the decision and order to:

(a) The office;

(b) The last known address of the responsible parent by certified mail;

(c) The last known address of the person to whom support is payable under the support order.

(18) The responsible parent or the office may request review of the initial decision within thirty days of receipt of the initial decision. Review shall be as set forth under WAC 388-11-105.

(19) Informal disposition of any hearing is favored where possible and not precluded by law. The office may dispose of cases by an agreed settlement, or consent order. The administrative law judge shall approve any consent order unless it is contrary to law.

(20) A support order issued under this section shall:

(a) Contain the notice and information listed in RCW 26.23.050(4), and

(b) Be filed with the clerk of the court that has jurisdiction over the court order.

(21) The office is not required to serve a notice of support debt on the responsible parent prior to collection action if:

(a) The office is providing services on behalf of the responsible parent's dependent children, and

(b) A superior court or administrative order directs the responsible parent to make support payments through the office or the Washington state support registry.

(22) The responsible parent may request a hearing under this section if the responsible parent claims credit for payments under WAC 388-14-210(4).

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 388-14-420 TERMINATION OF SUPPORT ENFORCEMENT SERVICES. (1) After the office begins providing services under chapter 74.20 RCW, chapter 26.23 RCW, and this chapter, the office may terminate services as follows:

(a) If the support order was entered in the state of Washington, the office shall provide appropriate services until:

(i) The support obligation under the order ends and any support debt is paid or cannot be enforced under the laws of the state of Washington, or

(ii) The office receives proof that the responsible parent is dead and there is no available estate; or

(iii) A court of competent jurisdiction orders the office to terminate its services, based on an approved alternate payment plan or finding that it is not in the best interests of the child(ren) for the office to continue providing services.

(b) If the support order was entered in another state, the office shall provide appropriate services until:

(i) The person or agency withdraws the request for services;

(ii) The support obligation under the order ends and any support debt is paid or cannot be enforced; or

(iii) The physical custodian and the dependent child(ren) moves to and resides in another state or country. The office may provide services for no longer than five months from the date of the move; or

(iv) The office receives proof that the responsible parent is dead and there is no available estate; or

(v) The office receives no support payment for three years, despite reasonable collection efforts, and future collections are not foreseeable; or

(vi) The office makes reasonable efforts to locate the responsible parent, using local, state, and federal locate sources, and does not find any new locate information for three years; or

(vii) The physical custodian fails or refuses to cooperate with the office and the office cannot or should not proceed without such cooperation; or

(viii) The physical custodian hires a lawyer or collection agency to collect the support obligation or support debt without notice to and consent from the office, and fails or refuses to cooperate with the office's request to have support payments made through the support registry.

(c) If the office concludes that a support order cannot be obtained because:

(i) There is not enough information to identify or locate the responsible parent, and the office has made reasonable efforts to locate the parent;

(ii) There is not enough proof to establish the support obligation; or

(iii) The office has exhausted legal remedies.

(2) The office may terminate or decline to provide certain services when:

(a) The physical custodian fails or refuses to cooperate with the office and the office cannot provide services without such cooperation; or

(b) The department or a court of competent jurisdiction finds that the person receiving services has wrongfully deprived the responsible parent of physical custody of the dependent child(ren) under the standards in WAC 388-11-065(10); or

(c) The support order was entered in the state of Washington and either:

(i) The office receives no support payment for three years, despite reasonable collection efforts, and future collections are not foreseeable; or

(ii) The office makes reasonable efforts to locate the responsible parent, using local, state, and federal locate sources, and does not discover new locate information for three years.

(d) The office finds that it is either not advisable or not proper to provide and/or continue certain services; or

(e) The department or a court of competent jurisdiction finds that action to pursue a support obligation is reasonably likely to result in harm to the child(ren) or the child(ren)'s custodian.

(3) When the office terminates its services, the office shall mail a notice to the physical custodian. The office shall:

(a) Send the notice by regular mail to the last known address of the physical custodian;

(b) Include in the notice the reason(s) for terminating services; and

(c) State in the notice that the physical custodian may ask for a hearing to contest the office's decision to terminate services.

(4) A physical custodian who receives nonassistance services as of December 31, 1987, may ask the office to terminate those services up to one year from that date.

(5) The office may terminate support enforcement services when the department terminates foster care under Title 13 RCW.

(6) After the office terminates support enforcement services, the office shall return any moneys the office receives to the payor with instructions to send all support moneys directly to the applicant/custodian, court, or other forwarding agent.

NEW SECTION

WAC 388-14-425 PAYROLL DEDUCTION—NOTICE AND ORDER—ISSUANCE AND TERMINATION. (1) Under RCW 26.23.050 and RCW 26.23.060, the office may issue and serve a notice of payroll deduction upon the employer of a responsible parent. The office shall issue this notice:

(a) If a support payment, owed under a superior court or administrative order for support, is more than fifteen days past due in an amount equal to or greater than the support payable for one month; and

(b) When the office identifies the responsible parent's earnings.

(2) The notice of payroll deduction shall remain in effect until:

(a) The payroll deduction is quashed, modified, or terminated by the superior court pursuant to a motion filed by the support debtor; or

(b) The office agrees to release the payroll deduction after the support debtor proves by competent evidence that:

(i) The support obligation was not delinquent at the time the notice of payroll deduction was issued; or

(ii) The payroll deduction causes extreme hardship or substantial injustice.

NEW SECTION

WAC 388-14-430 INCOME WITHHOLDING ACTION. The office may take income withholding action as defined in this chapter if:

(1) A support order contains the notice set forth in RCW 26.23.050 (1) or (2), or the office served a notice on the responsible parent under RCW 26.23.050(3) or RCW 74.20A.040; and

(2) A support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month.

If the support order contains the notice set forth in RCW 26.23.050 (1) or (2), the office may take such action, without further notice to the responsible parent, even though another provision of law states that some other form of notice should be given before the office takes collection action.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-14-320 NONASSISTANCE SUPPORT ENFORCEMENT—DISTRIBUTION.

WAC 388-14-325 NONASSISTANCE SUPPORT ENFORCEMENT—TERMINATION OF SERVICES.

WSR 88-02-057**ADOPTED RULES****DEPARTMENT OF ECOLOGY**

[Order DE 83-36—Filed January 5, 1988—Eff. February 5, 1988]

I, Phillip C. Johnson, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to the generation and management of dangerous waste, amending chapter 173-303 WAC.

This action is taken pursuant to Notice No. WSR 87-24-057 filed with the code reviser on December 1, 1987. These rules shall take effect at a later date, such date being February 5, 1988.

This rule is promulgated pursuant to chapter 70.105 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 January 5, 1988.

By Phillip C. Johnson
Deputy Director

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-140 LAND DISPOSAL ((OF EXTREMELY HAZARDOUS WASTE)) RESTRICTIONS. ((No person shall dispose of designated EHW

at any land disposal facility in the state other than the facility established and approved by the department for such purpose under chapter 70.105 RCW. A person is not prohibited from reclaiming, recycling, recovering, treating, detoxifying, neutralizing, or otherwise processing EHW to remove or reduce its harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter 173-303 WAC.)) (1) Purpose.

(a) The purpose of this section is to encourage the best management practices for dangerous wastes according to the priorities of RCW 70.105.150 which are, in order of priority:

(i) Reduction;

(ii) Recycling;

(iii) Physical, chemical, and biological treatment;

(iv) Incineration;

(v) Stabilization and solidification; and

(vi) Landfill.

(b) This section identifies dangerous wastes that are restricted from land disposal, describes requirements for restricted wastes, and defines the circumstances under which a prohibited waste may continue to be land disposed.

(c) For the purposes of this section, the term "landfill," as stated in the priorities of RCW 70.105.150, shall be the same as the term "land disposal." Land disposal will be used in this section to identify the lowest waste management priority.

(2) Applicability.

The land disposal restrictions of this section apply to any person who owns or operates a land disposal facility in Washington state and to any generator affected by the restrictions and prohibitions in subsection (4) of this section, unless allowed pursuant to subsections (5), (6), or (7) of this section.

(3) Definitions.

When used in this section the following terms have the meaning provided in this subsection. All other terms have the meanings given under WAC 173-303-040.

(a) "Dangerous waste constituents" means those constituents listed in WAC 173-303-9905 and any other constituents which have caused a waste to be a dangerous waste under this chapter.

(b) "Ignitable waste" means a dangerous waste that exhibits the characteristic of ignitability described in WAC 173-303-090(5).

(c) "Land disposal" means placement in a facility or on the land with the intent of leaving the dangerous waste at closure, and includes, but is not limited to, placement for disposal purposes in a: Landfill; surface impoundment; waste pile; injection well; land treatment facility; salt dome or salt bed formation; underground cave or mine; concrete vault or bunker.

(d) "Leachable inorganic waste" means solid dangerous waste (i.e., passes paint filter test) that is not an organic/carbonaceous waste and exhibits the characteristic of EP toxicity described in WAC 173-303-110.

(e) "Organic/carbonaceous waste" means a dangerous waste that contains combined concentrations of greater than ten percent organic/carbonaceous constituents in the waste; organic/carbonaceous constituents are those

substances that contain carbon-hydrogen, carbon-halogen, or carbon-carbon chemical bonding.

(f) "Reactive waste" means a dangerous waste that exhibits the characteristic of reactivity described in WAC 173-303-090(7).

(g) "Solid acid waste" means a dangerous waste that exhibits the characteristic of low pH under the corrosivity tests of either WAC 173-303-090 (6)(a)(ii) or (iii).

(h) "Stabilization" and "solidification" mean a technique that limits the solubility and mobility of dangerous waste constituents. Solidification immobilizes a waste through physical means and stabilization immobilizes the waste by bonding or chemically reacting with the stabilizing material.

(4) Land disposal restrictions and prohibitions. The land disposal requirements of this subsection apply to land disposal in Washington state.

(a) Disposal of extremely hazardous waste (EHW). No person shall land dispose of EHW, except as provided in subsection (5) of this section, at any land disposal facility in the state. No person shall land dispose of EHW at the facility established under RCW 70.105-.050, except as provided by subsections (5), (6), and (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, neutralize, or otherwise process EHW to remove or reduce its harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(b) Disposal of liquid waste. Special requirements for the disposal of liquid waste in landfills.

(i) Bulk or noncontainerized liquid waste or waste containing free liquids must not be placed in a landfill unless, before disposal, the liquid waste or waste containing free liquids is treated so that free liquids are no longer present.

(ii) Containers holding free liquids must not be placed in a landfill unless:

(A) All free-standing liquid:

(I) Has been removed by decanting, or other methods; or

(II) Has been mixed with absorbent or stabilized (solidified) so that free-standing liquid is no longer observed; or

(III) Has been otherwise eliminated; or

(B) The container is very small, such as an ampule; or

(C) The container is a lab pack and is disposed of in accordance with WAC 173-303-161 and this chapter.

(iii) To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following tests must be used: Method 9095 (Paint Filter Liquids Test) as described in Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods. (EPA Publication No. SW-846).

(c) Disposal of ignitable and reactive waste. No person shall land dispose ignitable or reactive waste, except as provided in subsections (5), (6), or (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, neutralize, or otherwise process these wastes to remove or reduce their harmful properties or

characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(d) Disposal of solid acid waste. No person shall land dispose solid acid waste, except as provided in subsections (5), (6), or (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, neutralize, or otherwise process these wastes to remove or reduce their harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(e) Disposal of organic/carbonaceous waste.

(i) No person shall land dispose organic/carbonaceous waste, except as provided in subsections (5), (6), or (7) of this section. A person is encouraged to reclaim, recycle, recover, treat, detoxify, or otherwise process these wastes to remove or reduce their harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter. Organic/carbonaceous wastes must be incinerated as a minimum management method according to the dangerous waste management priorities as defined in subsection (1)(a) of this section.

(ii) This prohibition against the land disposal of organic/carbonaceous waste does not apply to black mud generated from the caustic leach recovery of cryolite at primary aluminum smelting plants.

(iii) This prohibition against the land disposal of organic/carbonaceous waste does not apply to any person who certifies to the department that recycling, treatment and incineration facilities are not available within a radius of one thousand miles from Washington state's borders. Such certification must be sent to the department by certified mail and must include: The name, address and telephone number of the person certifying; a brief description of the organic/carbonaceous waste covered by the certification; a discussion of the efforts undertaken to identify available recycling, treatment and incineration facilities; and the signature of the person responsible for the certification and development of information used to support the certification. Records and information supporting the certification must be retained by the certifying person and must be made available to the department upon request.

A certification that has been properly submitted to the department will remain valid until the department determines that a recycling, treatment or incineration facility is available within a radius of one thousand miles from Washington state's borders and the person who submitted the certification is unable to demonstrate otherwise. A recycling, treatment or incineration facility will be considered by the department to be available if such facility: Is operating, and; can safely and legally recycle, treat or incinerate the organic/carbonaceous waste, and; has sufficient capacity to receive and handle significant amounts of the waste, and; agrees to accept the waste.

(f) Disposal of leachable inorganic waste. No person shall land dispose a leachable inorganic waste, except as provided in subsections (5), (6), or (7) of this section. Leachable inorganic waste must be stabilized (solidified) as a minimum management method according to the

dangerous waste management priorities as defined in subsection (1)(a) of this section or the leachable inorganic waste must be lab packaged in a container that complies with WAC 173-303-161. A person is encouraged to reclaim, recycle, recover, treat, detoxify, or otherwise process these wastes to remove or reduce their harmful properties or characteristics, provided that such processing is performed in accordance with the requirements of this chapter.

(g) Disposal of dioxin containing wastes. These wastes are regulated by federal regulations contained in 40 CFR Part 268 that restrict the land disposal of dioxin containing wastes.

(h) Disposal of solvent wastes. These wastes are regulated by federal regulations contained in 40 CFR Part 268 that restrict the land disposal of solvent wastes.

(5) Treatment in land disposal facilities. The land disposal restrictions in subsection (4) of this section do not apply to persons treating dangerous wastes in surface impoundments, waste piles, or land treatment facilities provided that such treatment is performed in accordance with the requirements of this subsection and this chapter.

(a) Surface impoundment treatment.

(i) Liquid waste, extremely hazardous waste (EHW), solid acid waste, leachable inorganic waste, and organic/carbonaceous waste may be placed in surface impoundments for purposes of treatment provided the owner/operator can demonstrate that effective treatment of the dangerous waste constituents will occur and at closure the owner/operator complies with the prohibitions and restrictions of subsection (4) of this section.

(ii) Ignitable waste and reactive waste may be placed in surface impoundments provided that:

(A) The conditions in (a)(i) of this subsection are complied with; and

(B) The ignitable or reactive waste is treated, rendered, or mixed before or immediately after placement in the impoundment so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090, and 173-303-395(1) is complied with.

(b) Waste pile treatment.

(i) Leachable inorganic waste, liquid waste, extremely hazardous waste (EHW), solid acid waste, and organic/carbonaceous waste may be placed in waste piles for purposes of treatment provided the owner/operator can demonstrate that effective treatment of dangerous waste constituents will occur and that at closure the owner/operator will be in compliance with the prohibitions and restrictions of subsection (4) of this section.

(ii) Ignitable waste and reactive waste may be placed in a waste pile provided that:

(A) The conditions in (b)(i) of this subsection are complied with; and

(B) The placement of the ignitable or reactive waste onto an existing waste pile results in the waste or mixture no longer meeting the definition of ignitable or reactive under WAC 173-303-090, and complies with WAC 173-303-395(1).

(c) Land treatment.

(i) Liquid waste, extremely hazardous waste (EHW), organic/carbonaceous waste, and leachable inorganic waste may be land treated provided that the owner/operator can demonstrate that effective treatment of dangerous waste constituents will occur, and at the end of the post-closure care period the owner/operator will be in compliance with subsection (4) of this section.

(ii) Ignitable waste and reactive waste may be land treated provided that:

(A) The conditions in (c)(i) of this subsection are complied with; and

(B) The ignitable or reactive waste is immediately incorporated into the soil so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090, and complies with WAC 173-303-395(1).

(6) Case-by-case exemptions to a land disposal prohibition. Any person may petition the department for an exemption from a prohibition in subsection (4) of this section for the land disposal of a dangerous waste. The procedures to submit a petition to the department are specified in WAC 173-303-910(6). The department may deny any petition if it determines that there is a potential for dangerous waste constituents to migrate from the land disposal facility where the waste is to be placed. The department will deny any petition when exemption would result in a substantial or imminent threat to public health or the environment. The department will deny any petition when exemption would result in a violation of applicable state laws.

The department may grant an exemption from the prohibitions and restrictions of subsection (4) of this section based on the demonstrations specified in (a), (b), (c), or (d) of this subsection.

(a) Land disposal exemption for treatment residuals. Any person may request an exemption from a land disposal prohibition in subsection (4) of this section for treatment residuals by demonstrating to the department that:

(i) The person has applied the best achievable management method to the original waste; and

(ii) Application of additional management methods to the treatment residuals would prevent the person from utilizing the best achievable management methods for the original dangerous waste; and

(iii) The land disposal of the treatment residuals does not pose a greater risk to the public health and the environment than land disposal of the original dangerous waste would pose.

(b) Economic hardship exemption. Any person may request an exemption from a prohibition in subsection (4) of this section for the land disposal of a dangerous waste by demonstrating to the department that alternative management of the dangerous waste will impose an unreasonable economic burden in relation to the threat of harm to public health and the environment. It will be solely within the discretion of the department to approve or deny the requests for exemptions based on economic hardship.

(c) Leachable inorganic waste exemption. Any person may request an exemption from the stabilization (solidification) requirement in subsection (4)(f) of this section by demonstrating to the department that:

(i) The stabilization (solidification) of a dangerous waste is less protective of human health and the environment than landfilling; or

(ii) Stabilization (solidification) capacity is unavailable. This demonstration may include technical and practical difficulties associated with providing alternative capacity. A person must provide a detailed schedule and plan for alternative capacity; or

(iii) Stabilization (solidification) techniques have been applied to the original waste and further efforts at stabilization (solidification) would not result in significantly reducing the solubility and mobility of the dangerous waste constituents.

(d) Organic/carbonaceous waste exemption. Any person may request an exemption from the requirements in subsection (4) of this section by demonstrating to the department that:

(i) Alternative management methods for organic/carbonaceous waste are less protective of public health and the environment than stabilization or landfilling; or

(ii) (A) The organic/carbonaceous waste has a heat content less than 3,000 BTU/LB or contains greater than sixty-five percent water or other noncombustible moisture; and

(B) Incineration is the only management method available within a radius of one thousand miles from Washington state's border (i.e., recycling or treatment are not available).

(7) Emergency cleanup provision. The department may, on a case-by-case basis, grant an exception to the land disposal restrictions in subsection (4) of this section for an emergency cleanup where an imminent threat to public health and the environment exists. Any exception will require compliance with applicable state law and will require (consistent with the nature of the emergency and imminent threat) application of the waste management priorities of RCW 70.105.150.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-170 REQUIREMENTS FOR GENERATORS OF DANGEROUS WASTE. (1) A person shall be a dangerous waste generator if his solid waste is designated by the requirements of WAC 173-303-070 through 173-303-103.

(a) The generator shall be responsible for designating his waste as DW or EHW.

(b) The generator may request an exemption for his dangerous waste according to the procedures of WAC 173-303-072.

(2) A dangerous waste generator shall notify the department and obtain an EPA/state identification number as required by WAC 173-303-060, and shall comply with the requirements of WAC 173-303-170 through 173-303-230.

(3) Except for the accumulation and storage of dangerous wastes for less than ninety days as allowed under WAC 173-303-200, any generator who transfers, stores,

treats, or disposes of dangerous waste on-site shall perform his operations in accordance with the TSD facility requirements of this chapter.

(4) The generator of a special waste may, upon approval by the department, for special waste only:

(a) Develop and implement an alternative manifest mechanism in lieu of the requirements of WAC 173-303-180 for special waste shipments. Such alternative mechanism might employ a single manifest for multiple shipments of the same special waste, might not require signatures or multiple copies for transporters or designated receiving facilities, and might include such other factors as the generator might develop and the department approve. The generator must, however, demonstrate to the department's satisfaction before implementing the alternative mechanism that it will assure accurate tracking and recording of waste shipments, and that the mechanism provides for the proper submission of exception reports as specified in WAC 173-303-220(2). The generator shall be responsible for assuring that all transporters and facilities involved in implementing the alternative manifest mechanism are complying with the terms and conditions of the mechanism as approved by the department; and

(b) Pursuant to the requirements of WAC 173-303-200, accumulate special waste in containers and tanks for up to one hundred eighty days, and accumulate special waste in piles for up to ninety days provided that he complies with WAC 173-303-660 (2), (3)(a), (b)(i), (ii)(A), (7), (8), and (9)(a).

(5) The generator must comply with the special land disposal restrictions for certain dangerous wastes in WAC 173-303-140.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-280 GENERAL REQUIREMENTS FOR DANGEROUS WASTE MANAGEMENT FACILITIES. (1) Applicability. The requirements of WAC 173-303-280 through 173-303-395 apply to all owners and operators of facilities which store, treat, or dispose of dangerous wastes and which must be permitted under the requirements of this chapter 173-303 WAC, unless otherwise specified in this chapter. The owner or operator of a facility which manages special waste may comply with the special requirements specified in WAC 173-303-550 through 173-303-560 in lieu of the general requirements of WAC 173-303-280 through 173-303-395, but only for those special wastes which he manages. Whenever a shipment of dangerous waste is initiated from a facility, the owner or operator of that facility shall comply with the requirements for generators, WAC 173-303-170 through 173-303-230.

(2) Imminent hazard. Notwithstanding any provisions of this chapter, enforcement actions may be brought in the event that the management practices of a facility present an imminent and substantial hazard to the public health and the environment, regardless of the quantity or concentration of a dangerous waste.

(3) Identification numbers. Every facility owner or operator shall apply for an EPA/state identification

number from the department in accordance with WAC 173-303-060.

(4) 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-87-4, filed 6/26/87)

WAC 173-303-400 INTERIM STATUS FACILITY STANDARDS. (1) Purpose. The purpose of WAC 173-303-400 is to establish standards which define the acceptable management of dangerous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

(2) Applicability.

(a) The interim status standards apply to owners and operators of facilities which treat, store, transfer, and/or dispose of dangerous waste. For purposes of this section, interim status shall apply to all facilities which comply fully with the requirements for interim status under Section 3005(e) of the Federal Resource Conservation and Recovery Act or WAC 173-303-805. The interim status standards shall also apply to those owners and operators of facilities in existence on November 19, 1980, for RCRA wastes and those facilities in existence on August 9, 1982, for state only wastes who have failed to provide the required notification pursuant to WAC 173-303-060 or failed to file Part A of the permit application pursuant to WAC 173-303-805 (4) and (5). Interim status shall end after final administrative disposition of the Part B permit application is completed, or may be terminated for the causes described in WAC 173-303-805(7).

(b) Interim status facilities must meet the interim status standards by November 19, 1980, except that:

(i) Interim status facilities which handle only state designated wastes (i.e., not designated by 40 CFR Part 261) must meet the interim status standards by August 9, 1982; and

(ii) Interim status facilities must comply with the additional state interim status requirements specified in subsection (3)(c)(ii), (iii) and (v), of this section, by August 9, 1982.

(c) The requirements of the interim status standards do not apply to:

(i) Persons disposing of dangerous waste subject to a permit issued under the Marine Protection, Research and Sanctuaries Act;

(ii) Persons disposing of dangerous waste by underground injection which is permitted under the Safe Drinking Water Act;

(iii) The owner or operator of a POTW who treats, stores, or disposes of dangerous wastes;

(iv) The owner or operator of a totally enclosed treatment facility or elementary neutralization or wastewater treatment units as defined in WAC 173-303-040, provided that he complies with the permit by rule requirements of WAC 173-303-802(5);

(v) Generators accumulating waste for less than ninety days except to the extent WAC 173-303-200 provides otherwise; and

(vi) 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).

(d) The owner or operator of an interim status 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 interim status facility standards of this section, but only for those special wastes which he manages and only after the owner or operator has requested and the department has issued a notice of interim status modification.

(3) Standards.

(a) Interim status standards shall be standards set forth by the Environmental Protection Agency in 40 CFR Part 265 Subparts F through R which are incorporated by reference into this regulation (including, by reference, any EPA requirements specified in those subparts which are not otherwise explicitly described in this chapter), and:

(i) The land disposal restrictions of WAC 173-303-140 and the facility requirements of WAC 173-303-280 through 173-303-440;

(ii) WAC 173-303-630(3), for containers. In addition, for container storage, the department may require that the storage area include secondary containment in accordance with WAC 173-303-630(7), if the department determines that there is a potential threat to public health or the environment due to the nature of the wastes being stored, or due to a history of spills or releases from stored containers. Any new container storage areas constructed or installed after September 30, 1986, must comply with the provisions of WAC 173-303-630(7).

(iii) WAC 173-303-640 (2)(c), for tanks; and

(iv) WAC 173-303-805.

(b) For purposes of applying the interim status standards of 40 CFR Part 265 Subparts F through R to the state of Washington facilities, the federal terms shall have (and in the case of the wording used in the financial instruments referenced in Subpart H of Part 265, shall be replaced with) the following state of Washington meanings:

(i) "Regional administrator" shall mean the "department";

(ii) "Hazardous" shall mean "dangerous"; and

(iii) "Compliance procedure" shall have the meaning set forth in WAC 173-303-040, Definitions.

(c) In addition to the changes described in (b) of this subsection, the following modifications shall be made to interim status standards of 40 CFR Part 265 Subparts F through R:

(i) The words "the effective date of these regulations" shall mean:

(A) November 19, 1980, for facilities which manage any wastes designated by 40 CFR Part 261; and

(B) March 12, 1982, for facilities which manage wastes designated only by WAC 173-303-080 through 173-303-103 and not designated by 40 CFR Part 261;

(ii) "Subpart N - landfills" shall have an additional section added which reads: "An owner/operator shall not landfill an organic carcinogen or an EHW, as defined by WAC 173-303-080 to 173-303-103, except at the EHW facility at Hanford";

(iii) "Subpart R - underground injection" shall have an additional section which reads: "Owners and operators of wells are prohibited from disposing of EHW or an organic carcinogen designated under WAC 173-303-080 through 173-303-103";

(iv) "Subpart M - land treatment," section 265.273(b) shall be modified to replace the words "Part 261, Subpart D of this chapter" with "WAC 173-303-080";

(v) "Subpart F - ground water monitoring," section 265.91(c) shall include the requirement that: "Ground-water monitoring wells shall be designed, constructed, and operated so as to prevent groundwater contamination. Chapter 173-160 WAC may be used as guidance in the installation of wells"; and

(vi) "Subpart H - financial requirements" shall have an additional section which reads: "Any owner or operator who can provide financial assurances and instruments which satisfy the requirements of WAC 173-303-620 will be deemed to be in compliance with 40 CFR Part 265 Subpart H."

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-665 LANDFILLS. (1) Applicability. The regulations in this section apply to owners and operators of facilities that dispose of dangerous waste in landfills, except as WAC 173-303-600 provides otherwise. No landfill shall be permitted to dispose of EHW, except for the Hanford facility under WAC 173-303-700.

(2) Design and operating requirements.

(a) A landfill (except for an existing portion of a landfill) must have:

(i) A liner that is designed, constructed, and installed to prevent any migration of wastes out of the landfill to the adjacent subsurface soil or ground water or surface water at anytime during the active life (including the closure period) of the landfill. The liner must be constructed of materials that prevent wastes from passing into the liner during the active life of the facility. The owner or operator must submit an engineering report with his permit application under WAC 173-303-806(4) stating the basis for selecting the liner(s). The report must be certified by a licensed professional engineer. 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; and

(C) Installed to cover all surrounding earth likely to be in contact with the waste or leachate; and

(ii) A leachate collection and removal system immediately above the liner that is designed, constructed, maintained, and operated to collect and remove leachate from the landfill. The department will specify design and operating conditions in the permit to ensure that the leachate depth over the liner does not exceed 30 cm (one foot). The leachate collection and removal system must be:

(A) Constructed of materials that are:

(I) Chemically resistant to the waste managed in the landfill and the leachate expected to be generated; and

(II) Of sufficient strength and thickness to prevent failure under the pressures exerted by overlying wastes, waste cover materials, and by any equipment used at the landfill; and

(B) Designed and operated to function without clogging through the scheduled closure of the landfill.

(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 alternative design and operating practices, together with location characteristics, will prevent the migration of any dangerous constituents 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 landfill 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) The owner or operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the active portion of the landfill during peak discharge from at least a twenty-five-year storm.

(d) The owner or operator must design, construct, operate, and maintain a run-off management system to collect and control at least the water volume resulting from a twenty-four-hour, twenty-five-year storm.

(e) Collection and holding facilities (e.g., tanks or basins) associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously and in accordance with this chapter after storms to maintain design capacity of the system.

(f) If the landfill contains any particulate matter which may be subject to wind dispersal, the owner or operator must cover or otherwise manage the landfill to control wind dispersal.

(g) 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 landfills; exemption from WAC 173-303-645, ground water protection requirements.

(a) The owner or operator of a double-lined landfill is not subject to regulation under WAC 173-303-645 if the following conditions are met:

(i) The landfill (including its underlying liners) must be located entirely above the seasonal high water table;

(ii) The landfill must be underlain by two liners which are designed and constructed in a manner to prevent the migration of liquids into or out of the space between the liners. Both liners must meet 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 liquid into the space between the liners; and

(iv) The landfill must have a leachate collection and removal system above the top liner that is designed, constructed, maintained, and operated in accordance with subsection (2)(a)(ii) of this section.

(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 the time period 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 time period 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 subsection are satisfied.

(4) Monitoring and inspection.

(a) During construction or installation, liners (except in the case of existing portions of landfills exempt from subsection (2)(a) 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 landfill 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 run-on and run-off control systems;

(ii) The presence of liquids in leak detection systems, where installed to comply with subsection (3) of this section;

(iii) Proper functioning of wind dispersal control systems; and

(iv) The presence of leachate in and proper functioning of leachate collection and removal systems.

(5) Surveying and recordkeeping. The owner or operator of a landfill must maintain the following items in the operating record required under WAC 173-303-380:

(a) On a map, the exact location and dimensions, including depth, of each cell with respect to permanently surveyed benchmarks; and

(b) The contents of each cell and the approximate location of each dangerous waste type within each cell.

(6) Closure and postclosure care.

(a) At final closure of the landfill or upon closure of any cell, the owner or operator must cover the landfill or cell with a final cover designed and constructed to:

(i) Provide long-term minimization of migration of liquids through the closed landfill;

(ii) Function with minimum maintenance;

(iii) Promote drainage and minimize erosion or abrasion of the cover;

(iv) Accommodate settling and subsidence so that the cover's integrity is maintained; and

(v) Have a permeability less than or equal to the permeability of any bottom liner system or natural soils present.

(b) After final closure, 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. 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) Continue to operate the leachate collection and removal system until leachate is no longer detected;

(iv) Maintain and monitor the ground water monitoring system and comply with all other applicable requirements of WAC 173-303-645;

(v) Prevent run-on and run-off from eroding or otherwise damaging the final cover; and

(vi) Protect and maintain surveyed benchmarks used in complying with subsection (5) of this section.

(c) During the postclosure care period, if liquid leaks 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 modify the permit to require compliance with the requirements of WAC 173-303-645.

(7) ~~((Special requirements for ignitable or reactive waste:~~

~~(a) Except as provided in (b) of this subsection, and in subsection (10) of this section, ignitable or reactive waste must not be placed in a landfill, unless the waste is~~

treated, rendered, or mixed before or immediately after placement in a landfill 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 (5) and (7); and

(ii) WAC 173-303-395 (1)(b) is complied with.

(b) Ignitable wastes in containers may be landfilled without meeting the requirements of (a) of this subsection, provided that the wastes are disposed of in such a way that they are protected from any material or conditions which may cause them to ignite. At a minimum, ignitable wastes: Must be disposed of in nonleaking containers which are carefully handled and placed so as to avoid heat, sparks, rupture, or any other condition that might cause ignition of the wastes; must be covered daily with soil or other noncombustible material to minimize the potential for ignition of the wastes; and must not be disposed of in cells that contain or will contain other wastes which may generate heat sufficient to cause ignition of the waste.

(8)) Special requirements for incompatible wastes. Incompatible wastes, or incompatible wastes and materials must not be placed in the same landfill cell, unless WAC 173-303-395 (1)(b) is complied with.

((9) Special requirements for liquid waste.

(a) Bulk or noncontainerized liquid waste or waste containing free liquids must not be placed in a landfill unless, before disposal, the liquid waste or waste containing free liquids is treated or stabilized, chemically or physically (e.g., by mixing with an absorbent solid), so that free liquids are no longer present.

(b) To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods. (EPA Publication No. SW-846).

(c) Containers holding free liquids must not be placed in a landfill unless:

(i) All free-standing liquid:

(A) Has been removed by decanting, or other methods;

(B) Has been mixed with absorbent or solidified so that free-standing liquid is no longer observed; or

(C) Has been otherwise eliminated; or

(ii) The container is very small, such as an ampule; or

(iii) The container is a lab pack as defined in subsection (10) of this section, and is disposed of in accordance with that subsection.

(10) Special requirements for containers.

(a) Unless they are very small, such as an ampule, containers must be either:

(i) At least ninety percent full when placed in the landfill; or

(ii) Crushed, shredded, or similarly reduced in volume to the maximum practical extent before burial in the landfill.

(b) Small containers of dangerous waste in overpacked drums (lab packs) may be placed in a landfill if the procedures of WAC 173-303-161 are met.

(11) Special requirements for dangerous wastes F020, F021, F022, F023, F026, and F027.

(a) Dangerous wastes F020, F021, F022, F023, F026, or F027 must not be placed in a landfill unless the owner or operator operates the landfill in accord 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 chapter. The factors to be considered are:

(i) The volume, physical, and chemical characteristics of the wastes, including their potential to migrate through the 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 requirements.

(b) The department may determine that additional design, operating, and monitoring requirements are necessary for landfills managing dangerous wastes F020, F021, F022, F023, F026, or F027 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-85-10, filed 6/3/86)

WAC 173-303-910 PETITIONS. (1) General petitions.

(a) Any person may petition the department to modify or revoke any provision in this chapter. This subsection sets forth general requirements which apply to all such petitions. The remaining subsections of this section describe additional requirements for specific types of petitions.

(b) Each petition must be submitted to the department by certified mail and must include:

(i) The petitioner's name and address;

(ii) A statement of the petitioner's interest in the proposed action;

(iii) A description of the proposed action, including (where appropriate) suggested regulatory language; and

(iv) A statement of the need and justification for the proposed action, including any supporting tests, studies, or other information.

(c) The department will make a tentative decision to grant or deny the petition and give public notice of the tentative decision in writing. The notice shall be distributed to interested persons on a mailing list developed specifically for petitions and persons expressing interest in amendments to this chapter. The public comment period shall be a minimum of forty-five days.

(d) Upon the written request of any interested person, the director may, at his discretion, hold a conference to consider oral comments on the action proposed in the petition. A person requesting a conference must state the issues to be raised and explain why written comments would not suffice to communicate the person's views. The director may in any case decide on his own motion to hold a conference.

(e) After evaluating all public comments the department will make a final decision in accordance with RCW 34.04.060 or 34.04.080. The department will either deny the petition in writing (stating its reasons for denial), or grant the petition and, when appropriate, initiate rule-making proceedings in accordance with RCW 34.04.025.

(2) Petitions for equivalent testing or analytical methods.

(a) Any person seeking to add a testing or analytical method to WAC 173-303-110 may petition for a regulatory amendment under this section. To be successful, the person must demonstrate to the satisfaction of the department that the proposed method is equal to or superior to the corresponding method prescribed in WAC 173-303-110, in terms of its sensitivity, accuracy, and precision (i.e., reproducibility).

(b) Each petition must include, in addition to the information required by subsection (1) of this section:

(i) A full description of the proposed method, including all procedural steps and equipment used in the method;

(ii) A description of the types of wastes or waste matrices for which the proposed method may be used;

(iii) Comparative results obtained from using the proposed method with those obtained from using the relevant or corresponding methods prescribed in WAC 173-303-110;

(iv) An assessment of any factors which may interfere with, or limit the use of, the proposed method; and

(v) A description of the quality control procedures necessary to ensure the sensitivity, accuracy and precision of the proposed method.

(c) After receiving a petition for an equivalent testing or analytical method, the department may request any additional information on the proposed method which it may reasonably require to evaluate the proposal.

(d) If the department amends the regulations to permit use of a new testing method, the method will be incorporated in a document which will be available from the department.

(3) Petitions for exempting dangerous wastes from a particular generator.

(a) Any generator seeking to exempt his dangerous waste may petition the department for exemption from the requirements of WAC 173-303-070 through 173-303-103.

(b) To be successful, the generator must make the demonstrations required in WAC 173-303-072(3) and, where applicable, (4) and (5).

(c) Each petition must include, in addition to the information required by subsection (1) of this section:

(i) The name and address of the laboratory facility performing the sampling or tests of the waste;

(ii) The names and qualifications of the persons sampling and testing the waste;

(iii) The dates of sampling and testing;

(iv) The location of the generating facility;

(v) A description of the manufacturing processes or other operations and feed materials producing the waste and an assessment of whether such processes, operations,

or feed materials can or might produce a waste that is not covered by the demonstration;

(vi) A description of the waste and an estimate of the average and maximum monthly and annual quantities of waste covered by the demonstration;

(vii) Pertinent data on and discussion of the factors delineated in WAC 173-303-072(3) and, where applicable, (4) and (5);

(viii) A description of the methodologies and equipment used to obtain the representative samples;

(ix) A description of the sample handling and preparation techniques, including techniques used for extraction, containerization and preservation of the samples;

(x) A description of the tests performed (including results);

(xi) The names and model numbers of the instruments used in performing the tests and the date of the last calibration for instruments which must be calibrated according to manufacturer's instructions; and

(xii) The following statement signed by the generator of the waste or his authorized representative:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

(d) After receiving a petition for a dangerous waste exemption, the department may request any additional information which it may reasonably require to evaluate the petition.

(e) An exemption will only apply to the waste generated by the particular generator covered by the demonstration and will not apply to waste from any other generator.

(f) The department may exempt only part of the waste for which the demonstration is submitted where there is reason to believe that variability of the waste justifies a partial exemption.

(g) The department may (but shall not be required to) grant a temporary exemption before making a final decision under subsection (1) of this section, whenever it finds that there is a substantial likelihood that an exemption will be finally granted.

(h) Any waste for which an exemption is sought will remain designated and be subject to the applicable requirements of this chapter until the generator of the waste is notified by the department that his waste is exempt.

(4) Petition for exclusion.

(a) Any generators seeking exclusion of a class of similar or identical wastes under WAC 173-303-071, excluded categories of waste, may petition the department for exclusion. To be successful, the generator(s) must make the demonstrations required in WAC 173-303-072(6) for all those wastes generated in the state

which might be excluded pursuant to granting a petition submitted under this subsection. No class of wastes will be excluded if any of the wastes are regulated as hazardous waste under 40 CFR Part 261.

(b) Each petition for exclusion must include the information required by subsections (1) and (3)(c) of this section and any other information required by the department.

(c) After receiving a petition for exclusion, the department may request any additional information it deems necessary to evaluate the petition.

(5) Petition for designation change. The provisions of (a)(i) of this subsection do not apply to any dangerous waste which is also designated as a hazardous waste under 40 CFR Part 261 Subpart D.

(a) A generator may petition the department to change the designation of his waste as follows:

(i) A waste which is designated only for toxicity pursuant to WAC 173-303-084 or 173-303-101 but which is toxic solely because it is highly acidic or basic (i.e., due to high or low pH) may be subject only to the requirements for corrosive dangerous wastes, provided that the generator can demonstrate this fact to the department's satisfaction through information provided under (b) of this subsection; and

(ii) A waste which is designated EHW may be redesignated DW, provided that the generator can demonstrate that such redesignation is appropriate through information provided under (b) of this subsection.

(b) A petition under this subsection must include:

(i) The information required by subsections (1) and (3)(c) of this section; and

(ii) Such other information as required by the department.

(c) A designation change under this subsection will become effective only after the department has approved the change and notified the generator of such approval.

(6) Petitions to allow land disposal of a waste restricted under WAC 173-303-140.

(a) Any person seeking a land disposal restriction exemption allowed under WAC 173-303-140(6) must submit a petition to the department. The petition must include the following general information:

(i) The petitioner's name and address;

(ii) A statement of the petitioner's interest in the proposed action;

(iii) A description of the proposed action;

(iv) A statement of the need and justification for the proposed action;

(v) An identification of the specific waste and the specific land disposal unit for which the exemption is desired;

(vi) A waste analysis to describe fully the chemical and physical characteristics of the subject waste. All waste and environmental sampling, test, and analysis data must be accurate and reproducible to the extent that state-of-the-art techniques allow; and

(vii) A quality assurance and quality control plan that addresses all sampling and testing aspects of the information provided in the petition.

(b) In addition to the general information requirements in subsection (a) of this section, the following

specific information must be provided in the petition for individual case-by-case exemptions.

(i) Petition for land disposal exemption for treatment residuals. Petitions for exemption of treatment residuals, as allowed under WAC 173-303-140 (6)(a), must:

(A) Provide the type of waste management or treatment method applied to the waste and the rationale for selecting this method as the best achievable management method; and

(B) Document that the land disposal of the treatment residual would not pose a greater risk to public health and the environment than land disposal of the original wastes, including an analysis of the treatment residuals to fully describe their chemical and physical characteristics; and

(C) Provide the management alternatives for the treatment residuals and the factors which, if an exemption is not granted, would prevent the utilization of the best achievable management method for the original dangerous waste.

(ii) Petition for economic hardship exemption. Petitions for exemption on the basis of economic hardship, as allowed under WAC 173-303-140 (6)(b), must:

(A) Supply the current management costs and the projected management costs to comply with the requirements of WAC 173-303-140; and

(B) Provide the source of information utilized in determining the economic estimates; and

(C) Provide a discussion of how the projected compliance costs would impose an unreasonable economic burden.

(iii) Petition for leachable inorganic waste exemption. Petitions for exemption of leachable inorganic wastes, as allowed under WAC 173-303-140 (6)(c), must:

(A) Provide information demonstrating that the stabilization of the dangerous waste is less protective of public health and the environment than landfilling; or

(B) Provide a list of stabilization facilities that could accept the dangerous waste and information demonstrating that they do not have available capacity to stabilize the waste; or

(C) Provide information describing the types of stabilization utilized which did not reduce the solubility and mobility of the dangerous waste constituents and describe any other stabilization methods that have been considered but not utilized.

(iv) Petition for organic/carbonaceous waste exemption. Petitions for exemption of organic/carbonaceous wastes, as allowed under WAC 173-303-140 (6)(d), must:

(A) Provide information demonstrating that recycling, treatment and incineration facilities are unavailable for the waste, including a map marked both with the point of waste generation and the point(s) of the nearest treatment, recycling and incineration facility(s) that could manage the dangerous waste; or

(B) Provide information demonstrating that the alternative management methods for organic/carbonaceous waste are less protective of public health and the environment than stabilization and landfilling; or

(C) Provide information demonstrating that:

(I) Recycling and treatment facilities are unavailable for the waste, including a map marked both with the point of waste generation and the point(s) of the nearest treatment, recycling and incineration facility(s) that could manage the dangerous waste; and

(II) The organic/carbonaceous waste has a heat content less than 3,000 BTU/LB or a moisture content greater than sixty-five percent.

(c) Each petition must include the following statement signed by the petitioner or an authorized representative:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this petition and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

(d) Each petition must be submitted to:

Department of Ecology
Hazardous Waste Land
Disposal Exemption
Mailstop PV-11
Olympia, WA 98504-8711

(e) After receiving a petition, the department may request any additional information that reasonably may be required to evaluate the petition and accompanying demonstration, such as a comprehensive characterization of the disposal unit site including an analysis of background air, soil, and water quality. Simulation models must be calibrated for the specific waste and site conditions, and verified for accuracy by comparison with actual measurements.

(f)(i) The department will make a tentative decision to grant or deny the petition and give public notice of the tentative decision in writing. The notice shall be distributed to interested persons on a mailing list developed specifically for petitions and persons expressing interest in amendments to this chapter. The public comment period shall be a minimum of forty-five days.

(ii) Upon the written request of any interested person, the department may, at its discretion, hold a conference to consider oral comments on the action proposed in the petition. A person requesting a conference must state the issues to be raised and explain why written comments would not suffice to communicate the person's views. The department may in any case decide on its own motion to hold a conference.

(iii) After evaluating all public comments the department will make a final decision in accordance with RCW 34.04.060 or 34.04.080. The department will either deny the petition in writing (stating its reasons for denial), or grant the petition.

(g) Prior to the department's decision, the applicant is required to comply with all restrictions on land disposal under WAC 173-303-140. The department should respond to a petition within ninety days.

(h) If an exemption is granted, the department may include specific conditions as deemed necessary by the department to protect public health and the environment.

(i) If granted, the exemption will apply to land disposal of the specific restricted waste at the individual disposal unit described in the petition and accompanying demonstration. The exemption will not apply to any other restricted waste at that disposal unit, nor will it apply to that specific restricted waste at any other disposal unit.

(j) If an exemption is granted, the department may withdraw the exemption on the following bases:

(i) If there is a threat to public health and the environment; or

(ii) If there is migration of dangerous waste constituents from the land disposal unit or site for as long as the waste remains dangerous; or

(iii) If the department finds reason to believe that the information submitted in a petition is inaccurate or has been falsified such that the petition should have been denied.

(k) The term of an exemption granted under this subsection will be established by the department at the time of issuance.

(l) Any exemption granted by the department does not relieve the petitioner of his responsibilities in the management of dangerous waste under chapter 173-303 WAC.

(m) The department may (but shall not be required to) grant a temporary exemption before making a final decision, whenever it finds that there is a substantial likelihood that an exemption will be finally granted. Temporary exemptions shall not be subject to the procedures of (f) of this subsection. Temporary exemptions shall not be a cause of delaying final decision making on the petition request.

WSR 88-02-058

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 87-6—Filed January 6, 1988]

I, Phillip C. Johnson, deputy director of programs, Department of Ecology, do promulgate and adopt at Ecology Headquarters, Abbott Raphael Hall, Lacey, Washington, the annexed rules relating to water quality standards for waters of the state of Washington, chapter 173-201 WAC.

This action is taken pursuant to Notice Nos. WSR 87-13-069 and 87-20-083 filed with the code reviser on June 17, 1987, and 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 under the general rule-making authority of the Department of Ecology as authorized in RCW 90.48.035 and 90.48.260.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED January 5, 1988.

By Phillip C. Johnson
Deputy Director, Programs

Chapter 173-201 WAC

WATER QUALITY STANDARDS FOR SURFACE
WATERS OF THE STATE OF WASHINGTON

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-010 INTRODUCTION. (1) The purpose of this chapter is to establish water quality standards for surface waters of the state of Washington consistent with public health and public enjoyment thereof, and the propagation and protection of fish, shellfish, and wildlife, pursuant to the provisions of chapter 90.48 RCW and the policies and purposes thereof.

(2) This chapter shall be reviewed periodically by the department and appropriate revisions shall be undertaken.

(3) The water use and quality criteria set forth in WAC 173-201-035 through 173-201-085 are established in conformance with present and potential water uses of the surface waters of the state of Washington and in consideration of the natural water quality potential and limitations of the same. These shall be the sole criteria for said waters.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-025 DEFINITIONS. (1) Background conditions: The biological, chemical, and physical conditions of a water body, upstream from the point or nonpoint source of any discharge under consideration. Background sampling location in an enforcement action would be upstream from the point of discharge, but not upstream from other inflows. If several discharges to any water body exist, and enforcement action is being taken for possible violations to the standards, background sampling would be undertaken immediately upstream from each discharge.

(2) Department: State of Washington department of ecology.

(3) Director: Director of the state of Washington department of ecology.

(4) Hardness: A measure of the calcium and magnesium salts present in water. For purposes of this chapter, hardness is measured in milligrams per liter as calcium carbonate (CaCO₃).

(5) Fecal coliform: That portion of the coliform group which is present in the intestinal tracts and feces of warm-blooded animals as detected by the product of acid or gas from lactose in a suitable culture medium within 24 hours at 44.5 plus or minus 0.2 degrees Celsius.

~~((5))~~ (6) Geometric mean: The nth root of a product of n factors.

~~((6))~~ (7) Mean detention time: The time obtained by dividing a reservoir's mean annual minimum total storage by the 30-day ten-year low-flow from the reservoir.

~~((7))~~ (8) Permit: A document issued pursuant to RCW 90.48.160 et seq. or 90.48.260 or both, specifying the waste treatment and control requirements and waste discharge conditions.

~~((8))~~ (9) pH: The negative logarithm of the hydrogen ion concentration.

~~((9))~~ (10) Primary contact recreation: Activities where a person would have direct contact with water to the point of complete submergence, including but not limited to skin diving, swimming and water skiing.

~~((10))~~ (11) Secondary contact recreation: Activities where a person's water contact would be limited (wading or fishing) to the extent that bacterial infections of eyes, ears, respiratory or digestive systems or urogenital areas would normally be avoided.

~~((11))~~ (12) Surface waters of the state: Include lakes, rivers, ponds, streams, inland waters, saltwaters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

~~((12))~~ (13) Temperature: Water temperature expressed in degrees Celsius (°C).

~~((13))~~ (14) Turbidity: The clarity of water expressed as nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

~~((14))~~ (15) Upwelling: The annual natural phenomenon where the summer prevailing, northerly winds parallel to Washington's coast produce a seaward transport of surface waters. Cold, deeper more saline waters rich in nutrients and low in dissolved oxygen rise to replace the surface water. The cold, oxygen deficient water flows into Puget Sound and other coastal estuaries replacing the deep water with lower dissolved oxygen concentrations reaching the surface during late summer and fall.

~~((15))~~ (16) USEPA: United States Environmental Protection Agency.

~~((16))~~ (17) Wildlife habitat: Waters of the state used by fish, other aquatic life and wildlife for any life history stage or activity.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-035 GENERAL CONSIDERATIONS. The following general guidelines shall apply to the water quality criteria and classifications set forth in WAC 173-201-045 through 173-201-085 hereof:

(1) At the boundary between waters of different classifications, the water quality criteria for the higher classification shall prevail.

(2) In brackish waters of estuaries, where the fresh and marine water quality criteria differ within the same classification, the criteria shall be interpolated on the basis of salinity; except that the marine water quality criteria shall apply for dissolved oxygen when the salinity is one part per thousand or greater and for fecal coliform organisms when the salinity is ten parts per thousand or greater.

(3) The water quality criteria herein established shall not apply within an authorized dilution zone adjacent to or surrounding a waste-water discharge.

(4) ((Generally,)) Waste discharge permits, whether issued pursuant to the National Pollutant Discharge Elimination System or otherwise, shall be conditioned in such manner as to authorize discharges which meet the water quality standards.

(a) However, persons discharging wastes in compliance with the terms and conditions of permits shall not be subject to civil and criminal penalties on the basis that discharge violates water quality standards.

(b) Permits shall be subject to modification by the department whenever it appears to the department the discharge violates water quality standards. Modification of permits, as provided herein, shall be subject to review in the same manner as originally issued permits.

(5) Nonpoint sources and water quality standards.

(a) It is recognized that many activities not subject to a waste discharge permit system are now being performed in the state, which result in conflicts with the water quality standards of this chapter. Further, the department has not developed a program which, in a reasonable or fully satisfactory manner, provides methods or means for meeting such standards. Persons conducting such activities shall not be subject to civil or criminal sanctions for violation of water quality standards if the activities are either:

(i) Conducted in accordance with management practices set forth by rules of the department.

For example, promulgation of regulations by the department which set forth approved management practices or other effluent limits shall be accomplished so that activities conducted within such regulations, (i.e., forest practices rules and regulations chapter 173-202 WAC and Title 222 WAC) will achieve compliance with water pollution control laws. When the regulations are violated, the water quality standard can be enforced as described in WAC 173-201-045 through 173-201-085; or,

(ii) Subject to a regulatory order issued by the department relating to specific activities as provided for in WAC 173-201-100(2).

(b) Management practices or regulatory orders described in WAC 173-201-035(5) hereof, shall be subject to modification by the department whenever it appears to the department that the discharge violates water quality standards. Modification of management practices or regulatory orders, as provided herein, shall be subject to review in the same manner as the originally issued management practices or regulatory orders.

(6) The water quality criteria herein established for total dissolved gas shall not apply when the stream flow exceeds the 7-day, 10-year frequency flood.

(7) The total area and/or volume of a receiving water assigned to a dilution zone shall be as described in a valid discharge permit as needed and be limited to that which will:

(a) Not cause acute mortalities of sport, food, or commercial fish and shellfish species of established biological communities within populations or important species to a degree which damages the ecosystem.

(b) Not diminish aesthetic values or other beneficial uses disproportionately.

(8) The antidegradation policy of the state of Washington, as generally guided by chapter 90.48 RCW, Water Pollution Control Act, and chapter 90.54 RCW, Water Resources Act of 1971, is stated as follows:

(a) Existing beneficial uses shall be maintained and protected and no further degradation which would interfere with or become injurious to existing beneficial uses will be allowed.

(b) No degradation will be allowed of waters lying in national parks, national recreation areas, national wildlife refuges, national scenic rivers, and other areas of national ecological importance.

(c) Whenever waters are of a higher quality than the criteria assigned for said waters, the existing water quality shall be protected and waste and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except, in those instances where:

(i) It is clear that overriding considerations of the public interest will be served, and

(ii) All wastes and other materials and substances proposed for discharge into the said waters shall be provided with all known, available, and reasonable methods of treatment before discharge.

(d) Whenever the natural conditions of said waters are of a lower quality than the criteria assigned, the natural conditions shall constitute the water quality criteria.

(e) The criteria and special conditions established in WAC 173-201-045 through 173-201-085 may be modified for a specific water body on a short-term basis when necessary to accommodate essential activities, respond to emergencies, or to otherwise protect the public interest. Such modification shall be issued in writing by the director or his/her designee subject to such terms and conditions as he/she may prescribe. The aquatic application of herbicides which result in water use restrictions shall be considered an activity for which a short-term modification generally may be issued subject to the following conditions:

(i) A request for a short-term modification shall be made to the department on forms supplied by the department. Such request generally shall be made at least thirty days prior to herbicide application.

(ii) Such herbicide application shall be in accordance with state of Washington department of agriculture regulations.

(iii) Such herbicide application shall be in accordance with label provisions promulgated by USEPA under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. (7 U.S.C. 136, et seq.)

(iv) Notice, including identification of the herbicide, applicator, location where the herbicide will be applied, proposed timing and method of application, and water use restrictions shall be given according to the following requirements:

(A) Appropriate public notice as determined and prescribed by the director or his/her designee shall be given

of any water use restrictions specified in USEPA label provisions.

(B) The appropriate regional offices of the departments of fisheries and game shall be notified twenty-four hours prior to herbicide application.

(C) In the event of any fish kills, the departments of ecology, fisheries, and game shall be notified immediately.

(v) The herbicide application shall be made at times so as to:

(A) Minimize public water use restrictions during weekends.

(B) Completely avoid public water use restrictions during the opening week of fishing season, Memorial Day weekend, July 4 weekend, and Labor Day weekend.

(vi) Any additional conditions as may be prescribed by the director or his/her designee.

(f) In no case, will any degradation of water quality be allowed if this degradation interferes with or becomes injurious to existing water uses and causes long-term (~~and irreparable~~) harm to the environment.

(g) No waste discharge permit will be issued which violates established water quality criteria, except, as provided for under WAC 173-201-035 (8)(e).

(9) Due consideration will be given to the precision and accuracy of the sampling and analytical methods used as well as existing conditions at the time, in the application of the criteria.

(10) The analytical testing methods for these criteria shall be in accordance with (~~the most recent editions of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation, and "Methods for Chemical Analysis of Water and Wastes," published by USEPA~~) the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" (40 C.F.R. Part 136) and other or superseding methods published and/or approved by the department following consultation with adjacent states and concurrence of the USEPA.

(11) Deleterious concentrations of radioactive materials for all classes shall be as determined by the lowest practicable concentration attainable and in no case shall exceed:

(a) 1/100 of the values listed in WAC 402-24-220 (Column 2, Table II, Appendix A, rules and regulations for radiation protection); or,

(b) USEPA Drinking Water Regulations for radionuclides, as published in the Federal Register of July 9, 1976, or subsequent revisions thereto.

(12) (~~Deleterious concentrations of toxic, or other nonradioactive materials, shall be determined by the department in consideration of the Quality Criteria for Water, published by USEPA 1976, and as revised, as the authoritative source for criteria and/or other relevant information, if justified.~~

(13)) Nothing in this chapter shall be interpreted to be applicable to those aspects of governmental regulation of radioactive wastes which have been preempted from state regulation by the Atomic Energy Act of 1954, as amended, as interpreted by the United States Supreme Court in the cases of Northern States Power Co. v.

Minnesota 405 U.S. 1035 (1972) and Train v. Colorado Public Interest Research Group, 426 U.S. 1 (1976).

((14)) (13) Nothing in this chapter shall be interpreted to prohibit the establishment of effluent limitations for the control of the thermal component of any discharge in accordance with Section 316 of the Federal Clean Water Act (~~((P.L. 95-217 as amended))~~) 33 U.S.C. 1251 et seq.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-045 GENERAL WATER USE AND CRITERIA CLASSES. The following criteria shall apply to the various classes of surface waters in the state of Washington:

(1) Class AA (extraordinary).

(a) General characteristic. Water quality of this class shall markedly and uniformly exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) Fecal coliform organisms.

(A) Freshwater - Fecal coliform organisms shall not exceed a geometric mean value of 50 organisms/100 mL, with not more than 10 percent of samples exceeding 100 organisms/100 mL.

(B) Marine water - fecal coliform organisms shall not exceed a geometric mean value of 14 organisms/100 mL, with not more than 10 percent of samples exceeding 43 organisms/100 mL.

(ii) Dissolved oxygen.

(A) Freshwater - dissolved oxygen shall exceed 9.5 mg/L.

(B) Marine water - dissolved oxygen shall exceed 7.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 7.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 16.0°C (freshwater) or 13.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed $t=23/(T+5)$ (freshwater) or $t=8/(T-4)$ (marine water).

When natural conditions exceed 16.0°C (freshwater) and 13.0°C (marine water), no temperature increase will

be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the ((permissive)) maximum permissible temperature ((change across the)) increase measured at a dilution zone boundary; and "T" represents the ((highest existing)) background temperature ((in this water classification outside of any dilution zone)) as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 16.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a man-caused variation within a range of less than 0.2 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be ((less than those which may affect public health, the natural aquatic environment, or the desirability of the water for any use)) below those which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-201-047).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

(2) Class A (excellent).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) Fecal coliform organisms.

(A) Freshwater – Fecal coliform organisms shall not exceed a geometric mean value of 100 organisms/100 mL, with not more than 10 percent of samples exceeding 200 organisms/100 mL.

(B) Marine water – fecal coliform organisms shall not exceed a geometric mean value of 14 organisms/100

mL, with not more than 10 percent of samples exceeding 43 organisms/100 mL.

(ii) Dissolved oxygen.

(A) Freshwater – dissolved oxygen shall exceed 8.0 mg/L.

(B) Marine water – dissolved oxygen shall exceed 6.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 6.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 18.0°C (freshwater) or 16.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed $t=28/(T+7)$ (freshwater) or $t=12/(T-2)$ (marine water).

When natural conditions exceed 18.0°C (freshwater) and 16.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the ((permissive)) maximum permissible temperature ((change across the)) increase measured at a dilution zone boundary; and "T" represents the ((highest existing)) background temperature ((in this water classification outside of any dilution zone)) as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 18.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a man-caused variation within a range of less than 0.5 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those ((of public health significance, or which may cause acute or chronic toxic conditions to the aquatic biota, or)) which may adversely affect ((any)) characteristic water ((use)) uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-201-047).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

(3) Class B (good).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for most uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial and agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing and spawning.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) Fecal coliform organisms.

(A) Freshwater – Fecal coliform organisms shall not exceed a geometric mean value of 200 organisms/100 mL, with not more than 10 percent of samples exceeding 400 organisms/100 mL.

(B) Marine water – fecal coliform organisms shall not exceed a geometric mean value of 100 organisms/100 mL, with not more than 10 percent of samples exceeding 200 organisms/100 mL.

(ii) Dissolved oxygen.

(A) Freshwater – dissolved oxygen shall exceed 6.5 mg/L.

(B) Marine water – dissolved oxygen shall exceed 5.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 5.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 21.0°C (freshwater) or 19.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed $t=34/(T+9)$ (freshwater) or $t=16/T$ (marine water).

When natural conditions exceed 21.0°C (freshwater) and 19.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the ~~((permissive)) maximum permissible temperature ((change across the)) increase measured at a dilution zone boundary~~; and "T" represents the ~~((highest existing)) background temperature ((in this water classification outside of any dilution zone)) as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.~~

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 21.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) and 7.0 to 8.5 (marine water) with a man-caused variation within a range of less than 0.5 units.

(vi) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which ~~((adversely affect public health during characteristic uses, or which may cause acute or chronic toxic conditions to the aquatic~~

~~biota, or which)) may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-201-047).~~

(viii) Aesthetic values shall not be reduced by dissolved, suspended, floating, or submerged matter not attributed to natural causes, so as to affect water use or taint the flesh of edible species.

(4) Class C (fair).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements of selected and essential uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial).

(ii) Fish (salmonid and other fish migration).

(iii) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(iv) Commerce and navigation.

(c) Water quality criteria – marine water.

(i) Fecal coliform organisms shall not exceed a geometric mean value of 200 organisms/100 mL, with not more than 10 percent of samples exceeding 400 organisms/100 mL.

(ii) Dissolved oxygen shall exceed 4.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 4.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Temperature shall not exceed 22.0°C due to human activities. Temperature increases shall not, at any time, exceed $t=20/(T+2)$.

When natural conditions exceed 22.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the ~~((permissive)) maximum permissible temperature ((change across the)) increase measured at a dilution zone boundary~~; and "T" represents the ~~((highest existing)) background temperature ((in this water classification outside of any dilution zone)) as measured at a point unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.~~

(iv) pH shall be within the range of 6.5 to 9.0 with a man-caused variation within a range of less than 0.5 units.

(v) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vi) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect ~~((public health during)) characteristic water uses, ((or which may)) cause acute or chronic ((toxic)) conditions to the aquatic biota, or ((which may)) adversely affect ((characteristic water uses)) public health (see WAC 173-201-047).~~

(vii) Aesthetic values shall not be interfered with by the presence of obnoxious wastes, slimes, aquatic growths, or materials which will taint the flesh of edible species.

(5) Lake class.
 (a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

- (i) Water supply (domestic, industrial, agricultural).
- (ii) Stock watering.
- (iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam and mussel rearing, spawning, and harvesting.

Crayfish rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) Fecal coliform organisms shall not exceed a geometric mean value of 50 organisms/100 mL, with not more than 10 percent of samples exceeding 100 organisms/100 mL.

(ii) Dissolved oxygen - no measurable decrease from natural conditions.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature - no measurable change from natural conditions.

(v) pH - no measurable change from natural conditions.

(vi) Turbidity shall not exceed 5 NTU over background conditions.

(vii) Toxic, radioactive, or deleterious material concentrations shall be less than those which may affect public health, the natural aquatic environment, or the desirability of the water for any use.

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

NEW SECTION

WAC 173-201-047 TOXIC SUBSTANCES. (1)
 The following criteria shall apply to all surface waters of the state of Washington (values are µg/L):

Substance	Freshwater		Marine Water	
	Acute	Chronic	Acute	Chronic
Aldrin/Dieldrin, ^a	2.5 ^w	0.0019 ^x	0.71 ^w	0.0019 ^x
Ammonia	b,y	c,z	-	-
Cadmium	d,y	e,z	43.0 ^y	9.3 ^z
Chlordane	2.4 ^w	0.0043 ^x	0.09 ^w	0.004 ^x
Chlorine	19.0 ^y	11.0 ^z	13.0 ^y	7.5 ^z
Chloropyrifos	0.083 ^y	0.041 ^z	0.011 ^y	0.0056 ^z
Chromium (Hex)	16.0 ^y	11.0 ^z	110.0 ^y	50.0 ^z
Chromium (Tri)	f,y	g,z	-	-
Copper	h,y	i,z	2.9 ^y	-
Cyanide	22.0 ^y	5.2 ^z	1.0 ^y	-
DDT & Metabolites	1.1 ^w	0.001 ^x	0.13 ^w	0.001 ^x
Endosulfan	0.22 ^w	0.056 ^x	0.034 ^w	0.0087 ^x
Endrin	0.18 ^w	0.0023 ^x	0.037 ^w	0.0023 ^x
Heptachlor	0.52 ^w	0.0038 ^x	0.053 ^w	0.0036 ^x

Substance	Freshwater		Marine Water	
	Acute	Chronic	Acute	Chronic
Hexachlorocyclohexane (Lindane)	2.0 ^w	0.08 ^x	0.16 ^w	-
Lead	j,y	k,z	140.0 ^y	5.6 ^z
Mercury	2.4 ^y	0.012 ^z	2.1 ^y	0.025 ^z
Nickel	l,y	m,z	75 ^y	8.3 ^z
Parathion	0.065 ^y	0.013 ^z	-	-
PCB's	2.0 ^x	0.014 ^x	10.0 ^x	0.03 ^x
Pentachlorophenol	q,y	r,z	13.0 ^y	7.9 ^z
Selenium	260.0 ^w	35.0 ^x	410.0 ^w	54.0 ^x
Silver	n,w	-	2.3 ^w	-
Toxaphene	0.73 ^y	0.0002 ^z	0.21 ^y	0.0002 ^z
Zinc	o,y	p,z	95.0 ^y	86.0 ^z

Notes to Table

a. Aldrin is metabolically converted to Dieldrin. Therefore, the sum of the Aldrin and Dieldrin concentrations are compared with the Dieldrin criteria.

b. $\leq 0.52/FT/FPH/2$

Where $FT = 10^{0.03(20-TCAP)}$; $TCAP \leq T \leq 30$
 $10^{0.03(20-T)}$; $0 \leq T \leq TCAP$

$FPH = 1; 8 \leq pH \leq 9$

$FPH = \frac{1 + 10^{7.4-pH}}{1.25}$; $6.5 \leq pH \leq 8$

TCAP = 20°C; Salmonids present

TCAP = 25°C; Salmonids absent

c. $\leq 0.80/FT/FPH/RATIO$

The RATIO = 16 if; $7.7 \leq pH \leq 9$

The RATIO = $24 \times \frac{10^{7.7-pH}}{1 + 10^{7.4-pH}}$ if; $6.5 \leq pH \leq 7.7$

Where FT and FPH are as above except:

TCAP = 15°C; Salmonids present

TCAP = 20°C; Salmonids absent

d. $\leq e^{(1.128 \ln(\text{hardness}) - 3.828)}$

e. $\leq e^{(0.7852 \ln(\text{hardness}) - 3.490)}$

f. $\leq e^{(0.8190 \ln(\text{hardness}) + 3.688)}$

g. $\leq e^{(0.8190 \ln(\text{hardness}) + 1.561)}$

h. $\leq e^{(0.9422 \ln(\text{hardness}) - 1.464)}$

i. $\leq e^{(0.8545 \ln(\text{hardness}) - 1.465)}$

j. $\leq e^{(1.273 \ln(\text{hardness}) - 1.460)}$

k. $\leq e^{(1.273 \ln(\text{hardness}) - 4.705)}$

l. $\leq e^{(.8460 \ln(\text{hardness}) + 3.3612)}$

m. $\leq e^{(.8460 \ln(\text{hardness}) + 1.1645)}$

n. $\leq e^{(1.72 \ln(\text{hardness}) - 6.52)}$

o. $\leq e^{(.8473 \ln(\text{hardness}) + .8604)}$

p. $e^{(.8473 \ln(\text{hardness}) + .7614)}$

q. $e^{[1.005(pH) - 4.830]}$

r. $e^{[1.005(pH) - 5.290]}$

- w. An instantaneous concentration not to be exceeded at any time.
- x. A 24 hour average not to be exceeded.
- y. A 1-hour average concentration not to be exceeded more than once every three years.
- z. A 4-day average concentration not to be exceeded more than once every three years.

(2) USEPA Quality Criteria for Water, 1986 shall be used in the use and interpretation of the values listed in subsection (1) of this section.

(3) Concentrations of toxic, and other substances with toxic propensities not listed in subsection (1) of this section shall be determined in consideration of USEPA's Quality Criteria for Water, 1986, and as revised, and other relevant information as appropriate.

(4) Toxic substances shall not be introduced above natural background levels in waters of the state which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health, as determined by the department.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-070 GENERAL CLASSIFICATIONS. General classifications applying to various surface water bodies not specifically classified under WAC 173-201-080 or 173-201-085 are as follows:

(1) All surface waters lying within (~~the mountainous regions of the state assigned to~~) national parks, national forests, and/or wilderness areas(;) are classified Class AA or lake class.

(2) All lakes and their feeder streams within the state are classified lake class and Class AA respectively, except for those feeder streams specifically classified otherwise.

(3) All reservoirs with a mean detention time of greater than 15 days are classified lake class.

(4) All reservoirs with a mean detention time of 15 days or less are classified the same as the river section in which they are located.

(5) All reservoirs established on preexisting lakes are classified as lake class.

(6) All unclassified surface waters that are tributaries to Class AA waters are classified Class AA. All other unclassified surface waters within the state are hereby classified Class A.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-080 SPECIFIC CLASSIFICATIONS—FRESHWATER. Specific fresh surface waters of the state of Washington are classified as follows:

- (1) American River. Class AA
- (2) Big Quilcene River and tributaries. Class AA
- (3) Bumping River. Class AA
- (4) Burnt Bridge Creek. Class A
- (5) Cedar River from Lake Washington to Landsburg Dam (river mile 21.6). Class A

(6) Cedar River and tributaries from Landsburg Dam (river mile 21.6) to headwaters. Special condition – no waste discharge will be permitted.

Class AA

(7) Chehalis River from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45" W) to Scammon Creek (river mile 65.8).

Class A

(8) Chehalis River from Scammon Creek (river mile 65.8) to Newaukum River (river mile 75.2). Special condition – dissolved oxygen shall exceed 5.0 mg/L from June 1, to September 15. For the remainder of the year, the dissolved oxygen shall meet Class A criteria.

Class A

(9) Chehalis River from Newaukum River (river mile 75.2) to Rock Creek (river mile 106.7).

Class A

(10) Chehalis River, from Rock Creek (river mile 106.7) to headwaters.

Class AA

(11) Chehalis River, south fork.

Class A

(12) Chewack River.

Class AA

(13) Chiwawa River.

Class AA

(14) Cispus River.

Class AA

(15) Clearwater River.

Class A

(16) Cle Elum River.

Class AA

(17) Cloquallum Creek.

Class A

(18) Clover Creek from outlet of Lake Spanaway to inlet of Lake Steilacoom.

Class A

(19) Columbia River from mouth to the Washington-Oregon border (river mile 309.3). Special conditions – temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined. Dissolved oxygen shall exceed 90 percent of saturation.

Class A

(20) Columbia River from Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). Special condition from Washington-Oregon border (river mile 309.3) to Priest Rapids Dam (river mile 397.1). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t = 34 / (T + 9)$.

Class A

(21) Columbia River from Grand Coulee Dam (river mile 596.6) to Canadian border (river mile 745.0).

Class AA

(22) Colville River.

Class A

(23) Coweeman River from mouth to Mulholland Creek (river mile 18.4).

Class A

(24) Coweeman River from Mulholland Creek (river mile 18.4) to headwaters.

Class AA

(25) Cowlitz River from mouth to base of Riffe Lake Dam (river mile 52.0).	Class A	(47) Hanaford Creek from mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1). Special condition - dissolved oxygen shall exceed 6.5 mg/L.	Class A
(26) Cowlitz River from base of Riffe Lake Dam (river mile 52.0) to headwaters.	Class AA	(48) Hanaford Creek from east boundary of Sec. 25-T15N-R2W (river mile 4.1) to headwaters.	Class A
(27) Crab Creek and tributaries.	Class B	(49) Hoh River and tributaries.	Class AA
(28) Decker Creek.	Class AA	(50) Hoquiam River (continues as west fork above east fork) from mouth to river mile 9.3 (Dekay Road bridge) (upper limit of tidal influence).	Class B
(29) Deschutes River from mouth to boundary of Snoqualmie National Forest (river mile 48.2).	Class A	(51) Humptulips River and tributaries from mouth to Olympic National Forest boundary on east fork (river mile 12.8) and west fork (river mile 40.4) (main stem continues as west fork).	Class A
(30) Deschutes River from boundary of Snoqualmie National Forest (river mile 48.2) to headwaters.	Class AA	(52) Humptulips River, east fork from Olympic National Forest boundary (river mile 12.8) to headwaters.	Class AA
(31) Dickey River.	Class A	(53) Humptulips River, west fork from Olympic National Forest boundary (river mile 40.4) to headwaters.	Class AA
(32) Dosewallips River and tributaries.	Class AA	(54) Issaquah Creek.	Class A
(33) Duckabush River and tributaries.	Class AA	(55) Kalama River from lower Kalama River Falls (river mile 10.4) to headwaters.	Class AA
(34) Dungeness River from mouth to Canyon Creek (river mile 10.8).	Class A	(56) Klickitat River from Little Klickitat River (river mile 19.8) to headwaters.	Class AA
(35) Dungeness River and tributaries from Canyon Creek (river mile 10.8) to headwaters.	Class AA	(57) Lake Washington Ship Canal from Government Locks (river mile 1.0) to Lake Washington (river mile 8.6). Special condition - salinity shall not exceed one part per thousand (1.0 ppt) at any point or depth along a line that transects the ship canal at the University Bridge (river mile 6.1).	Lake Class
(36) Duwamish River from mouth south of a line bearing 254° true from the NW corner of berth 3, terminal No. 37 to the Black River (river mile 11.0) (Duwamish River continues as the Green River above the Black River).	Class B	(58) Lewis River, east fork, from Multon Falls (river mile 24.6) to headwaters.	Class AA
(37) Elochoman River.	Class A	(59) Little Wenatchee River.	Class AA
(38) Elwha River and tributaries.	Class AA	(60) Methow River from mouth to Chewack River (river mile 50.1).	Class A
(39) Entiat River from Wenatchee National Forest boundary (river mile 20.5) to headwaters.	Class AA	(61) Methow River from Chewack River (river mile 50.1) to headwaters.	Class AA
(40) Grande Ronde River from mouth to Oregon border (river mile 37). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	Class A	(62) Mill Creek from mouth to 13th street bridge in Walla Walla (river mile 6.4). Special condition - dissolved oxygen concentration shall exceed 5.0 mg/L.	Class B
(41) Grays River from Grays River Falls (river mile 15.8) to headwaters.	Class AA	(63) Mill Creek from 13th Street bridge in Walla Walla (river mile 6.4) to Walla Walla Waterworks Dam (river mile 25.2).	Class A
(42) Green River (Cowlitz County).	Class AA	(64) Mill Creek and tributaries from city of Walla Walla Waterworks Dam (river mile 25.2) to headwaters. Special condition - no waste discharge will be permitted.	Class AA
(43) Green River (King County) from Black River (river mile 11.0 and point where Duwamish River continues as the Green River) to west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park at river mile 42.3).	Class A	(65) Naches River from Snoqualmie National Forest boundary (river mile 35.7) to headwaters.	Class AA
(44) Green River (King County) from west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park, river mile 42.3) to west boundary of Sec. 13-T21N-R7E (river mile 59.1).	Class AA	(66) Naselle River from Naselle "Falls" (cascade at river mile 18.6) to headwaters.	Class AA
(45) Green River and tributaries (King County) from west boundary of Sec. 13-T21N-R7E (river mile 59.1) to headwaters. Special condition - no waste discharge will be permitted.	Class AA	(67) Newaukum River.	Class A
(46) Hamma Hamma River and tributaries.	Class AA	(68) Nisqually River from mouth to Alder Dam (river mile 44.2).	Class A

(69) Nisqually River from Alder Dam (river mile 44.2) to headwaters.	Class AA	(94) Skookumchuck River from Bloody Run Creek (river mile 21.4) to headwaters.	Class AA
(70) Nooksack River from mouth to Maple Creek (river mile 49.7).	Class A	(95) Skykomish River from mouth to May Creek (above Gold Bar at river mile 41.2).	Class A
(71) Nooksack River from Maple Creek (river mile 49.7) to headwaters.	Class AA	(96) Skykomish River from May Creek (above Gold Bar at river mile 41.2) to headwaters.	Class AA
(72) Nooksack River, south fork, from mouth to Skookum Creek (river mile 14.3).	Class A	(97) Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). Special condition.	
(73) Nooksack River, south fork, from Skookum Creek (river mile 14.3) to headwaters.	Class AA	(a) Below Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	
(74) Nooksack River, middle fork.	Class AA	(b) Above Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined.	Class A
(75) Okanogan River.	Class A	(98) Snohomish River from mouth and east of longitude 122°13'40"W upstream to latitude 47°56'30"N (southern tip of Ebey Island river mile 8.1). Special condition – fecal coliform organisms shall not exceed a geometric mean value of 200, organisms/100 mL. with not more than 10 percent of samples exceeding 400 organisms/100 mL.	Class A
(76) Palouse River from mouth to south fork (Colfax, river mile 89.6).	Class B	(99) Snohomish River upstream from latitude 47°56'30"N (southern tip of Ebey Island river mile 8.1) to confluence with Skykomish and Snoqualmie River (river mile 20.5).	Class A
(77) Palouse River from south fork (Colfax, river mile 89.6) to Idaho border (river mile 123.4). Special condition – temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	Class A	(100) Snoqualmie River and tributaries from mouth to west boundary of Twin Falls State Park on south fork (river mile 9.1).	Class A
(78) Pend Oreille River from Canadian border (river mile 16.0) to Idaho border (river mile 87.7). Special condition – temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	Class A	(101) Snoqualmie River, middle fork.	Class AA
(79) Pilchuck River from city of Snohomish Waterworks Dam (river mile 26.8) to headwaters.	Class AA	(102) Snoqualmie River, north fork.	Class AA
(80) Puyallup River from mouth to river mile 1.0.	Class B	(103) Snoqualmie River, south fork, from west boundary of Twin Falls State Park (river mile 9.1) to headwaters.	Class AA
(81) Puyallup River from river mile 1.0 to Kings Creek (river mile 31.6).	Class A	(104) Soleduck River and tributaries.	Class AA
(82) Puyallup River from Kings Creek (river mile 31.6) to headwaters.	Class AA	(105) Spokane River from mouth to ((Idaho border)) Long Lake Dam (river mile ((96.5)) 33.9). Special condition – temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	Class A
(83) Queets River and tributaries.	Class AA		
(84) Quillayute River.	Class AA		
(85) Quinault River and tributaries.	Class AA		
(86) Salmon Creek (Clark County).	Class A		
(87) Satsop River from mouth to west fork (river mile 6.4).	Class A		
(88) Satsop River, east fork.	Class AA		
(89) Satsop River, middle fork.	Class AA		
(90) Satsop River, west fork.	Class AA		
(91) Skagit River from mouth to Skiyou Slough-lower end (river mile 25.6).	Class A		
(92) Skagit River and tributaries (includes Baker, Suak, Suiattle, and Cascade rivers) from Skiyou Slough-lower end, (river mile 25.6) to Canadian border (river mile 127.0).	Class AA		
(93) Skokomish River and tributaries.	Class AA		

(106) Spokane River from Long Lake Dam (river mile 33.9) to Nine Mile Bridge (river mile 58.0). Special conditions:

(a) The average euphotic zone concentration of total phosphorus (as P) shall not exceed 25µg/L during the period of June 1 to October 31.

(b) Temperature shall not exceed 20.0°C, due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t=34/(T+9)$.

(107) Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t=34/(T+9)$.

(108) Stehekin River.

((+07)) (109) Stillaguamish River from mouth to north and south forks (river mile 17.8).

((+08)) (110) Stillaguamish River, north fork, from mouth to Squire Creek (river mile 31.2).

((+09)) (111) Stillaguamish River, north fork, from Squire Creek (river mile 31.2) to headwaters.

((+10)) (112) Stillaguamish River, south fork, from mouth to Canyon Creek (river mile 33.7).

((+11)) (113) Stillaguamish River, south fork, from Canyon Creek (river mile 33.7) to the headwaters.

((+12)) (114) Sulphur Creek.

((+13)) (115) Sultan River from mouth to Chaplain Creek (river mile 5.9).

((+14)) (116) Sultan River and tributaries from Chaplain Creek (river mile 5.9) to headwaters. Special condition – no waste discharge will be permitted above city of Everett Diversion Dam (river mile 9.4).

((+15)) (117) Sumas River from Canadian border (river mile 12) to headwaters (river mile 23).

((+16)) (118) Tieton River.

((+17)) (119) Tolt River, south fork and tributaries from mouth to west boundary of Sec. 31-T26N-R9E (river mile 6.9).

((+18)) (120) Tolt River, south fork from west boundary of Sec. 31-T26N-R9E (river mile 6.9) to headwaters. Special condition – no waste discharge will be permitted.

((+19)) (121) Touchet River, north fork from Dayton water intake structure (river mile 3.0) to headwaters.

((+20)) (122) Toutle River, north fork, from Green River to headwaters.

((+21)) (123) Toutle River, south fork.

((+22)) (124) Tucannon River from Umatilla National Forest boundary (river mile 38.1) to headwaters.

((+23)) (125) Twisp River.

((+24)) (126) Union River and tributaries from Bremerton Waterworks Dam (river mile 6.9) to headwaters. Special condition – no waste discharge will be permitted.

((+25)) (127) Walla Walla River from mouth to Lowden (Dry Creek at river mile 27.2).

((+26)) (128) Walla Walla River from Lowden (Dry Creek at river mile 27.2) to Oregon border (river mile 40). Special condition – temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.

((+27)) (129) Wenatchee River from Wenatchee National Forest boundary (river mile 27.1) to headwaters.

((+28)) (130) White River (Pierce-King counties) from Mud Mountain Dam (river mile 29.6) to headwaters.

((+29)) (131) White River (Chelan County).

((+30)) (132) Wildcat Creek.

((+31)) (133) Willapa River upstream of a line bearing 70°true through Mailboat Slough light (river mile 1.8).

((+32)) (134) Wishkah River from mouth to river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W).

((+33)) (135) Wishkah River from river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W) to west fork (river mile 17.7).

((+34)) (136) Wishkah River from west fork of Wishkah River (river mile 17.7) to south boundary of Sec. 33-T21N-R8W (river mile 32.0).

((+35)) (137) Wishkah River and tributaries from south boundary of Sec. 33-T21N-R8W (river mile 32.0) to headwaters. Special condition – no waste discharge will be permitted.

((+36)) (138) Wynoochee River from mouth to Olympic National Forest boundary (river mile 45.9).

((+37)) (139) Wynoochee River from Olympic National Forest boundary (river mile 45.9) to headwaters.

Lake Class

Class A
Class AA

Class A

Class A

Class AA

Class A

Class AA

Class B

Class A

Class AA

Class A

Class AA

Class AA

Class AA

Class AA

Class AA

Class AA

Class AA

Class AA

Class AA

Class B

Class A

Class AA

Class AA

Class AA

Class A

Class A

Class B

Class A

Class AA

Class AA

Class A

Class AA

~~((138) Yakima River from mouth to Sunnyside Dam (river mile 103.8). Class B~~

~~((139)) (140) Yakima River from ((Sunnyside Dam (river mile 103.8))) mouth to Cle Elum River (river mile 185.6). Special condition - temperature shall not exceed 21.0°C due to human activities. When natural conditions exceed 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.~~

Class A

~~((140)) (141) Yakima River from Cle Elum River (river mile 185.6) to headwaters.~~

Class AA

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-090 ACHIEVEMENT CONSIDERATIONS. To fully achieve and maintain the foregoing water quality in the state of Washington, it is the intent of the department to apply the various implementation and enforcement authorities at its disposal, including participation in the programs of the Federal Clean Water Act (~~((P.L. 95-217))~~) 33 U.S.C. 1251 et seq. as appropriate. It is also the intent that cognizance will be taken of the need for participation in cooperative programs with other state agencies and private groups with respect to the management of related problems. The department's planned program for water pollution control will be defined and revised annually in accordance with section 106 of said federal act. Further, it shall be required that all activities which discharge wastes into waters within the state, or otherwise adversely affect the quality of said waters, be in compliance with the waste treatment and discharge provisions of state or federal law.

AMENDATORY SECTION (Amending Order DE 77-32, filed 1/17/78)

WAC 173-201-100 IMPLEMENTATION. (1) Discharges from municipal, commercial, and industrial operations. The primary means to be used for controlling municipal, commercial, and industrial waste discharges shall be through the issuance of waste disposal permits, as provided for in RCW 90.48.160 and following.

(2) Miscellaneous waste discharge or water quality effect sources. The director shall, through the issuance of regulatory permits, directives, and orders, as are appropriate, control miscellaneous waste discharges and water quality effect sources not covered by WAC 173-201-100(1) hereof. It is noted that, from time to time, certain short-term activities which are deemed necessary to accommodate essential activities or to otherwise protect the public interest may be specially authorized by the director as indicated in WAC 173-201-035 (8)(e), under such conditions as the director may prescribe, even though such activities may result in a reduction of water quality conditions below those criteria and classifications established by this regulation.

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning the amendment of rules, definitions, and risk classification language contained in chapter 296-17 WAC applicable to workers' compensation insurance underwritten by the Washington state fund, Department of Labor and Industries, and specifically the proposed establishment of a new general rule governing the premium liability of certain corporate officers and partners of general and limited partnerships;

that the agency will at 10:00 a.m., Tuesday, February 9, 1988, in the General Administration Building, First Floor, Conference Room, 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 March 1, 1988.

The authority under which these rules are proposed is RCW 51.04.020(1).

The specific statute these rules are intended to implement is RCW 51.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 1, 1988.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written and/or oral comments thereon received prior to or during the public hearing.

Written and/or oral submissions may also contain data, news, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21 [43.21H] RCW.

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

Alan D. Spadoni
Assistant Director for Employer Services
Department of Labor and Industries
905 Plum Street S.E.
Olympia, Washington 98504

Dated: January 6, 1988

By: Joseph A. Dear
Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): The proposals for rule changes which follow amend portions of chapter 296-17 WAC. This title [chapter] pertains to the calculation, reporting, and collection of premiums for worker's compensation insurance coverage provided by the Department of Labor and Industries.

Statutory Authority: RCW 51.04.020 and 51.16.035.

Specific Statute that Rule is Intended to Implement: RCW 51.16.035.

Summary of the Rule(s): To establish a new general rule governing the premium liability of certain corporate officers and partners of general and limited partnerships.

Reasons Supporting Changes: Revisions and/or amendments to existing rules and the establishment of new rules are intended to extend uniform treatment and equity to all affected employers. The changes being proposed are reflective of practices consistent with recognized workers' compensation insurance practices.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s): R. L. McCallister, Deputy Director for Industrial Insurance, 753-5173; Alan D. Spadoni, Assistant Director for Employer Services, 753-5371; and Francis A. Romero, Manager, Classification Development, 753-1434.

Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing the Rule(s): State of Washington, Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule(s): None.

These rules are not proposed to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: This statement pertains to revisions to chapter 296-17 WAC proposed by the Department of Labor and Industries which were adopted by the department on an emergency basis effective January 1, 1988, and are to become effective permanently on April 1, 1988, and is prepared to conform with section 3(2) and section 4 of the Regulatory Fairness Act (chapter 6, Laws of 1982).

Existing Rules: Chapter 296-17 WAC presently defines approximately 271 risk classifications for purposes of reporting exposures and computing premiums for workers' compensation insurance as well as rules governing the application of these risk classifications to businesses or occupations, provisions for an experience rating plan, insurance base rates applicable to each risk classification, and rules governing the reporting of worker hours and the assessment of penalties for employers who fail to register or file late payroll reports.

Treatment of Small Business Under Existing Rules: Risk classification definitions are keyed to the nature of an employer's business operations within this state and in certain cases individual employments, and are independent of business size. Once the number of risk classifications statistically supportable has been determined and the risks defined, base rates are developed for each risk classification. All new employers conducting like businesses are assigned into a common classification pool representative of their business undertaking and are assigned the same base rate. As experience is developed by each employer, a modified rate as provided for in the experience rating plan is calculated. Those employers with a favorable past experience receive rate reductions while those employers with unfavorable past experience receive rate increases. Within the experience rating plan, small employers with a loss-free record during the experience rating period are allowed rate credits in excess of those initially computed by the rating plan based on risk

size, by imposing a maximum modification for loss-free firms of various sizes in WAC 296-17-890.

Effect of Proposed Revisions: A new general rule governing the premium liability of certain corporate officers and partners of general and limited partnerships. This new rule is being proposed to clarify the department's position as it pertains to the corporate officer and partnership exemptions. The rule being proposed will not result in higher rates to the affected businesses but merely ensures the participation of all businesses subject to industrial insurance regardless of size and a more even distribution of insurance costs.

NEW SECTION

WAC 296-17-349 CORPORATE OFFICER AND LIMITED PARTNER—COVERAGE EXTENDED In exercising its police and sovereign powers (RCW 51.04.010), the state of Washington has declared all phases of premises withdrawn from private controversy and has provided sure and certain relief for all workers injured in the course of employment. For the purposes of reducing to a minimum suffering and economic loss arising from injuries and/or death occurring in the course of employment, the Department is instructed to liberally construe Title 51 RCW (see Declaration of Policy RCW 51.12.010). Through the years certain employments have been excluded from mandatory coverage. It is available on an optional basis. Excluded employments are contained in RCW 51.12.020 and include certain partners and corporate officers.

Title 25 RCW governs the establishment, maintenance, continuation and dissolution of partnerships. Title 23A RCW governs the formation, merger, consolidation, sale and dissolution of corporations.

To carry forward the intent of both the coverage and exclusion provisions of Title 51 RCW and exercising the authority granted in RCW 51.04.020(1), the Department does hereby establish and promulgate rules governing the assessment of premiums as it pertains to certain partners and corporate officers.

(1) **Corporate Officers—RCW 51.12.020(9)** exempts from mandatory coverage those corporate officers who also concurrently sit on the corporation's board of directors and own stock in the corporation. It is not uncommon for corporations to issue various classes of stock. Not all classes of stock issued include voting rights in the overall management and direction of the company. The underlying intent of the corporate officer exemption is to exclude from coverage only those officers meeting the two prong test of share holder and director who are in a position similar to a proprietor to direct and control the business. In applying this exemption, the Department will consider corporate officers exempt from coverage when they are elected to and sit on the corporation's board of directors and are in a position similar to a proprietorship to direct and control the business. Any corporate officer not meeting the above test who performs services for the corporation and receives compensation, either actual or anticipated, shall be reported as a worker on the corporation's quarterly report of payroll and premiums paid on his/her behalf for workers compensation insurance.

(2) **Partners—RCW 51.12.020(5)** exempts from mandatory coverage partners other than those partnerships who after July 26, 1981 registered for the first time under Chapter 18.27 RCW or become licensed for the first time under Chapter 19.28 RCW. Partners of a partnership established after July 26, 1981 that fall within the mandatory provisions of the Industrial Insurance Act can voluntarily withdraw from coverage as provided for in RCW 51.12.115. Partnerships established in accordance with Title 25 RCW fall under the categories of general or limited. The underlying intent of the partner exemption is to only exempt from coverage those partners who are in a position to direct and control the business. These individuals are identified in the partnership agreement as "general" partners. Limited partners for the purposes of industrial insurance coverage will be considered to be employees of the partnership when they perform services for the partnership and receive compensation either actual or anticipated as distinguished from a distribution of profits and shall be reported on the partnership's quarterly report of payroll and premiums paid on their behalf.

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

WSR 88-02-060
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
 [Filed January 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning the amendment of rules, definitions, and risk classification language contained in chapter 296-17 WAC applicable to workers' compensation insurance underwritten by the Washington state fund, Department of Labor and Industries, and specifically the proposed establishment of a new risk classification for aluminum smelting, and corresponding base rates and expected losses for the new classification;

that the agency will at 11 a.m., Thursday, February 18, 1988, in the General Administration Building, Third Floor, Director's Conference Room, 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 March 1, 1988.

The authority under which these rules are proposed is RCW 51.04.020(1).

The specific statute these rules are intended to implement is RCW 51.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 18, 1988.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written and/or oral comments thereon received prior to or during the public hearing.

Written and/or oral submissions may also contain data, news, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21 [43.21H] RCW.

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

Alan D. Spadoni
 Assistant Director for Employer Services
 Department of Labor and Industries
 905 Plum Street S.E.
 Olympia, Washington 98504

Dated: January 6, 1988

By: Joseph A. Dear
 Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): The proposals for rule changes which follow amend portions of chapter 296-17 WAC. This title [chapter] pertains to the calculation, reporting, and collection of premiums for worker's compensation insurance coverage provided by the Department of Labor and Industries.

Statutory Authority: RCW 51.04.020 and 51.16.035.

Specific Statute that Rule is Intended to Implement: RCW 51.16.035.

Summary of the Rule(s): To establish a new risk classification, premium, and expected loss rates for 1802, aluminum smelting.

Reasons Supporting Changes: Revisions and/or amendments to existing rules and the establishment of new rules are intended to extend uniform treatment and equity to all affected employers. The changes being proposed are reflective of practices consistent with nationally recognized workers' compensation insurance practices.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s): R. L. McCallister, Deputy Director for Industrial Insurance, 753-5173; Alan D. Spadoni, Assistant Director for Employer Services, 753-5371; and Francis A. Romero, Manager, Classification Development, 753-1434.

Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing the Rule(s): State of Washington, Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule(s): None.

These rules are not proposed to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: This statement pertains to revisions to chapter 296-17 WAC proposed by the Department of Labor and Industries which were adopted by the department on an emergency basis effective January 1, 1988, and are to become effective permanently on April 1, 1988, and is prepared to conform with section 3(2) and section 4 of the Regulatory Fairness Act (chapter 6, Laws of 1982).

Existing Rules: Chapter 296-17 WAC presently defines approximately 271 risk classifications for purposes of reporting exposures and computing premiums for workers' compensation insurance as well as rules governing the application of these risk classifications to businesses or occupations, provisions for an experience rating plan, insurance base rates applicable to each risk classification, and rules governing the reporting of worker hours and the assessment of penalties for employers who fail to register or file late payroll reports.

Treatment of Small Business Under Existing Rules: Risk classification definitions are keyed to the nature of an employer's business operations within this state and in certain cases individual employments, and are independent of business size. Once the number of risk classifications statistically supportable has been determined and the risks defined, base rates are developed for each risk classification. All new employers conducting like businesses are assigned into a common classification pool representative of their business undertaking and are assigned the same base rate. As experience is developed by each employer, a modified rate as provided for in the experience rating plan is calculated. Those employers with a favorable past experience receive rate reductions while those employers with unfavorable past experience receive rate increases. Within the experience rating plan, small employers with a loss-free record during the experience rating period are allowed rate credits in excess of those initially computed by the rating plan based on risk

size, by imposing a maximum modification for loss-free firms of various sizes in WAC 296-17-890.

Effect of Proposed Revisions: A new risk classification definition is being proposed for aluminum smelting as well as modifications to existing rules covering base rates and expected losses for the new classification. These changes will result in reduced costs to the employers of the affected industry.

NEW SECTION

WAC 296-17-55201 CLASSIFICATION 1802.

Aluminum smelting.

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

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	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
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
1802	.1975	.1647	.1821	.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
3404	.1851	.1544	.1725	.446
3405	.0965	.0805	.0896	.430
3406	.0844	.0704	.0785	.437
3407	.1438	.1200	.1318	.390
3408	.0504	.0421	.0463	.397
3409	.0718	.0599	.0667	.431
3501	.3035	.2531	.2816	.431
3503	.1428	.1192	.1351	.493
3505	.2506	.2575	.2380	.399
3506	.3118	.2600	.2859	.391
3508	.2131	.1777	.1984	.442
3601	.0451	.0463	.0426	.439
3602	.0337	.0281	.0317	.483
3603	.2915	.2431	.2729	.461
3604	.4778	.3982	.4370	.383
3605	.1690	.1409	.1570	.435
3606	.2975	.2481	.2788	.464
3701	.1274	.1062	.1167	.389
3702	.2026	.1689	.1859	.395
3706	.1006	.1034	.0957	.388
3707	.1827	.1525	.1719	.477
3708	.1142	.0952	.1060	.433
3801	.1056	.0881	.0974	.411

CLASS	1984	1985	1986	D-RATIO	CLASS	1984	1985	1986	D-RATIO
3802	.0624	.0520	.0592	.503	5306	.0130	.0108	.0120	.428
3803	.0828	.0852	.0784	.450	5307	.1428	.1191	.1322	.420
3805	.0828	.0852	.0784	.450	6103	.0138	.0116	.0130	.455
3806	.0828	.0852	.0784	.450	6104	.1262	.1052	.1174	.438
3808	.1043	.0870	.0981	.479	6105	.1006	.0839	.0945	.469
3809	.1043	.1072	.0988	.441	6106	.1066	.1095	.1011	.416
3901	.0804	.0672	.0747	.433	6107	.0537	.0448	.0492	.388
3902	.2239	.1868	.2087	.445	6108	.2139	.1785	.2024	.497
3903	.4345	.3622	.4019	.420	6109	.0150	.0125	.0139	.454
3904	.3126	.3211	.2969	.403	6201	.0647	.0539	.0599	.427
3905	.0539	.0449	.0507	.479	6202	.2763	.2303	.2558	.423
3906	.2154	.1796	.2001	.434	6203	.0471	.0393	.0435	.418
3909	.0981	.0819	.0932	.507	6204	.0633	.0528	.0594	.466
4002	.2659	.2218	.2473	.437	6205	.0633	.0528	.0594	.466
4101	.0629	.0525	.0590	.462	6206	.0633	.0528	.0594	.466
4103	.1427	.1191	.1337	.461	6207	.3875	.3232	.3641	.473
4104	.0651	.0669	.0617	.439	6208	.1078	.0898	.0994	.411
4107	.0348	.0289	.0324	.450	6209	.0983	.0819	.0918	.456
4108	.0629	.0525	.0590	.462	6301	.0451	.0376	.0417	.413
4109	.0629	.0525	.0590	.462	6302	.0727	.0606	.0672	.417
4201	.1955	.1630	.1801	.406	6303	.0208	.0174	.0190	.374
4301	.3830	.3195	.3616	.490	6304	.0556	.0463	.0511	.400
4302	.3259	.2718	.3038	.448	6305	.0220	.0184	.0204	.434
4303	.4078	.3401	.3799	.445	6306	.1049	.0875	.0968	.412
4304	.2550	.2127	.2377	.446	6307	.0381	.0390	.0361	.455
4305	.5704	.4755	.5242	.398	6308	.0185	.0153	.0168	.372
4401	.1801	.1502	.1682	.453	6309	.0383	.0320	.0361	.477
4402	.2801	.2335	.2582	.408	6401	.0381	.0390	.0361	.455
4404	.2184	.1823	.2040	.451	6402	.0963	.0803	.0899	.454
4501	.0658	.0548	.0597	.357	6403	.0525	.0437	.0496	.494
4502	.0154	.0128	.0141	.395	6404	.0363	.0303	.0340	.466
4503	.0311	.0319	.0294	.426	6405	.2267	.1889	.2087	.405
4504	.0268	.0223	.0249	.455	6406	.0282	.0235	.0265	.467
4601	.2208	.1840	.1991	.335	6407	.0573	.0478	.0540	.475
4802	.1507	.1257	.1405	.447	6408	.1369	.1141	.1252	.383
4803	.1659	.1384	.1548	.448	6409	.2140	.1784	.1950	.369
4804	.2488	.2075	.2338	.473	6501	.0199	.0165	.0188	.487
4805	.1670	.1393	.1567	.467	6502	.0078	.0065	.0072	.437
4806	.0370	.0309	.0349	.476	6503	.0531	.0443	.0471	.280
4807	.7395	.6164	.6775	.389	6504	.1006	.0840	.0959	.521
4808	.1743	.1453	.1627	.452	6505	.0744	.0620	.0697	.466
4809	.0921	.0769	.0863	.463	6506	.0232	.0193	.0215	.416
4810	.0610	.0509	.0569	.448	6507	.1502	.1545	.1424	.429
4811	.1431	.1193	.1319	.410	6508	.1608	.1341	.1509	.469
4812	.1420	.1184	.1324	.447	6509	.0822	.0686	.0774	.479
4901	.0241	.0201	.0221	.401	6601	.0845	.0705	.0788	.445
4902	.0241	.0201	.0225	.455	6602	.1856	.1548	.1743	.469
4903	.0241	.0201	.0221	.401	6603	.1072	.0894	.1004	.463
4904	.0063	.0053	.0059	.486	6604	.0326	.0272	.0303	.434
4905	.1182	.0987	.1114	.483	6605	.0878	.0732	.0823	.463
4906	.0212	.0176	.0197	.438	6607	.0586	.0489	.0554	.487
4907	.0429	.0357	.0397	.425	6608	.1287	.1073	.1191	.419
4908	.0442	.0368	.0409	.429	6609	1.1543	.9630	1.0884	.485
4909	.0442	.0368	.0409	.429	6704	.0750	.0625	.0695	.425
5001	1.7685	1.4740	1.6135	.374	6705	.2719	.2267	.2569	.493
5002	.2176	.1815	.2046	.475	6706	.1300	.1084	.1206	.429
5003	.7879	.6565	.7122	.344	6707	4.4696*	3.7304*	4.2872*	.542
5004	.6529	.5447	.6174	.495	6708	1.0774	.8986	1.0082	.459
5101	.3329	.2775	.3075	.416	6709	.0527	.0439	.0497	.485
5102	.6769	.5641	.6182	.378	6801	.2842	.2370	.2636	.429
5103	.4539	.3783	.4161	.390	6802	.1696	.1414	.1573	.430
5104	.2871	.2950	.2731	.388	6803	1.3181	1.0974	1.1547	.241
5106	.3007	.2507	.2767	.403	6804	.1083	.0903	.0984	.361
5107	.1997	.2050	.1896	.405	6809	.8277	.6906	.7855	.507
5108	.3199	.2668	.2962	.423	6902	.3661	.3051	.3306	.339
5109	.2578	.2150	.2361	.387	6903	2.1082	1.7562	1.8900	.316
5201	.1379	.1150	.1275	.419	6904	.0849	.0707	.0781	.400
5204	.7658	.6389	.7194	.472	6905	.1266	.1056	.1159	.385
5205	.3717	.3818	.3540	.368	6907	.6353	.5297	.5878	.421
5206	.1653	.1378	.1503	.363	6908	.1327	.1107	.1225	.416
5207	.0586	.0489	.0554	.487	6909	.0270	.0226	.0252	.444
5208	.4858	.4050	.4492	.419	7101	.0152	.0126	.0140	.411
5209	.2895	.2414	.2710	.461	7102	6.3040*	5.2584*	5.9344*	.479
5301	.0085	.0071	.0079	.388	7103	.0877	.0731	.0809	.413
5305	.0118	.0098	.0109	.420	7104	.0228	.0190	.0211	.418

CLASS	1984	1985	1986	D-RATIO
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
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

Rates Effective
January 1, 1988

Class	Accident Fund Base Rate	Medical Aid Fund Rate
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
1802	0.2942	0.2410
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
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

*Daily expected loss rate

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund base rates and medical aid rates by class of industry shall be as set forth below.

Rates Effective
January 1, 1988

Class	Accident Fund Base Rate	Medical Aid Fund Rate
0101	0.9093	0.4644
0102	0.7490	0.5074
0103	0.9427	0.6846
0104	0.8123	0.3839
0105	0.8486	0.8076
0106	1.2841	0.8792
0107	0.7114	0.3929
0108	0.8600	0.5013
0109	1.6017	0.9324
0201	1.4093	0.8793
0202	1.8110	1.5587
0206	1.0721	0.6733
0301	0.4342	0.3572
0302	1.2999	0.6161
0306	0.6247	0.4400
0307	0.4569	0.4495
0401	2.5082	1.4778
0402	1.0483	0.9827
0403	1.0592	0.7230
0502	0.8633	0.5312
0503	0.7675	0.7671
0504	0.8870	0.6192
0505	1.2079	0.7058
0506	1.7654	1.3529
0507	2.0103	1.3163
0508	1.5505	1.3043
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

Class	Rates Effective January 1, 1988		Class	Rates Effective January 1, 1988	
	Accident Fund Base Rate	Medical Aid Fund Rate		Accident Fund Base Rate	Medical Aid Fund Rate
3604	0.7475	0.5585	5301	0.0134	0.0159
3605	0.2673	0.2392	5305	0.0186	0.0186
3606	0.4732	0.4000	5306	0.0204	0.0180
3701	0.1996	0.1877	5307	0.2252	0.1791
3702	0.3177	0.2172	6103	0.0220	0.0349
3707	0.2914	0.2234	6104	0.1996	0.2080
3708	0.1805	0.1733	6105	0.1602	0.1293
3801	0.1662	0.1518	6107	0.0841	0.0885
3802	0.1000	0.0949	6108	0.3426	0.3091
3808	0.1664	0.1419	6109	0.0238	0.0213
3901	0.1272	0.1146	6201	0.1021	0.1095
3902	0.3549	0.3015	6202	0.4358	0.3376
3903	0.6850	0.7125	6203	0.0742	0.0660
3905	0.0860	0.1281	6204	0.1007	0.1183
3906	0.3405	0.2243	6205	0.1007	0.1183
3909	0.1575	0.1585	6206	0.1007	0.1183
4002	0.4207	0.3189	6207	0.6175	0.7049
4101	0.1000	0.1122	6208	0.1696	0.1762
4103	0.2269	0.2329	6209	0.1560	0.1850
4107	0.0551	0.0614	6301	0.0710	0.0576
4108	0.1000	0.1122	6302	0.1145	0.0935
4109	0.1000	0.1122	6303	0.0326	0.0362
4201	0.3074	0.2155	6304	0.0872	0.0742
4301	0.6125	0.5421	6305	0.0348	0.0362
4302	0.5166	0.4488	6306	0.1652	0.1871
4304	0.4043	0.4078	6308	0.0288	0.0198
4305	0.8952	0.5884	6309	0.0612	0.0809
4401	0.2858	0.2607	6402	0.1529	0.1300
4402	0.4405	0.3243	6403	0.0840	0.1159
4404	0.3466	0.2702	6404	0.0578	0.0663
4501	0.1023	0.0777	6405	0.3563	0.3317
4502	0.0242	0.0227	6406	0.0449	0.0602
4504	0.0425	0.0628	6407	0.0915	0.1307
4601	0.3420	0.4517	6408	0.2142	0.2320
4802	0.2389	0.1661	6409	0.3339	0.2572
4803	0.2631	0.2007	6501	0.0317	0.0345
4804	0.3964	0.3012	6502	0.0123	0.0150
4805	0.2659	0.2263	6503	0.0814	0.0463
4806	0.0591	0.0519	6504	0.1620	0.2603
4808	0.2766	0.2719	6505	0.1183	0.1349
4809	0.1466	0.1650	6506	0.0365	0.0407
4810	0.0967	0.0795	6508	0.2561	0.2283
4811	0.2251	0.1886	6509	0.1312	0.1504
4812	0.2252	0.1559	6601	0.1340	0.1179
4901	0.0378	0.0334	6602	0.2956	0.2536
4902	0.0382	0.0355	6603	0.1705	0.1682
4903	0.0378	0.0334	6604	0.0516	0.0388
4904	0.0101	0.0128	6605	0.1397	0.1154
4905	0.1888	0.2007	6607	0.0938	0.1036
4906	0.0335	0.0359	6608	0.2029	0.1324
4907	0.0677	0.0584	6609	1.8442	1.8325
4908	0.0697	0.1381	6704	0.1184	0.1334
4909	0.0697	0.1381	6705	0.4350	0.5699
5001	2.7621	1.6466	6706	0.2053	0.2378
5002	0.3469	0.2895	6707	7.23*	10.45*
5003	1.2227	0.6197	6708	1.7123	2.3520
5004	1.0452	0.8116	6709	0.0841	0.1401
5101	0.5243	0.3380	6801	0.4489	0.2700
5102	1.0580	0.6467	6802	0.2679	0.2947
5103	0.7112	0.5788	6803	2.0026	0.6312
5106	0.4724	0.4337	6804	0.1686	0.1532
5108	0.5048	0.4819	6809	1.3283	2.5744
5109	0.4038	0.3466	6901	—	0.0661
5201	0.2174	0.1977	6902	0.5677	0.2322
5204	1.2204	0.5559	6903	3.2535	3.0083
5206	0.2575	0.1824	6904	0.1333	0.1094
5207	0.0938	0.1036	6905	0.1982	0.1650
5208	0.7656	0.5861	6906	—	0.1650
5209	0.4602	0.3797	6907	1.0018	0.6342

Rates Effective
January 1, 1988

Class	Accident Fund Base Rate	Medical Aid Fund Rate
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.

WSR 88-02-061
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed January 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director of the Department of Licensing intends to adopt, amend, or repeal rules concerning the practice and licensure of acupuncture;

that the agency will at 10:00 a.m., Wednesday, February 17, 1988, in the Airport Hilton, Peninsula Room East, 17620 Pacific Highway South, Seattle, WA, 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 18.06.160.

The specific statute these rules are intended to implement is RCW 18.06.160.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 17, 1988.

Dated: January 5, 1988
By: Robert Van Schoorl
Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To amend certain procedural rules related to acupuncture licensure and to adopt rules concerning examination appeal and advertising of professional services.

Statutory Authority: RCW 18.06.160.

Summary of the Rules: WAC 308-180-120 License renewal registration date and fee; 308-180-210 Examinations; 308-180-220 Consultation plan; 308-180-250 Application exhibits required; 308-180-280 Examination appeal procedures; and 308-180-270 Advertising.

Reasons Proposed: To improve the regulation of acupuncture practitioners.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Judy Wood, Assistant Program Manager, Department of Licensing, Professional Programs Management Division, 1300 South Quince Street, P.O. Box 9012, Olympia, Washington 98504, (206) 753-2494 comm, 234-2494 scan.

Proponents: Washington State Department of Licensing.

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.

NEW SECTION

WAC 308-180-280 EXAMINATION APPEAL PROCEDURES. (1) Any candidate who takes the state written examination for licensure and does not pass may request informal review by the director of his or her examination results. This request must be in writing and must be received by the Department of Licensing, Professional Program Management Division within thirty (30) days of the postmark on the notification of the examination results. The director will not set aside the examination results unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness or manifest unfairness. The director will not consider any challenges to examination scores unless the total revised score could result in a passing score.

(2) The procedure for filing an informal review is as follows:

(a) Contact in writing the Department of Licensing office in Olympia for an appointment to appear personally to review incorrect answers on failed examinations.

(b) Candidate will be provided a form to complete in the Department of Licensing office in Olympia in defense of examination answers.

(c) The candidate must state the specific reason or reasons why the candidate feels the results of the examination should be changed.

(d) Candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the department

(e) Candidate may not bring in any resource materials for use while completing the informal review form.

(f) Candidate will not be allowed to remove any notes or materials from the office upon leaving.

(g) The following procedure apply to an appeal of the results of the practical examination.

(i) In addition to the written request required in (a) above, the candidate must, within 30 days of the date on the notification of exam results, request in writing a breakdown of the candidate's scores in the various areas of the examination.

(ii) The candidate will be sent the breakdown and will also be provided a form to complete in defense of the candidate's examination performance. The candidate must complete the form and specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the results should be

modified. This form must be returned to the department within 15 days of the date on the breakdown sent to the candidate.

(h) The acupuncture advisory committee will review and evaluate the comments submitted by the candidate on the forms provided for the informal review and make its recommendations to the director.

(i) The candidate will be notified in writing of the director's decision by the department.

(3) Any candidate who is not satisfied with the result of the examination review may request a formal hearing to be held before an administrative law judge pursuant to the administrative procedures act. Such hearing must be requested within thirty (30) days of the postmark of the result of the committee's review of the examination results. The request must state the specific reason or reasons why the candidate feels the results of the examination should be changed. The prior determination will not be set aside unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness or manifest unfairness. The director will not consider any challenges to examination scores unless the total revised score could result in a passing score.

(4) The hearing will not be scheduled until after the candidate and the state's attorney have appeared before an administrative law judge for a prehearing conference to consider the following:

- (a) the simplification of issues;
- (b) the necessity of amendments to the notice of specific reasons for examination result change;
- (c) the possibility of obtaining stipulations, admissions of fact and documents;
- (d) the limitation of the number of expert witnesses;
- (e) a schedule for completion of all discovery; and,
- (f) such other matters as may aid in the disposition of the proceeding.

(5) The administrative law judge shall enter an order which recites the action taken at the conference, the amendments allowed to the pleadings, and the agreements made by the parties or their qualified representatives as to any of the matters considered, including the settlement or simplification of issues, and which limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent order of the director.

(6) Candidates seeking formal appeal will receive at least twenty (20) days advance notice of the time and place of the formal hearing. The hearing will be restricted to the specific reasons the candidate has identified as the basis for a change in the examination score.

AMENDATORY SECTION (Amending Order PL 592, filed 5/5/86)

WAC 308-180-120 LICENSE RENEWAL REGISTRATION DATE AND FEE. (1) The annual license renewal date will coincide with the licensee's birth anniversary date.

(2) ~~((The original application/examination fee of \$500.00 will include the license fee for one year from the date of issuance and will require a prorated fee based upon \$500.00 to convert the issue date to)) Upon successfully completing the examination, a license will be issued to expire one year from the date of issuance at which time the current renewal fee will be prorated to convert the expiration date to the licensee's next birth anniversary date. The prorated fee((s)) will be submitted on or before the licensee's birth anniversary date ((following initial licensure)).~~

(3) Licensees who fail to pay the license renewal fee within thirty days of the license expiration date will be subject to the late penalty fee as set forth in RCW 18.06.120 and established in WAC 308-180-100.

AMENDATORY SECTION (Amending Order PM 641, filed 3/4/87)

WAC 308-180-210 EXAMINATIONS. (1) A written and practical examination in English shall be given twice yearly for qualified applicants at a time and place determined by the director.

(2) All applicants must have successfully completed the written portion of the examination prior to being eligible for the practical examination.

(3) Applications and fees for examination or reexamination must be received by the department forty-five days in advance of the scheduled examination date.

(4) The passing score for the written examination is a converted score of seventy-five.

(5) The practical examination will consist of separate segments designed to test the applicant's knowledge of diagnostic methods, acupuncture treatment and aseptic techniques.

(6) To pass the practical examination, candidates must successfully complete each segment of the examination.

(7) Applicants who fail either the written or the practical portion of the examination shall submit an appropriate fee for re-examination.

~~((6))~~ (8) Applicants who fail more than fifty percent of the segments of the practical examination will be required to be reexamined on all segments of the practical examination.

(9) Applicants who fail fifty percent or less of the segments of the practical examination will be reexamined only on the segments that did not receive a passing score. This provision applies only to the next regularly scheduled practical examination administration.

(10) If an applicant fails to successfully complete the practical examination within two years of passing the written examination, the director may require the applicant to retake the written examination.

(11) Application fees are nonrefundable.

AMENDATORY SECTION (Amending Order PM 641, filed 3/4/87)

WAC 308-180-220 CONSULTATION PLAN. Every certified acupuncturist shall develop a written plan for consultation, emergency transfer, and referral ~~((including))~~. The written consultation plan must be kept on file at the practitioner's place of business and be available on request by the department or its representative. The written consultation plan must include:

(1) The name, address, and telephone numbers of two consulting physicians;

(2) The name, address, and a telephone number of the nearest emergency room facility;

(3) An emergency transport mechanism (i.e., ambulance) with the name, address, and telephone number of the dispatcher nearest to the location of practice; and

(4) Confirmation from the physicians listed as to their agreement to consult with and accept referred patients from the applicant upon becoming a certified acupuncturist and establishing a place of practice.

AMENDATORY SECTION (Amending Order PM 641, filed 3/4/87)

WAC 308-180-250 APPLICATION EXHIBITS REQUIRED. Every application shall be accompanied by:

(1) The application fee;

(2) Verification of academic or educational study and training at a school or college which may include the following:

(a) Photostatic copy of diploma, certificate, or other certified documents and original copy of school transcript from a school or college evidencing completion of a program and a copy of the curriculum in the areas of study involved in the school or college forwarded directly from the issuing agency/organization; or

(b) Notarized affidavit or statement bearing the official school seal and signed by an officer of the school or training program certifying the applicant's satisfactory completion of the academic and clinical training and designating the subjects and hours; or

(c) If, for good cause shown, the school is no longer existent, an applicant may submit a sworn affidavit so stating and shall name the school, its address, dates of enrollment and curriculum completed, and such other information and documents as the department may deem necessary; or

(d) Certified copies of licenses issued by the applicant's jurisdiction which must be forwarded directly to the department of licensing from the issuing licensing and/or translation agency rather than the applicant.

(3) Verification of clinical training. The applicant shall submit a certification signed by the instructor(s) under oath that the applicant completed a course of clinical training under the direction of the instructor which shall include:

(a) The location of the training site.

(b) The inclusive dates of training.

(c) That the supervised practice included a minimum of four hundred patient treatments involving a minimum of one hundred different patients.

(d) One hundred hours of observation including case presentation and discussion.

NEW SECTION

WAC 308-180-270 ADVERTISING. (1) A person certified under chapter 18.06 RCW shall use the title Certified Acupuncturist or C.A. following their name in all forms of advertising, professional literature and billings. Additionally, no person may use the title "Oriental Medical Doctor," "OMD," "Dr. of Acupuncture," "D.A.C.," or any derivative thereof unless the words "not recognized by the state of Washington, department of licensing" is printed in clear legible type immediately following the title.

(2) A certified acupuncturist may not use the title "Doctor," "Dr.," or "Ph.D." on any advertising or other printed material unless the nature of the degree is clearly stated.

(3) A certified acupuncturist shall not engage in false, deceptive, or misleading advertising including but not limited to the following:

(a) Advertising which represents in any manner that the certified acupuncturist can cure any type of condition or disease.

(b) Advertising of any service, technique, or procedure that is outside the scope of the certified acupuncturist as provided in RCW 18.06.010.

WSR 88-02-062
PROPOSED RULES
LOTTERY COMMISSION
 [Filed January 6, 1988]

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

- New WAC 315-11-310 Definitions for Instant Game Number 31 ("Three of a Kind").
- New WAC 315-11-311 Criteria for Instant Game Number 31.
- New WAC 315-11-312 Ticket validation requirements for Instant Game Number 31.
- Amd WAC 315-20-090 Forward content of decisions in contested cases and proposed orders.
- Amd WAC 315-30-080 On-line retailer selection criteria;

that the agency will at 10:00 a.m., Friday, February 12, 1988, in the Drawing Studio, Washington State Lottery, 814 4th Avenue, Olympia, WA 98506, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

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

Dated: December 23, 1987
 By: Evelyn Y. Sun
 Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): WAC 315-11-310 Definitions for Instant Game Number 31 ("Three of a Kind"); 315-11-311 Criteria for Instant Game Number 31; 315-11-312 Ticket validation requirements for Instant Game Number 31; 315-20-090 Forward content of decisions in contested cases and proposed orders; and 315-30-080 On-line retailer selection criteria.

Statutory Authority: RCW 67.70.040.

Specific Statute that Rules are Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): WAC 315-11-310 provides definitions of the terms used in Instant Game Number 31 rules; 315-11-311 sets forth criteria for Instant Game Number 31; 315-11-312 states the ticket validation requirements for Instant Game Number 31; 315-20-090 allows for oral arguments; and 315-30-080 sites the criteria for on-line terminal expansion and removal.

Reasons Supporting the Proposed Rule(s): WAC 315-11-310, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-311 and 315-11-312; WAC 315-11-311, licensed retailers and players of Instant Game Number 31 need to know how the game will function. Specifying the criteria which apply to Instant Game 31 will provide this information; WAC 315-11-312, tickets for Instant Game Number 31 which are found to be counterfeit or tampered with will be declared void by the lottery and no prize(s) will be paid. Rigid validation requirements are set forth to discourage persons from tampering with tickets and to prevent the lottery from paying out prize money on invalid tickets; WAC 315-20-090, the director may need additional clarification prior to the decision making; and WAC 315-30-080, the on-line criteria needed to include the expansion and removal information as the lottery uses these as part of the selection process.

Agency Personnel Responsible for Drafting: Candice Bluechel, Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 586-1088; Implementation and Enforcement: Washington State Lottery Commission, (206) 753-1412, Evelyn Y. Sun, Director, (206) 753-3331, Scott Milne, Deputy Director, (206) 753-3334, Roger Wilson, Assistant Director, (206) 586-1065, and Candice Bluechel, Assistant Director, (206) 753-1947, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504.

Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing this Rule: Washington State Lottery Commission.

Agency Comments or Recommendations, if any, Regarding the Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: None.

The rule is not necessary to comply with federal law or a federal/state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: The Office of the Director, Washington State Lottery, has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed retailers for the sale of lottery tickets, or contractors who provide other services to the Office of the Director, Washington State Lottery, or who voluntarily interact with the Office of the Director, Washington State Lottery. No business or industry will be required to comply

with these rules unless they wish to provide services to, or interact with, the Office of the Director, Washington State Lottery.

NEW SECTION

WAC 315-11-310 DEFINITIONS FOR INSTANT GAME NUMBER 31 ("THREE OF A KIND"). (1) Play symbols: The following are the "play symbols": "A", "K", "Q", "J", "10", "9", and "8". One of these play symbols appears under each of the six rub-off spots on the front of the ticket.

(2) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 31, the captions which correspond with and verify the play symbols are:

PLAY NUMBER	CAPTION
A	ACE
K	KNG
Q	QUE
J	JAC
10	TEN
9	NIN
8	EGT

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The ten-digit number of the form 0000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 31 constitute the "pack number" which starts at 0000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 31, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of eight locations among the play symbols on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$1.00
TWO	\$2.00
FIV	\$5.00
TEN	\$10.00
TTY	\$20.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-311 CRITERIA FOR INSTANT GAME NUMBER 31. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) Winning tickets: Having the following pay symbols in any 3 of 6 spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three 8's - Win \$1.00
- Three 9's - Win \$2.00
- Three 10's - Win \$5.00
- Three J's - Win \$10.00
- Three Q's - Win \$20.00
- Three K's - Win \$50.00
- Three A's - Win \$500.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 31 set forth in WAC 315-11-312, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 31; and/or
- (b) Vary the number of tickets sold in Instant Game Number 31 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

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 315-11-312 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 31. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 31 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the main portion of the ticket.

(b) Each of the six play symbols and the prize symbol must have a caption underneath, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Ealing 15 point font
Captions	5 x 12 Matrix font
Pack-Ticket Number	9 x 12 Matrix font
Validation Number	9 x 12 Matrix font
Retail Verification Code	7 x 12 Matrix font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-310(1) and each of the captions must be exactly one of those described in WAC 315-11-310(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

AMENDATORY SECTION (Amending Order 96, filed 12/16/86)

WAC 315-20-090 FORM AND CONTENT OF DECISIONS IN CONTESTED CASES AND PROPOSED ORDERS. Whenever the director considers that any matter of proceeding will be best handled by the issuance of a proposed order by the director or a proposed or initial decision is issued by an administrative law judge, such an order shall be issued and the parties so notified. Upon receipt of such notice and proposed order, any party may file exceptions to the same within ten days after the date of the service of the proposed or initial order, unless a greater or lesser time for response is stated in the proposed or initial order or an extension of time is granted by the director for good cause shown. A copy of the exceptions shall be served upon all other parties who have appeared in the cause, or their attorneys of record, together with proof of such service in accordance with the rules governing service of process. Any party may answer the exceptions so filed and served within ten days after service of said exceptions upon him or her. Briefs may accompany the exceptions or answers thereto and shall be filed and served in the same manner. The director, in his or her discretion, may allow the parties to present oral arguments. After a full consideration of the proposed order, the exceptions and the answers to exceptions so filed ~~((and))~~, briefs and oral arguments if allowed, the director may affirm the proposed or initial order by service of an order of affirmation upon the parties, or, if ~~((it))~~ he or she deems the exception well taken, may revise the proposed order and issue a final order differing from the proposed order. ~~((The director, in his or her discretion, may allow the parties to present oral arguments. If no party files exceptions in a timely manner to a proposed or initial order, that order shall be final.))~~

AMENDATORY SECTION (Amending Order 72 [81], filed 4/5/85 [11/5/85])

WAC 315-30-080 ON-LINE RETAILER SELECTION CRITERIA. (1) The selection and distribution of on-line retailers throughout the state will be based on:

(a) The number of licensed retailers in each of the regions identified in WAC 315-12-130, and then;

(b) The potential for revenue generation, demographics, and public accessibility within that region.

(2) An on-line license endorsement shall be issued only to a person who possesses a valid general license, provided, the director may issue an on-line endorsement to a lottery retailer who possesses a valid provisional license if that retailer is a new owner of a previously established on-line location.

(3) In addition, the director shall consider the following factors in the selection of on-line retailers.

(a) Business and security considerations which include but are not limited to: (i) Instant game accounts receivable record, (ii) criminal history of owners and officers, (iii) history of criminal activity at the business establishment, (iv) past security problems, (v) credit rating as defined in WAC 315-30-090, (vi) licensing requirements, and (vii) history of administrative or regulatory actions.

(b) Marketing considerations which include but are not limited to: (i) Instant ticket sales history, (ii) outside vehicle traffic, (iii) retailer customer count, (iv) access to location, and (v) management attitude and willingness to promote lottery products.

(4) The director shall determine the total number of TDMs to be installed throughout the state and shall establish procedures for on-line site selection. In determining the order in which TDMs will be installed within a given geographic area, an on-line site selection survey will be completed in which the factors considered will include but not be limited to:

- (a) General information;
- (b) Description of proposed site;
- (c) Proposed TDM location;
- (d) Products sold;
- (e) Services available;
- (f) Store's hours;
- (g) Estimated on-line sales;
- (h) Instant sales per week;
- (i) Nearest four on-line agents' sales per week;
- (j) District sales representative's assessment; and
- (k) Regional sales manager's assessment.

(5) The on-line retailer network shall be expanded only if one or more of the following criteria are met:

(a) Geographic void - usually within a 10-mile radius with only one on-line retailer at the center point.

(b) Weekly mean sales per terminal exceed on-line retailer sales goals by zip code within established base week, and ten-week sales mean goals are exceeded by nearest four retailers. The goal is the mean of the established base week. Sales goals are based on sales activities using a \$3 million sales week.

(c) Director determines placement will result in a significant increase of sales within the zip code.

(6) The director may, after a TDM has been in operation for six months, order the removal of a TDM from a low producing on-line retailer location after considering marketing factors which include but are not limited to:

- (a) Sales volume not increasing at statewide average;
- (b) Weekly sales volume below that of a similar businesses with similar market potential;
- (c) Sales volume below \$5,000 per week in metropolitan areas;
- (d) Public is adequately served by other on-line agent locations; and
- (e) Failure to generate sufficient sales volume to cover the lottery's administrative costs.

(f) Geographic void does not exist.

(g) Sales fall below established target levels.

(h) Ninety-day assessment and intervention program has not increased sales to established target levels.

~~((6))~~ (7) The director may immediately discontinue a TDM's operation, order removal of a TDM from an on-line retailer location, or take any other action authorized under WAC 315-04-200 in the event that the on-line agent:

- (a) Fails to comply with any rule established by the commission any instruction issued by the director;

(b) Tamper with or attempts to tamper with the TDM or on-line system;

(c) Fails to make payment of a prize; or

(d) Makes payment with a business check and the check is dishonored for any reason.

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

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

WSR 88-02-063**PROPOSED RULES****DEPARTMENT OF ECOLOGY**

[Filed January 6, 1988]

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 Steilacoom, town of, amending WAC 173-19-3512.

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.

This notice is connected to and continues the matter in Notice No. WSR 87-22-097 filed with the code reviser's office on November 4, 1987.

Dated: January 5, 1988

By: Phillip C. Johnson
Deputy Director, Programs

WSR 88-02-064**ADOPTED RULES****DEPARTMENT OF ECOLOGY**

[Order DE 87-47—Filed January 6, 1988]

I, Phillip C. Johnson, deputy director of programs, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Long Beach, city of, amending WAC 173-19-3302.

This action is taken pursuant to Notice No. WSR 87-22-098 filed with the code reviser on November 4, 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 January 5, 1988.

By Phillip C. Johnson
Deputy Director of Programs

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-3302 LONG BEACH, TOWN OF. Town of Long Beach master program approved May 2, 1975. Revision approved January 5, 1988.

WSR 88-02-065
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed January 6, 1988]

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 social services for families, children and adults, amending chapter 388-15 WAC;

that the agency will at 10:00 a.m., Tuesday, February 23, 1988, in the Health Department Auditorium, West 1101 College Avenue, Room 140, Spokane, WA, and at 10:00 a.m., Thursday, February 25, 1988, in the Seattle Public Library, 1000 Fourth Avenue, Third Floor, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 26, 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 74.08.545.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 25, 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 February 11, 1988. The meeting site is in a location which is barrier free.

Dated: January 6, 1988
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Purpose of the Rule Changes: To amend WAC 388-15-207, 388-15-208, 388-15-209, 388-15-212, 388-15-213, 388-15-214, 388-15-215 and 388-15-217.

Reason These Rule Changes are Necessary: To control expenditures for chore services; and to clarify eligibility for employed disabled applicants for chore services.

Statutory Authority: RCW 74.08.090.

Summary of Rule Changes: Effective April 1, 1988, attendant care and services to families with children are being deleted. Neither service is required by law. The caretaker of dependent children will continue to receive chore services if eligible because of his or her own need and financial status. Additional hours will not be authorized for the care of the children in the home. Both the attendant care and family care clients receiving services prior to the date the new amendments become effective will be "grandparented." The eligibility of employed disabled chore service clients, following the removal of attendant care services is clarified.

Person Responsible for Drafting, Implementation and Enforcement of the Rules: Samuel H. Koshi, Chore Services Program, Aging and Adult Services Administration, phone (206) 753-1851 or scan 234-1851, mailstop HB-11.

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

AMENDATORY SECTION (Amending Order 1697, filed 8/28/81)

WAC 388-15-207 CHORE SERVICES FOR ADULTS—LEGAL BASIS—PURPOSE—GOALS. (1) The legal basis for the chore services program is RCW 74.08.530 through 74.08.570.

(2) The purpose of the program is to assist eligible persons at risk of being placed in a residential care facility by providing allowable chore services tasks that will allow the eligible persons to remain in or return home whenever possible.

(3) ~~The department shall limit goals for chore services for adults ((and families shall be limited))~~ to those specified in WAC 388-15-010 (1)(b), (c), and (d). Also see WAC 388-15-010(2).

AMENDATORY SECTION (Amending Order 2383, filed 5/30/86)

WAC 388-15-208 DEFINITIONS. (1) "Chore services" means services in performing light work and household and other personal tasks which eligible persons are unable to do for themselves because of frailty or handicapping conditions.

(2) "Contracted program" (~~denotes~~) means that method of hourly chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore service provider.

(3) "Individual provider program" (~~denotes~~) means that method of chore service delivery where the client employs and supervises the chore service provider. Payment is made to the client, who in turn pays the provider.

(4) "Attendant care" (~~in the chore services program is~~) means the service provided to eligible persons who were receiving attendant care services prior to April 1, 1988:

- (a) Who need full-time care, and/or
- (b) Require assistance that cannot be scheduled with personal care tasks, e.g., toileting, ambulation, wheelchair transfer, and/or
- (c) Need protective supervision when it is dangerous for a person to be left alone. Protective supervision does not include responsibilities a legal guardian should assume. Attendant care is authorized a daily rate payment in the individual provider program.

(5) "Hourly care" (~~in the chore services program is~~) means the service provided to eligible persons needing assistance that can be scheduled with household and/or personal care tasks. ~~((A maximum of one hundred sixteen hours per month per client can be provided. Hourly services do not include attendant care.))~~

(6) "Own home" shall mean the individual's present or intended place of residence whether in a building rented or owned by the client or in the home of another person. Chore services are provided within the confines of the home property except for essential shopping, errands, and transportation necessary for the completion of authorized tasks.

(7) ~~((The))~~ "Client review questionnaire" ~~((is))~~ means an ~~((adult))~~ assessment form ~~((determining))~~ used to determine the amount and type of chore services to be provided. The form is used by department staff to identify, document, and score the allowable chore service needs of all eligible persons.

(8) The "CRQ authorization ceiling chart" means the chart that indicates the maximum number of hours that ~~((can))~~ may be authorized for a client's score.

(9) "Personal care" ~~((shall))~~ means such tasks as meal preparation, feeding, dressing/undressing, care of appearance, body care, bed transfer, ambulation, wheelchair transfer, bathing, toileting, ~~((and))~~ reminding to take medicines which a person would normally provide for himself or herself and are necessary to maintain a person in his or her own home. Sterile procedures and administering medications by injection are not authorized personal care tasks, unless the individual provider program provider is a licensed health practitioner or a member of the client's immediate family.

(10) "Shared living arrangement" ~~((occurs when))~~ means a situation where two or more adults share expenses and live together in ~~((his or her own))~~ a home of one of them with common facilities, such as living, cooking, and eating areas.

(11) ~~((Persons are))~~ "At risk of institutionalization" or "at risk of residential placement" ~~((if))~~ means that the ~~((three following))~~ applicant/recipient meets criteria ~~((are met. (a) In greatest social and economic need as evidenced by more than one of the following:~~

- ~~((i) Financially eligible for chore services;~~
- ~~((ii) Seventy-five years of age or older;~~
- ~~((iii) Homebound;~~
- ~~((iv) Chronic physical health problems;~~
- ~~((v) Chronic mental health problems;~~
- ~~((vi) Confused;~~
- ~~((vii) Socially isolated;~~
- ~~((viii) Living alone;~~

~~((b) Unable to perform one or more activities essential to daily living, and~~

~~((c) Informal support system will not meet all chore services needs))~~ outlined in WAC 388-15-209 (1)(c).

(12) "High risk of residential care placement" means that the applicant/client meets the criteria outlined in WAC 388-15-209 (1)(b).

(13) "Client" means an individual who is receiving chore services.

(14) "Resources" means all real or personal property owned by or available to an applicant at the time of application which can be applied toward meeting the applicant's requirements, either directly or by conversion into money or its equivalent.

(15) "Property that is owned or available" shall mean property over which the applicant has legal right of control.

(16) "Companionship" means being with a person in the client's own home for the purpose of preventing loneliness or to accompany the client outside the home for other than basic errands, medical appointments, or laundry.

(17) "Activities essential to daily living" means the tasks listed in the client review questionnaire.

AMENDATORY SECTION (Amending Order 2550, filed 10/26/87)

WAC 388-15-209 CHORE SERVICES—ELIGIBLE INDIVIDUALS. (1) Service eligibility. Adults eligible for chore services shall be:

(a) ~~((Chore services are for adults))~~ Eighteen years of age and over~~((:))~~;

(b) ~~((Eligibility for chore services shall be determined through the completion and scoring of the client review questionnaire. Refer to WAC 388-15-212:))~~ At high risk of residential care placement as evidenced by the need of assistance with one or more personal care tasks defined in WAC 388-15-208(8) as determined by completion and scoring of the client review questionnaire (CRQ);

(c) ~~((Families may receive chore services when the client is the normal caretaker of the children and:~~

(i) Is in the home but unable to physically care for the children;

(ii) Is in the home and physically unable to perform the necessary household tasks; or

(iii) Is out of the home temporarily, as defined by the department; and

(iv) Children and family services confirms all possible resources have been explored and no one can or will provide the necessary care)) At risk of residential care placement and unable to perform one or more activities essential to daily living and are in social and economic need as evidenced by one or more of the following:

~~((i) Seventy-five years of age or over;~~

~~((ii) Homebound;~~

~~((iii) Chronic physical health problems;~~

~~((iv) Chronic mental health problems;~~

~~((v) Confused;~~

~~((vi) Socially isolated; and~~

~~((vii) Living alone.~~

~~((d) Authorized the amount of chore services as determined by the CRQ;~~

~~((e) Authorized payment for a maximum of one hundred sixteen hours per month of task-related services listed in the CRQ;~~

~~((f) Authorized services only when their needs cannot be met by relatives, friends, nonprofit organizations, or other persons;~~

~~((g) Referred to the volunteer chore service program, prior to approval of services by department paid providers when aged sixty or over and eligible for five hours per month or less of services;~~

~~((h) Referred to the volunteer chore service program, when aged sixty or over, are not eligible for chore services because of income or need level, or are eligible for a reduced level of service because of income, where such program exists, for needed hours of service not provided by the department.~~

~~((d))~~ (i) The department ~~((paid))~~ shall pay for services ~~((shall be provided))~~ only ~~((to))~~ for persons whose chore service~~((s))~~ needs cannot be met by relatives, friends, nonprofit organizations, or other persons.

(2) Financial eligibility.

(a) To be eligible to receive chore services, a person shall meet the financial eligibility requirements established by the department.

(b) ~~((For families to receive services, the total family income shall be at or below the financial eligibility requirements established by the department. Minor children shall not be financially eligible in their own right. The minor children are part of the family unit.~~

~~((c))~~ Determined to be at high risk or an adult ~~((or family))~~ at risk of being placed in a residential care facility is eligible to receive the level of hourly ~~((or attendant care))~~ chore services as determined by WAC 388-15-212 if he or she is a recipient of:

(i) Supplemental Security Income and/or state supplementation; or

(ii) Limited casualty program medical care as defined by RCW 74.09.010 at time of eligibility determination; or

(iii) Has gross ~~((family))~~ income, adjusted for family size, at or below thirty percent of the state median income.

~~((d))~~ (c) Adult protective service~~((s))~~ clients determined to be at high risk or at risk of being placed in a residential care facility are eligible to receive chore services without regard to income or resources, if these services are an integral but subordinate part of the adult protective services plan. These services are limited to a maximum of ninety days during any twelve-month period.

~~((e))~~ (d) An adult ~~((or family))~~ with a gross ~~((family))~~ income over thirty percent of the state median income (SMI) and determined to be at high risk or at risk of being placed in a residential care facility ~~((is eligible to))~~ receives a reduced level of hours ~~((in the hourly chore services program or a reduced level of payment in the attendant care chore services program)).~~ ~~((Fo))~~ The department shall determine the reduced level~~((, deduct))~~ by:

(i) Deducting one hour of chore services for each percentage point ~~((when))~~ by which the client's income exceeds thirty percent SMI~~((: Deduct))~~; and

(ii) Deducting an additional hour of service for each percentage point ~~((when))~~ by which the client's income exceeds fifty percent SMI. ~~((For attendant care, the department shall pay a reduced amount equivalent to the individual provider program hourly rate.~~

~~((f))~~ The department shall attempt to obtain chore services from the volunteer chore services program, prior to approval of services by department paid providers, for individuals who are:

(i) At risk of being placed in a residential care facility;

(ii) Age sixty or over, and

(iii) Eligible for five hours per month or less of services.

~~((g))~~ The department shall refer to the volunteer chore services program individuals who are:

(i) At risk of being placed in a residential care facility;

(ii) Age sixty or over, and

(iii) Are not eligible for chore services because of income or need level, or

(iv) Are eligible for a reduced level of service because of income where such program exists for needed hours or services not provided by the department.))

~~((f))~~ (e) Clients or applicants shall not be eligible for chore services if the clients or applicants have resources in excess of ten thousand dollars for one person or fifteen thousand dollars for a two-person family. Allow another one thousand dollars for each additional family member. ~~((Adult protective services clients receiving chore services as an integral but subordinate part of an adult protective services plan and Supplemental Security Income and/or state supplementation recipients are exempt from the resource requirement in this section. Resources mean all real or personal property owned by or available to an applicant at the time of application which can be applied toward meeting the applicant's requirements, either directly or by conversion into money or its equivalent. Property that is owned or available shall mean property over which the applicant has legal right of control.))~~

The department shall consider the following resources ~~((shall be considered))~~ in determining the value of a client's or applicant's resources:

- (i) Checking accounts;
- (ii) Savings accounts;
- (iii) Certificates of deposit;
- (iv) Money markets;
- (v) Negotiable stocks and bonds;
- (vi) Latest assessed value of lots or property not attached to residence;
- (vii) Market value of a boat or boats, recreational vehicle or vehicles, or excess automobiles;
- (viii) Liquid assets: Such as cash, gold, silver, and other items of an investment and negotiable nature.

~~((f))~~ (f) The department shall not consider the following resources, regardless of value, ~~((shall not be considered))~~ in determining the value of a client's or applicant's resources:

- (i) A home and lot normal for the community where the client or applicant resides;
- (ii) Used and useful household furnishings, personal clothing, and one automobile per client;
- (iii) Personal property of great sentimental value;
- (iv) Real or personal property used by the applicant or ~~((recipient))~~ client to earn income or to rehabilitate himself or herself;
- (v) One cemetery plot for each member of the family unit;
- (vi) Cash surrender value of life insurance.

(3) Continuing eligibility for attendant care for adults and supervision of children.

(a) Attendant care for adults and supervision of children will no longer be authorized after March 31, 1988. Individuals applying on or after April 1, 1988, will be provided services based on eligibility as determined in WAC 388-15-209 (1) and (2).

(b) Clients receiving attendant care and supervision of children prior to April 1, 1988, shall continue to be eligible to receive services.

(c) Periodic review to determine continuing need for and/or eligibility shall be made according to the following rules which were in effect prior to April 1, 1988. These rules follow.

(d) Attendant care service is authorized for individuals receiving attendant care prior to April 1, 1988, and requires assistance with such unscheduled tasks as toileting, ambulation, and wheelchair transfer or protective supervision. Protective supervision is authorized when a person may hurt oneself, others, or damage property if left alone, or is confused and may wander away, or becomes easily disoriented.

(i) The amount of service authorized is based on the total number of hours per day the chore service provider must be with a client.

(ii) The chore service provider performs necessary household or personal care tasks or assists with activities of daily living during the authorized attendant care hours.

(iii) Supervision of children may be authorized only when the client is temporarily absent from the home because of hospitalization and all possible resources have been explored to provide the necessary supervision. This absence shall not exceed two weeks during any six-month period. The number of days and the number of hours per day that the children need supervision is recorded. The chore service provider performs household and personal care tasks for the children during the hours of supervision.

(iv) The client shall provide verification of the need for attendant care by producing a statement from the client's physician.

(e) A daily rate shall be paid for attendant care for adults and supervision of children. The rate shall not exceed the lesser of the following, a maximum of twenty-three dollars per day or the amount determined by the table as follows:

DAILY RATE DETERMINATION

<u>HOURS OF SERVICE PER DAY</u>	<u>PAYMENT PER DAY</u>
21 - 24	up to \$ 23.00
16 - 20	up to \$ 21.00
12 - 15	up to \$ 19.00
8 - 11	up to \$ 16.50
4 - 7	up to \$ 11.50
1 - 3	up to \$ 7.50

Up to five dollars per day is added for each additional client authorized for service in the household.

(i) The department shall pay a reduced amount equivalent to the individual provider program hourly rate.

(ii) The department shall not pay for services when the client is not in the home, for example, because of hospitalization. If necessary, however, up to seven days during the service month may be provided to enable the client to return home.

(f) An attendant care client may request approval from the department to exceed the maximum daily rate set by the department. The department shall authorize a higher payment rate necessary to maintain the client their own home when:

(i) The need for the higher payment is specific and clearly measurable; and

(ii) The client provides documentation that services are not available at the established maximum payment rate; and

(iii) The client has made a reasonable effort to find a qualified provider at the established maximum payment rate; and

(iv) The total cost for attendant care services does not exceed the lesser of the following, a maximum of thirty dollars per day, or the amount determined by the table as follows:

<u>HOURS OF SERVICE PER DAY</u>	<u>ADDITIONAL PAYMENT PER DAY</u>
21 - 24	up to \$7
16 - 20	up to \$6
12 - 15	up to \$5
8 - 11	up to \$4
4 - 7	up to \$3
1 - 3	up to \$2

(g) All clients shall be informed in writing of the process as defined in subsection (3)(f) of this section and shall have the right to request approval from the department to exceed the maximum daily or hourly rate.

(h) When the department denies a request to exceed the maximum payment rates or makes approval at a lesser rate than requested by the client, the client shall receive notice of the right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(i) When providing board and room or meals for the chore service provider is an extra cost to the client, the department may make a payment to partially reimburse the cost of this expense. The department shall not reimburse such costs for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.

(j) The department shall pay only after the department verifies service delivery.

(4) Continuing eligibility for family care services.

(a) Family care will no longer be authorized after March 31, 1988. Individuals applying on or after April 1, 1988, will be provided services based on eligibility as determined in WAC 388-15-209 (1) and (2).

(b) Clients receiving family care services prior to April 1, 1988, shall continue to be eligible to receive services at the authorized level.

(c) Periodic review to determine continuing need for and/or eligibility shall be made according to the following rules which were in effect prior to April 1, 1988.

(d) Families may receive services when the client is the normal caretaker of the children, and:

- (i) Is in the home but unable to physically care for the children;
- (ii) Is in the home and physically unable to perform the necessary household tasks; or
- (iii) Is out of the home temporarily, as defined by the department; and

(iv) Children and family services confirms all possible resources have been explored and no one can or will provide the necessary care.

(e) For families to receive services, the total family income shall be at or below the financial eligibility requirements established by the department. Minor children shall not be financially eligible in their own right. The minor children are part of the family unit.

(f) The family care questions take into consideration the ages, number, level of responsibility of the children, and the presence of a spouse when determining the need for chore services.

(i) Family housework determines the need for additional help cleaning the household because of the presence of children.

(ii) Family tasks determines the need for escort and transportation, laundry services, meal preparation and shopping, and bathing and dressing for the client's children.

(iii) Supervision of children determines the need for physical supervision of the children when the client is in the home, but unable to supervise them.

(iv) The total scoring for subsection (4)(f)(i), (ii), and (iii) are N = 0, M = 14, S = 27, and T = 40.

(g) The chore services provider may not act as a parent substitute or make major decisions affecting the children.

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 2550, filed 10/26/87)

WAC 388-15-212 SERVICE DETERMINATIONS. (1) The department shall determine the need for and amount of chore services ((need and amount determination)) for all applicants and clients of chore services ((will be made by using)) according to the score on a client review questionnaire ((for each adult)) CRQ. The department shall use a separate CRQ for each adult.

(2) Department staff ((with)) shall administer the client review questionnaire.

(3) When administering the client review questionnaire, department staff ((with)) shall take into account the client's:

(i) Risk of being placed in a residential care facility ((and));

(ii) Ability to perform activities of daily living((:));

(iii) Living conditions((and));

(iv) Arrangements((:)); and ((the))

(v) Availability and use of alternative resources, including immediate family, other relatives, neighbors, friends, community programs, and volunteers.

(4) ((a)) The series of questions on the client review questionnaire ((is a series of questions designed to determine)) documents the client's need for assistance with the tasks available from the chore services program. ((In answering each question, either "N," "M," "S," or "T" is circled))

(a) The department shall base the scoring on the following to indicate the extent of assistance the client needs from the chore program for each task(("N," "M," "S," or "T" are defined as):

(i) N = ((None)) No service needed: The client is either able to perform this task without help or is already receiving or could receive all the help needed from other sources.

(ii) M = Minimal service needed: The client cannot perform this task without help and needs a minimal amount of assistance from the chore services program in addition to whatever help may or may not be received from other sources.

(iii) S = Substantial service needed: The client cannot perform this task without help and needs a substantial amount of assistance from the chore services program in addition to whatever help may or may not be received from other sources.

(iv) T = Total service needed: Client is completely unable to perform this task and is not now receiving any help and needs total assistance from the chore services program.

(b) The department shall award points ((are awarded)) for each task based on the degree of assistance needed from the chore services program. The number of points available for each task is set forth in subsection (5) of this section. The point total is converted into maximum allowable hours using the table set forth in subsection (6) of this section. ((For clients needing attendant care, as defined in subsection (5) of this section, the amount of services authorized is based on the total number of hours per day the chore service provider must be with the client:))

(5) The department shall score the allowable chore services program tasks, as defined by the department, ((are scored)) according to the need and frequency of services as follows:

(a) Escort/transport to medical services((The scoring is as follows; based on the need and frequency of service)): N = 0, M = 1, S = 2, T = 3.

(b) Essential shopping and errands((The scoring is based on need and frequency of service)): N = 0, M = 5, S = 10, T = 15. When the chore service provider must perform these tasks for the client because the client is unable to go along((the scoring is)): N = 0, M = 1, S = 3, and T = 5.

(c) Laundry((The scoring is)): N = 0, M = 1, S = 2, and T = 3. If there are no laundry facilities in the client's own home, the department shall award additional points ((are awarded. The scoring for the additional points is)): N = 0, M = 3, S = 5, and T = 7.

(d) Splitting/stacking/carrying wood((The scoring is)): N = 0, M = 3, S = 5, and T = 7. Service to perform this task is available only to persons who use wood as their sole source of fuel for heat and/or cooking.

(e) Housework. Housework is limited to tasks necessary to protect the client's health and safety and to those areas of the home actually used by the client, i.e., kitchen, bathroom, bedroom, living room, and dining room((The scoring is)): N = 0, M = 1, S = 2, and T = 3.

(f) Cooking. ((The)) Scoring is based on the preparation of three meals, as follows:

(i) Breakfast N = 0, M = 4, S = 7, T = 10.

(ii) Light meal N = 0, M = 4, S = 7, T = 10.

(iii) Main meal N = 0, M = 5, S = 10, T = 15.

(g) Feeding. ((The)) Scoring is based on feeding three meals, as follows:

(i) Breakfast N = 0, M = 4, S = 7, T = 10.

(ii) Light meal N = 0, M = 4, S = 7, T = 10.

(iii) Main meal N = 0, M = 5, S = 10, T = 15.

(h) Dressing/undressing((The scoring is)): N = 0, M = 4, S = 7, and T = 10.

(i) Care of appearance((The scoring is)): N = 0, M = 1, S = 3, and T = 5.

(j) Body care((The scoring is)): N = 0, M = 5, S = 10, and T = 15.

(k) Bed transfer((The scoring is)): N = 0, M = 1, S = 3, and T = 5.

(l) Ambulation((The scoring is)): N = 0, M = 4, S = 7, and T = 10.

(m) Wheelchair transfer((The scoring is)): N = 0, M = 1, S = 3, and T = 5.

(n) Bathing((The scoring is)): N = 0, M = 4, S = 7, and T = 10.

(o) Toileting((The scoring is)): N = 0, M = 5, S = 10, and T = 15.

(p) Remind to take medicines((The scoring for reminding to take medication is)): N = 0, M = 1, S = 2, and T = 3.

((q)) Family care. The family care question takes into consideration the ages, number, level of responsibility of the children, and the presence of a spouse when determining the need for chore services:

(i) Family housework determines the need for additional help cleaning the household because of the presence of children:

(ii) Family tasks determines the need for escort and transportation, laundry services, meal preparation and shopping, and bathing and dressing for the client's children:

(iii) Supervision of children determines the need for physical supervision of the children when the client is in the home, but unable to supervise them:

(iv) The total scoring for the above are N = 0, M = 14, S = 27, and T = 40:

(r) Attendant care for adults/supervision of children:

(i) Attendant care for adults is authorized when the client requires assistance with such unscheduled tasks as toileting, ambulation, and wheelchair transfer or supervises or watches a client who cannot safely be left alone. Protective supervision may be necessary when a person may hurt himself or herself, others, or damage property if left alone, or is confused and may wander away, turn on a stove and forget to turn it off, or becomes easily disoriented. The chore service provider performs any household or personal care tasks or gives assistance with activities of daily living during the authorized attendant care hours. The scoring and authorization are based on the number of days per month and hours per day during which the chore service provider must be with a client in need of attendant care. The client or applicant shall provide

verification of the need for attendant care by producing a statement from the client's or applicant's physician.

(ii) Supervision of children may be authorized only when the client is temporarily absent from the home because of hospitalization and all possible resources have been explored to provide the necessary supervision. This absence must not exceed two weeks during any six-month period. Refer to WAC 388-15-209 (1)(c)(iv). This question is not scored. The number of days and the number of hours per day that the children need supervision is recorded. Authorization is based on the total number of hours required each day for supervision. The chore service provider performs household and personal care tasks for the children during the hours of supervision.)

(6) ((Except for cases where attendant care for adults or supervision of children when the client is temporarily absent is required, as defined in subsection (5)(r) of this section,)) The ((amount)) department shall determine the number of hours of chore services to be authorized per month shall be determined by translating the total number of points awarded on the client review questionnaire into a monthly authorization, ((utilizing)) using the following CRQ authorization ceiling chart:

CRQ SCORE	CEILING HOURS PER MONTH
1 - 4	5
5 - 9	8
10 - 14	11
15 - 19	14
20 - 24	18
25 - 29	21
30 - 34	24
35 - 39	28
40 - 44	31
45 - 49	34
50 - 54	37
55 - 59	41
60 - 64	44
65 - 69	47
70 - 74	51
75 - 79	54
80 - 84	57
85 - 89	60
90 - 94	64
95 - 99	67
100 - 104	70
105 - 109	74
110 - 114	77
115 - 119	80
120 - 124	83
125 - 129	87
130 - 134	90
135 - 139	93
140 - 144	97
145 - 149	100
150 - 154	103
155 - 159	106
160 - 164	110
165 - 169	113
170 and above	116

The department may authorize fewer hours according to the client's individual circumstances and the provisions under WAC ((388-15-215(8))) 388-15-215(7). ((Attendant care for adults and supervision of children when the client is temporarily absent are authorized for the number of days per month and hours per day the services are required.))

(7) The client or applicant may request approval from the department to exceed the ceiling hours authorized per month, as determined in subsection (6) of this section. The department shall authorize the number of additional hours not to exceed one hundred sixteen hours per month per client in the hourly program when:

(a) There are circumstances of a demonstrated duration, frequency, or severity which require additional hours of allowable chore services to avoid adverse effects to ((his or her)) the client's health or safety; and

(b) The need for additional hours is specific and clearly measurable(-); and

(c) Funds are available under provisions of WAC ((388-15-215(11))) 388-15-214.

(8) The department shall inform all clients or applicants ((shall be informed)) in writing of the process as defined in subsection (7) of this section and shall have the right to request from the department approval to exceed the authorized hours as set forth in subsection (6) of this section.

(9) When the department denies a request for additional hours or ((makes approval for)) approves fewer additional hours than requested, the department shall send the client or applicant ((shall receive)) a notice of ((his or her)) the right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(10) The department may provide chore services ((may be provided either)) through the individual provider program or through the contracted program, as deemed most appropriate by department policy established by the state office.

AMENDATORY SECTION (Amending Order 2550, filed 10/26/87).

WAC 388-15-213 PAYMENT. (1) ((Payment)) The department may ((be made)) pay for services performed by a relative, but ((payment to)) may pay a spouse, father, mother, son, or daughter may be made only when the ((person)) relative:

(a) Has to give up paid employment (more than thirty hours per week) to give the service, or

(b) Would otherwise need to take paid employment (more than thirty hours per week) to meet the relative's financial needs, or

(c) Would otherwise be financially eligible to receive general assistance to meet ((his or her)) the relative's own need.

(2) ((Payment to)) The department shall not pay a spouse providing chore services to an incapacitated, eligible client ((shall not exceed)) more than the amount of a one-person standard for a continuing general assistance grant plus increase required by the legislature. Refer to WAC 388-29-100 for grant standards.

(3) In the contracted program, ((payment is made to)) the department pays the contractor who directly pays the chore service provider. Refer to WAC 388-15-208.

(4) In the individual provider program, ((payment is made to)) the department pays the client who pays the chore service provider. Refer to WAC 388-15-208.

(a) The department pays an hourly wage ((is paid)) for the actual number of hours worked on all chore service(s) tasks ((maximum of one hundred sixteen hours per month per client), except for attendant care for adults and supervision of children when the client is temporarily absent)). The hourly wage rate shall be four dollars and seventy-six cents per hour beginning September 1, 1987.

(b) ((A daily rate is paid for attendant care for adults and supervision of children. The daily rate is determined by the service worker after discussion with the client and chore service provider, but the rate shall not exceed the lesser of the following, a maximum of twenty-three dollars per day or the amount determined by the table as follows:

DAILY RATE DETERMINATION	
HOURS OF SERVICE PER DAY	PAYMENT PER DAY
21 - 24	up to \$ 23.00
16 - 20	up to \$ 21.00
12 - 15	up to \$ 19.00
8 - 11	up to \$ 16.50
4 - 7	up to \$ 11.50
1 - 3	up to \$ 7.50

Up to five dollars per day is added for each additional client authorized for service in the household.

(c) An individual provider program eligible client or applicant may request approval from the department to exceed the maximum daily rate set by the department. The department shall authorize a higher payment rate necessary to maintain the client or applicant in his or her own home when:

(i) The need for the higher payment is specific and clearly measurable; and

(ii) The client or applicant provides documentation that services are not available at the established maximum payment rate; and

~~(iii) The client or applicant has made a reasonable effort to find a qualified provider at the established maximum payment rate, and~~

~~(iv) The total cost for attendant care services does not exceed the lesser of the following, a maximum of thirty dollars per day, or the amount determined by the table in subsection (4)(b) of this section as follows:~~

HOURS OF SERVICE PER DAY	ADDITIONAL PAYMENT PER DAY
21-24	up to \$7
16-20	up to \$6
12-15	up to \$5
8-11	up to \$4
4-7	up to \$3
1-3	up to \$2

~~(d) All clients or applicants shall be informed in writing of the process as defined in subsection (4)(c) of this section and shall have the right to request approval from the department to exceed the maximum daily or hourly rate:~~

~~(c) When the department denies a request to exceed the maximum payment rates or makes approval at a lesser rate than requested by the client or applicant, the client or applicant shall receive notice of his or her right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.~~

~~(f) When ((the client provides board and room or) providing meals ((to) for the chore service provider is an additional cost to the client, the department may make a payment to partially reimburse the cost of this expense. ((Payment is) The department shall not ((made)) reimburse such costs for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.~~

~~(g) ((Payment is made)) The department shall pay only after the department verifies service delivery ((has been verified)).~~

NEW SECTION

WAC 388-15-214 CHORE SERVICES MONTHLY DOLLAR LID. A monthly dollar lid is the level established by the department to keep within the amount appropriated by the legislature.

(1) The department shall establish a statewide monthly dollar lid based on the budget appropriation. The department shall impose this monthly dollar lid statewide, based on expenditure projections.

(2) When expenditure projections reach the monthly dollar lid, the department shall place names of applicants for chore services on a waiting list in the order of their risk of residential placement.

(3) The department shall admit all those at high risk, as defined in WAC 388-15-208(12), to the program before those at risk of residential care placement, as defined in WAC 388-15-208(11).

(4) When the projected chore service monthly expenditures fall below the monthly lid, the department will contact applicants on the waiting list in the following priority order:

- (a) Level A. Applicants at high risk of residential care placement needing help with any one of the following personal care tasks:
 - (i) Feeding,
 - (ii) Body care,
 - (iii) Bed transfer,
 - (iv) Wheelchair transfer, or
 - (v) Toileting.
- (b) Level B. Applicants at high risk of residential care placement needing help with four to six other personal care tasks;
- (c) Level C. Applicants at high risk of residential care placement needing help with one to three other personal care tasks;
- (d) Level D. Applicants at risk of residential care placement needing help with five household tasks;
- (e) Level E. Applicants at risk of residential care placement needing help with three or four household tasks; and
- (f) Level F. Applicants at risk of residential care placement needing help with one or two household tasks.

AMENDATORY SECTION (Amending Order 2298, filed 10/30/85)

WAC 388-15-215 LIMITATIONS ON PROGRAM. (1) The department shall not pay for chore services ((program is not a) for teaching or companionship ((program) purposes and ((cannot) not be used for the purpose of delivering skilled nursing care or developing social, behavioral, recreational, communication, or other ((type skill))

types of skills. ((Companionship means being with a person in his or her home for the purpose of preventing loneliness or to accompany him or her outside the home, except on basic errands or medical appointments or activities of daily living for attendant care clients:))

(2) The department shall not provide chore services ((cannot be provided)) to a resident or provider in a group home, licensed boarding home, congregate care facility, intermediate care facility, skilled nursing facility, hospital, or other institution, adult family home or child foster home. Shared living arrangements are not considered group homes.

(3) The department shall provide chore services ((are provided)) for the person needing and authorized to receive the service, not for other household members unless the services are part of ((the) a total chore services plan which includes the household members as eligible service clients.

(4) The department shall not provide chore services ((are not provided)) when community resources or family, neighbors, friends, or volunteers are available and willing to provide the service without charge.

(5) The department shall not authorize chore services ((may not be authorized)) for an applicant((/recipient)) or client who is eligible to receive community options program entry system funding or other duplicative services payment((, provided the person's benefit would not be less under this stipulation)).

(6) The department ((paid)) shall not pay for chore services ((are not provided)) for hourly care clients when ((they)) the clients are not in the home, for example, because of hospitalization. In an emergency, however, the department may pay for limited services ((may be provided)) to enable the client to return home.

(7) ((Department paid chore services are not provided attendant care clients when they are not in the home, for example, because of hospitalization. If necessary, however, up to seven days during the service month may be provided to enable the client to return home.

(8) The department shall reevaluate all approvals for additional hours ((and higher payment rates are reevaluated)) periodically((, as determined by the department. These reevaluations are continued, denied, or altered)). The department shall continue, deny, or alter services to correspond with the client's present chore services need. The department shall send the client ((shall receive)) a notice of ((his or her)) the right to contest ((reevaluations which are denied)) denials of service or ((approved at a lower rate of payment or)) approval of fewer service hours than initially approved.

((9)) (8) The department shall pay for chore services ((cannot be used)) for child care for working parent(s).

((10) In family care, the chore services provider may not act as a parent substitute or make major decisions affecting the children.

((11) Chore service may only be authorized up to the amount allocated to the regions and division of developmental disabilities in accordance with RCW 74.08.541. Eligible clients or applicants can receive service if authorization is within the amount available. Clients or applicants are provided service based on their assessed need and level of income within the chore services expenditure lid.))

AMENDATORY SECTION (Amending Order 2028, filed 10/6/83)

WAC 388-15-217 CHORE ((OR ATTENDANT CARE)) SERVICES FOR EMPLOYED DISABLED ADULTS. (1) ((Notwithstanding other provisions of WAC 388-15-207 through 388-15-215, employed disabled adults shall be eligible for chore or attendant care services as provided in this section, with cost participation, as authorized by RCW 74.08.570.

((2)) The following definitions shall apply for purposes of this section:

- (a) "Employed" means engaged on a regular ((monthly)) basis in any work activity for which monetary compensation is obtained.
- (b) "Total income" is the sum of an applicant's unearned income plus gross earned income.

(2) Employed disabled adults shall be eligible for chore services as provided in this section if they are otherwise eligible under the provisions of WAC 388-15-207 through 388-15-215. They shall participate in the cost of care as authorized by RCW 74.08.570.

(3) To be eligible for chore ((or attendant care)) services under this section, a client or applicant ((must)) shall meet all of the following conditions:

- (a) Be eighteen years of age or older.
- (b) Be a resident of the state of Washington.
- (c) Be determined by the department to be disabled as specified in subsection (4) of this section.

- (d) Be willing to submit to such examinations as are deemed necessary by the department to establish the extent and nature of the disability.
- (e) Be employed.
- (f) Have earned income which is less than forty percent of the state median income after subtracting work expenses, the cost of chore services, and any medical expenses which are not covered through insurance or another source and such medical expenses are incurred to allow the disabled person to work.
- (g) ~~((Have))~~ Be in need of chore ~~((or attendant care need))~~ services as determined by the department using the client review questionnaire.
- (h) ~~((Not))~~ Have unearned income ~~((exceeding))~~ at or below forty percent of the state median income or be an adult supplemental security income and/or state supplementation recipient.
- (i) ~~((Not have resources exceeding the limitations))~~ Meet the resource limits specified for the chore services program in WAC ~~((388-15-209 (2)(h)))~~ 388-15-209 (2)(g).
- (j) Promptly report to the department in writing any changes in income or resources which may effect eligibility.
- (k) Agree to pay all chore ~~((or attendant care))~~ services costs beyond the state's contribution as determined using a sliding fee schedule.

Percentage of State Median Income (After Deductions)	Percentage of Rate Paid By The Department
Above 0 through 5	95
Above 5 through 10	90
Above 10 through 15	85
Above 15 through 20	80
Above 20 through 25	75
Above 25 through 30	70
Above 30 through 35	65
Above 35 through 40	60

(l) Meet all other requirements for the chore ~~((or attendant care))~~ services program as defined in WAC 388-15-207 through 388-15-215.

(4) For purposes of this section, an applicant is disabled if either of the following conditions is satisfied:

(a) The applicant previously has been determined "disabled" for the purpose of receiving social security disability insurance (SSDI) or supplemental security income (SSI) or federal aid medical care only (FAMCO), and the department determines that there has been no appreciable improvement in the applicant's disabling condition(s) since that disability determination was made.

(b) The applicant is determined by the department to have a medically determinable physical or mental impairment which, except for the applicant's ability to perform gainful activity, is comparable in severity to a disability which would qualify an applicant for medical assistance related to Title XVI under WAC 388-92-015 (3)(c).

(5) The department shall pay its share of chore ~~((or attendant care))~~ service costs to the client following receipt of documentation that the services were provided. If the department verifies that less service ((is verified in any month)) than the maximum authorized is provided in any month, the department shall pay a prorated portion of its share of cost. The client shall employ the chore ~~((or attendant care))~~ service provider and shall pay the provider the full amount due for services rendered. If the client receives services exceeding those authorized by the department, or agrees to a rate of pay exceeding that authorized by the department, the client shall be responsible for paying the amount exceeding the department's authorized service cost.

(6) The department shall compute an applicant's work-related expenses ~~((shall be computed by the department))~~ as follows:

(a) The department shall deduct work related expenses ~~((shall be deducted))~~ in accordance with the "percentage method" or the "actual method," whichever is chosen by the client(-);

(b) If the client chooses the "percentage method," the department shall deduct twenty percent of the gross earned income ~~((shall be deducted))~~;

(c) If the client chooses the "actual method," the department shall deduct the actual cost of each work related expense ~~((shall be deducted))~~. The department shall use this method ~~((shall be used))~~ only when the client provides written verification of all work related expenses claimed.

(d) When determined by the "actual method," allowable work expenses shall consist of:

- (i) Child care;
- (ii) Payroll deductions required by law or as a condition of employment, in amounts actually withheld;
- (iii) The necessary cost of transportation to and from the place of employment by the most economical means, not to include rental cars; and,
- (iv) Expenses of employment necessary for continued employment, such as tools, materials, union dues, transportation to service customers if not furnished or reimbursed by the employer, and uniforms and clothing needed on the job but not suitable for wear away from the job.

(e) Even if verified, the department shall count work-related expenses ~~((shall not be counted))~~ in excess of the applicant's gross earned income.

(f) The client shall have the option to change methods whenever he or she reports income to the ~~((CSO))~~ appropriate department staff.

WSR 88-02-066
PROPOSED RULES
LOTTERY COMMISSION
[Filed January 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery intends to adopt, amend, or repeal rules concerning ticket purchases, amendatory section WAC 315-32-050;

that the agency will at 10:00 a.m., Friday, February 12, 1988, in the Drawing Studio, WSL, 814 4th Avenue, Olympia, WA 98506, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

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

Dated: January 6, 1988
By: Evelyn Y. Sun
Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s):
WAC 315-32-050 Ticket purchases.

Statutory Authority: RCW 67.70.040.

Specific Statute that Rules are Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): Allows for multiple purchases of on-line tickets.

Reasons Supporting the Proposed Rule(s): Lottery retailers and players have expressed a desire to purchase on-line tickets for more than one drawing. This opportunity offers convenience, more stable sales, and improved service to the public.

Agency Personnel Responsible for Drafting: Candice Bluechel, Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 586-1088; Implementation and Enforcement: Washington State Lottery Commission, (206) 753-1412,

Evelyn Y. Sun, Director, (206) 753-3331, Scott Milne, Deputy Director, (206) 753-3334, Roger Wilson, Assistant Director, (206) 586-1065, and Candice Bluechel, Assistant Director, (206) 753-1947, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504.

Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing this Rule: Washington State Lottery Commission.

Agency Comments or Recommendations, if any, Regarding the Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: None.

The rule is not necessary to comply with federal law or a federal/state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: The Office of the Director, Washington State Lottery, has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed retailers for the sale of lottery tickets, or contractors who provide other services to the Office of the Director, Washington State Lottery, or who voluntarily interact with the Office of the Director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to, or interact with, the Office of the Director, Washington State Lottery.

AMENDATORY SECTION (Amending Order 105, filed 10/29/87)

WAC 315-32-050 TICKET PURCHASES. (1) Lotto tickets may be purchased between 6:00 a.m. and 11:00 p.m., Sunday, Monday, Tuesday, Thursday, Friday and from 6:00 a.m. to the time established under WAC 315-30-040(2) and immediately following the drawing on Wednesdays and Saturdays, provided that on-line retailers shall sell tickets only during their normal business hours.

(2) Lotto tickets may be purchased only from a lottery retailer authorized by the director to sell on-line tickets.

(3) Lotto tickets shall on the front of the ticket contain the player's selection of numbers, amount, game grids played, drawing date, and validation and reference numbers. The back of the ticket shall contain overall odds of winning, player instructions, player information and signature area, and the ticket serial number.

((4) Lotto tickets may be purchased for the next drawing only.))

WSR 88-02-067

ADOPTED RULES

**DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Savings and Loan Associations)**

[Order 87-1—Filed January 6, 1988]

I, Betty Reed, supervisor of the Division of Savings and Loan Associations, do promulgate and adopt at Olympia, Washington, the annexed rules relating to application procedures for establishing *de novo* branches in Washington state by foreign associations.

This action is taken pursuant to Notice No. WSR 87-20-061 filed with the code reviser on October 5, 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 33.32.030 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the supervisor, Division of Savings and Loan, as authorized in RCW 33.04.025.

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 Betty Reed
Supervisor

NEW SECTION

WAC 419-60-010 APPLICATION PROCEDURES. RCW 33.32.030 provides for regulatory authority by the supervisor over the activities of foreign associations within the state of Washington, and requires that such associations conduct their business in accordance with the appropriate statutes and under the requirements set forth by the supervisor in various rules. In order to conduct the business of a savings and loan in Washington, a foreign association must formally apply for the approval of the supervisor. Procedures for application are as follows:

(1) The application must be filed with the supervisor at the offices of the Division of Savings and Loan, Room 217C, General Administration Building, Olympia, Washington 98504.

(2) The application shall be filed in duplicate and shall be accompanied by a filing fee of five thousand dollars. In the event the actual costs of investigating the application exceed this amount, such difference between the fee and the actual costs shall be paid by the applicant. For the purposes of this section, actual costs shall include but not be limited to travel and per diem expense paid to division personnel in connection with the investigation.

NEW SECTION

WAC 419-60-020 INFORMATION TO BE INCLUDED IN THE APPLICATION. An application shall include at least the following information:

(1) Name, address, and telephone number of the applicant.

(2) Name, address, and telephone number of the person to be contacted concerning the application.

(3) A summary of the applicant's history, which should include as a minimum the date and place of incorporation, the date and nature of any mergers or acquisitions, and certified current copies of the applicant's articles of incorporation and bylaws.

(4) A description of the applicant's business and corporate structure, including a listing of all branches or similar offices, and each majority owned subsidiary, and the nature and extent of the business activities of each.

(5) A business plan describing the applicant's proposed business activities in this state.

(6) A copy of the independent auditor's report for the applicant's most recent fiscal year and comparative financial statements for the prior fiscal year.

(7) The name, address, professional experience, and financial statement of the chief executive officer and principal operating officers.

(8) The name, address, and principal occupation of each director of applicant, and completed biographical and financial statements on each.

(9) A copy of the last two examination reports prepared by the applicable Federal Home Loan Bank, the last two state examination reports, any correspondence from the relevant regulator to the board of directors discussing each report, and the board's responses thereto.

(10) A statement as to the presence or absence of any supervisory agreement or regulatory order that may be in effect or may have been in effect in the last five years, and, if so, a copy of each such order or agreement.

(11) An opinion from the applicant's state regulatory agency which describes the conditions under which Washington associations may conduct business in such state.

(12) A statement of total shares outstanding and total number of stockholders if the applicant is a stock association. Additionally, provide a breakdown of stock ownership by officers and directors and any other entities owning five percent or more of the association's stock.

(13) A copy of the association's bond and its riders/ attachments.

(14) Any additional information that may be required by the supervisor or deemed appropriate by the applicant.

NEW SECTION

WAC 419-60-030 APPROVAL TO CONDUCT THE BUSINESS OF AN ASSOCIATION IN WASHINGTON. The information required by WAC 419-06-020 must demonstrate to the satisfaction of the supervisor:

(1) That the applicant, the directors of the applicant, and the chief officers of the applicant are each of good character and sound financial standing.

(2) That the financial history and condition of the applicant are satisfactory.

(3) That the applicant's plan to conduct the business of an association in Washington affords a reasonable promise of success.

(4) That the state in which the home office of the applicant is located permits Washington associations to conduct the business of an association in such state in substantially the same manner as the applicant proposes in this state.

WSR 88-02-068

ADOPTED RULES

**DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Savings and Loan Associations)**

[Order 87-2—Filed January 6, 1988]

I, Betty Reed, supervisor of the Division of Savings and Loan Associations, do promulgate and adopt at Olympia, Washington, the annexed rules relating to trust powers for savings and loan associations.

This action is taken pursuant to Notice No. WSR 87-18-002 filed with the code reviser on August 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 33.12.010(24) and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the supervisor, Division of Savings and Loan Associations, as authorized in RCW 33.04.025.

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 7, 1987.

By Betty Reed
Supervisor

Chapter 419-56 WAC

SAVINGS AND LOAN TRUST POWERS

WAC

- 419-56-010 Definitions
- 419-56-020 Administration of fiduciary powers
- 419-56-030 Application process
- 419-56-040 Supervisor action on application
- 419-56-050 Engagement in unauthorized investment practices prohibited
- 419-56-060 Modification or revocation of investment practices previously authorized
- 419-56-070 Investigation fee for new trust applications
- 419-56-080 Audit of the trust department
- 419-56-090 Examinations and fees

NEW SECTION

WAC 419-56-010 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means the fiduciary relationship in which title to the property constituting the agency does not pass to the trust department but remains in the owner of the property, who is known as the principal, and in which the agent is charged with certain specific duties with respect to the property.

(2) "Agency coupled with an interest" means an agency in which the agent has a legal interest in the subject matter. Such an agency is not terminated automatically, as are other agencies, by the death of the

principal but continue in effect until the agent can realize upon its legal interest.

(3) "Fiduciary powers" means the power to act in any fiduciary capacity authorized by the State of Washington including, but not limited to; trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, agent, custodian, escrow agent, corporate bond paying and transfer agent, escrow holder, managing agent, depository, committee of estates of incompetents.

(4) "Managing agent" means the fiduciary relationship assumed by a trust department upon the creation of an account which names the association as agent and confers investment discretion upon the association.

(5) "Supervisor" means the supervisor of savings and loan associations, Department of General Administration.

(6) "Trust business" means the business of doing any or all of the activities specified in RCW 30.08.150 (2) through (11).

(7) "Trust department" means that group or groups of officers and employees of a savings and loan association to whom are designated by the board of directors the performance of the fiduciary responsibilities of the association, whether or not the groups or groups are so named.

NEW SECTION

WAC 419-56-020 ADMINISTRATION OF FIDUCIARY POWERS. (1)(a) The board of directors of the savings and loan association is responsible for the proper exercise of fiduciary powers by the trust department. All matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all officers, employees, and committees utilized by the savings and loan association in the exercise of its fiduciary powers, are the responsibility of the board. In discharging this responsibility, the board of directors may assign, by action duly entered in the minutes, the administration of such of the association's fiduciary powers as it may consider proper to assign to such director(s), officer(s), employee(s), or committee(s) as it may designate.

(b) No fiduciary account shall be accepted without the prior approval of the board, or of the director(s), officer(s), or committee(s) to whom the board may have designated the performance of that responsibility. A written record shall be made of such acceptances and of the relinquishment or closing out of all fiduciary accounts. Upon the acceptance of an account for which the trust company has investment responsibilities a prompt review of the assets shall be made. The board shall also ensure that at least once during every calendar year thereafter, and within fifteen months of the last review, all the assets held in or for each fiduciary account where the association has investment responsibilities are reviewed to determine the advisability of retaining or disposing of such assets.

(2) All officers and employees taking part in the operation of the trust department shall be adequately bonded.

(3) Every qualified fiduciary subject to this chapter and exercising fiduciary powers in this state shall designate, employ, or retain legal counsel who shall be readily available to pass upon fiduciary matters and to advise the savings and loan association and its trust department.

(4) The trust department may utilize personnel and facilities of other departments of the savings and loan association, and other departments of the savings and loan association may utilize the personnel and facilities of the trust department only to the extent not prohibited by law and as long as the separate identity of the trust department is preserved.

(5) Fiduciary records shall be kept separate and distinct from other records of the savings and loan association and maintained in compliance with the provisions of RCW 30.04.240. All fiduciary records shall be kept and retained for such time as to enable the fiduciary to furnish such information or reports with respect thereto as may be required by the supervisor of savings and loan associations.

(6) Every such fiduciary shall keep an adequate record of all pending litigation to which it is a party in connection with its exercise of fiduciary powers.

NEW SECTION

WAC 419-56-030 APPLICATION PROCESS. Associations desiring to establish trust departments shall complete an application establishing the scope of the intended operation. Upon receiving an application from an association to engage in trust business pursuant to this chapter, the supervisor may request such additional information as he deems necessary for the informed disposition of the application. If supplementary information is requested by the supervisor, the application will not be complete until the supplementary information is supplied.

NEW SECTION

WAC 419-56-040 SUPERVISOR ACTION ON APPLICATION. After receiving an application from a savings and loan association to engage in trust business and after having considered it, the supervisor shall grant, grant conditionally, grant in modified form, or deny the application and shall inform the applicant in writing of his action and of the reasons therefor. Any application not acted upon within six months after its receipt by the supervisor shall be deemed denied unless the supervisor, in writing, informs the applicant that he is holding the application for further review.

NEW SECTION

WAC 419-56-050 ENGAGEMENT IN UNAUTHORIZED TRUST BUSINESS PROHIBITED. No savings and loan association shall engage in any trust business not authorized in advance by the supervisor in accordance with this rule, unless the supervisor informs an applicant in writing that it may engage in a trust business provisionally while he reviews the application. Failure of a savings and loan association to comply with the terms of this chapter may be grounds for supervisory

action against the savings and loan, its directors, or officers.

NEW SECTION

WAC 419-56-060 MODIFICATION OR REVOCATION OF INVESTMENT PRACTICES PREVIOUSLY AUTHORIZED. The supervisor may find that a trust business previously authorized by him is no longer a safe and prudent practice for savings and loan associations generally to engage in, or has become inconsistent with applicable state or federal law, or has ceased to be a safe and prudent practice in one or more particular savings and loan associations in light of their financial condition or management. Upon such a finding, the supervisor may in writing inform the board of directors of any or all of the associations engaging in such a trust business that the authority to engage in the activity has been revoked or modified. When the supervisor so notifies any savings and loan association, its directors and officers shall forthwith take steps to cease the trust business (if authority to engage in the activity has been revoked) or to make such modifications as the supervisor requires. The supervisor may for cause shown grant a savings and loan association some definite period of time within in which to arrange its affairs to comply with the supervisor's orders. Savings and loan associations which continue to engage in a trust business where their authority to do so has been revoked or modified will be treated as if the authority to engage in the practice had never been granted, and their actions may be grounds for supervisory action against the association, its directors, or officers.

NEW SECTION

WAC 419-56-070 INVESTIGATION FEE FOR NEW TRUST APPLICATIONS. The investigation fee charged under RCW 33.28.020 in connection with applications to establish a new savings and loan trust department shall be one thousand dollars. In the event the actual costs of the investigation conducted with respect to a particular application are less than the amount of the fee, such difference between the fee and the actual costs submitted shall be refunded, provided that in no event shall more than five hundred dollars be refunded. Expansion of the originally approved scope of trust business must also be approved by the supervisor by additional application and fee. In the event that actual costs of processing additional applications are less than the amount of the fee, such difference between the fee and the actual cost shall be refunded, provided that in no event shall more than seven hundred dollars be refunded. For the purposes of this section, actual costs include travel and per diem expenses paid to division personnel in connection with the investigation.

NEW SECTION

WAC 419-56-080 AUDIT OF THE TRUST DEPARTMENT. A committee of directors, exclusive of any active officers of the savings and loan association shall at least once during each calendar year and within

fifteen months of the last such audit, make suitable audits of the trust department or cause suitable audits to be made by auditors responsible only to the board of directors, and at such time shall ascertain whether the department has been administered in accordance with law, this rule, and sound fiduciary principles. The board of directors may elect, in lieu of such periodic audits, to adopt an adequate continuous audit system. A report of the audits and examination required under this section, together with the action taken thereon, shall be noted in the minutes of the board of directors.

NEW SECTION

WAC 419-56-090 EXAMINATIONS AND FEES. The supervisor shall have the power to examine the affairs of a trust department of a state-chartered savings and loan association under the same general powers as outlined in RCW 33.04.020. The report of examination of any trust department will be subject to the same restrictions as those of the parent association as outlined in RCW 33.04.110. Fees for such examinations will be charged on the same hourly basis as those for the parent association as established by administrative rule.

WSR 88-02-069

PROPOSED RULES

DEPARTMENT OF LICENSING

(Board of Registration for Landscape Architects)

[Filed January 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Registration for Landscape Architects intends to adopt, amend, or repeal rules concerning qualifications for admittance to the examination, amending WAC 308-13-020;

that the agency will at 9:30 a.m., Thursday, February 11, 1988, in the Olympic Room, West Coast Sea-Tac Hotel, 18220 Pacific Highway South, Seattle, WA 98188, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.96.060.

The specific statute these rules are intended to implement is RCW 19.96.070 [18.96.070].

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 8, 1988.

Dated: January 6, 1988

By: James D. Hanson
Assistant Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: State of Washington Board of Registration for Landscape Architects.

Purpose/Summary of Rules: To rescind the limitations placed upon employment by governmental agencies. Practical training credit was limited to two-thirds of the required experience.

Statutory Authority: RCW 18.96.060 and 18.96.070.

Reason Proposed: To allow the same credit for employment by a governmental agency as for employment in a private firm.

Responsible Personnel: Members of the board who have knowledge of and responsibility for drafting, implementing and enforcing these rules are the members of the board who include Don Shimon, Keith Hellstrom, Jeanne Batson, Marie Hewitt, and Gloria Joan Lawson.

In addition to the above-mentioned board members, the following personnel of the Department of Licensing have responsibility for implementing and enforcing these rules: Sydney Beckett, Executive Secretary of the Board, and James Hanson, Assistant Executive Secretary of the Board, P.O. Box 9012, Olympia, Washington 98504-8001, phone (206) 753-6967 and scan 234-6967.

AMENDATORY SECTION (Amending Order PL 511, filed 1/31/85)

WAC 308-13-020 QUALIFICATIONS FOR ADMITTANCE TO THE EXAMINATION. Applicants shall file with the director of licensing on or before March 15 an application, on forms provided by the board, accompanied by fee and verification of academic and practical training and such additional evidence as may be required to satisfy the board that the applicant has the following qualifications:

- (1) Possession of good moral character, verified by five references, three from landscape architects and two from other persons.
- (2) Attainment of at least eighteen years of age.
- (3) A minimum of seven years of any combination of academic and practical training experience approved by the board, e.g.
 - (a) ACADEMIC TRAINING
 - (i) With a passing grade, 32 semester credit hours or 48 quarter credit hours is considered to be one year. Any fraction, one-half year or greater, will be counted one-half year, and less than one-half year will not be counted.
 - (ii) A degree in landscape architecture or credits from a registered college will be weighted at one hundred percent with a four year maximum credit for academic training.
 - (iii) Credits in landscape architecture from a college not registered may be weighted up to seventy-five percent with a three year maximum credit for academic training.
 - (iv) Credits in architecture or civil engineering will be weighted at fifty percent with a two year maximum credit for academic training.
 - (b) PRACTICAL TRAINING
 - (i) Practical training experience, work in landscape architecture and related work experience, will be measured in calendar years.
 - (ii) No training prior to graduation from high school will be accepted.
 - (iii) At least one year of practical training experience shall be attained after termination of academic training.
 - (iv) Employment duration less than three months will not be counted.
 - (v) One-third of the required minimum practical training must be under the direct supervision of a landscape architect.
 - (vi) Work under the direct supervision of a landscape architect will be weighted at one hundred percent, no limit.
 - (vii) Work under the direct supervision of an architect, engineer, city or urban planner, nurseryman or landscape contractor will be weighted at seventy-five percent, in any combination limited to two-thirds of the required training experience.
 - ((viii) Employment by governmental agencies, when diversified and comparable to employment in the offices of a landscape architect, when directly related to landscape architecture and under the direct supervision of a landscape architect, will be weighted at seventy-five percent, limited to two-thirds of the required training experience.))

WSR 88-02-070

**EMERGENCY RULES
DEPARTMENT OF REVENUE**
[Order PT 88-1—Filed January 6, 1988]

I, William R. Wilkerson, director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Refunds—Rate of interest, amendatory section WAC 458-18-220.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the new rate of interest for refunds must be adopted immediately as the new rate will apply to any refunds made or claims for refunds filed after January 1, 1988.

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

This rule is promulgated pursuant to RCW 84.69.100 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 84.08.010(2) which directs that the Department of Revenue has authority to implement the provisions of RCW 84.69.100.

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

APPROVED AND ADOPTED January 6, 1988.

By Trevor W. Thompson
Assistant Director

AMENDATORY SECTION (Amending Order PT 87-7, filed 9/23/87)

WAC 458-18-220 REFUNDS—RATE OF INTEREST. The following rates of interest shall apply based upon the date the taxes were paid or the claim for refund was filed, whichever is later:

Prior to July 27, 1987	.0500	(5.00%)
((On and after July 27, 1987	.0596	(5.96%)
July 27, 1987 through December 31, 1987	.0596	(5.96%)
January 1, 1988 through December 31, 1988	.0600	(6.00%)

WSR 88-02-071

**PROPOSED RULES
HIGHER EDUCATION PERSONNEL BOARD**
[Filed January 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning lead, repealing WAC 251-01-255;

that the agency will at 9 a.m., Friday, February 19, 1988, in the Board Room, Highline Community College, Des Moines, 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 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 18, 1988.

Dated: January 5, 1988

By: John A. Spitz
Director

WSR 88-02-072

PROPOSED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Filed January 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd	WAC 251-14-020	Employee organization filing requirements.
Amd	WAC 251-14-030	Determination of bargaining units.
Amd	WAC 251-14-052	Agency shop representative election.
Amd	WAC 251-14-054	Agency shop representative decertification election.
Amd	WAC 251-14-058	Agency shop requirements.
Amd	WAC 251-10-170	Dismissal—Agency shop—Notice—Recision.
New	WAC 251-01-018	Agency shop.
New	WAC 251-01-258	Nonassociation fee.
New	WAC 251-01-367	Representation fee;

that the agency will at 9 a.m., Friday, February 19, 1988, in the Board Room, Highline Community College, Des Moines, 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 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 18, 1988.

Dated: January 6, 1988

By: John A. Spitz
Director

STATEMENT OF PURPOSE

This statement is related to the notice filed with the code reviser on January 6, 1988, and is filed pursuant to RCW 34.04.025.

Description of Purpose: To implement provision of *Chicago Teacher's Union vs. Hudson*.

Specific Statute this Rule is Intended to Implement: RCW 28B.16.100.

Statutory Authority: RCW 28B.16.100 to implement the provisions of that section.

Title and Summary of Rules: WAC 251-14-020 Employee organization filing requirements, guideline for determining employee organization filing requirements; 251-14-030 Determination of bargaining units, a guideline to determine the provisions of a bargaining unit; 251-14-052 Agency shop representative election, a guideline for an agency shop representative election; 251-14-054 Agency shop representative decertification election, a guideline for an agency shop representative decertification election; 251-14-058 Agency shop requirements, guideline for determining agency shop requirements; 251-10-170 Dismissal—Agency shop—Notice—Recision, a guideline for dismissal from an agency shop or notice of recision if employee fails to comply with WAC 251-14-058; 251-01-018 Agency shop, defines an agency shop, that has voted, pursuant to WAC 251-14-052, to require, as a condition of employment, payment of dues, a representation fee or a nonassociation fee to the certified exclusive bargaining representative of the unit; 251-01-258 Nonassociation fee, defines the definition of a fee which an employee who is granted nonassociation must pay to an agency shop exclusive bargaining representative as an alternative to becoming a member of such employee organization and paying regular dues; and 251-01-367 Representation fee, a fee which an employee may pay to the exclusive bargaining representative as an alternative to becoming a member of such employee organization and paying regular dues.

Reasons Supporting Proposed Action: These rules are drafted by the HEPB assistant attorney general to implement provision of *Chicago Teacher's Union vs. Hudson*.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: John A. Spitz, Director, Higher Education Personnel Board, 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, scan 234-3730 or 753-3730.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: Higher Education Personnel Board staff, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: The change is not the result of federal law or state or federal court action.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-14-020 EMPLOYEE ORGANIZATION FILING REQUIREMENTS. (1) Any employee organization authorized to represent employees before the board or in collective bargaining with an appointing authority must first file with the director a notice of intent to represent employees. Such notice must set forth the name of the employee organization(;;); the name of an agent authorized to speak on its behalf; a mailing address and telephone number; a general description of the types of employment falling within the intended area of representation and the number of classified higher education employees who are presently members of the employee organization; and a copy of a constitution, bylaws, or any other documents defining powers and authorizing representation. The director or designee shall, after verification of the documents submitted, notify the employee organization, each institution and related board of the authorized recognition.

(2) An employee organization which is, or desires to be, an exclusive bargaining representative for a bargaining unit which has chosen to be an agency shop must have a written procedure concerning representation fees which complies with applicable statutory and constitutional

requirements. Such employee organization must provide to the director a written opinion of the employee organization's attorney that its representation fee procedure is in compliance with applicable statutory and constitutional requirements. For agency shops existing on the effective date of this subsection, the attorney's opinion must be filed with the director on or before (DATE). In all other cases, the attorney's opinion required by this subsection must be filed as part of the petition for an agency shop representative election.

AMENDATORY SECTION (Amending Order 158, filed 7/29/87, effective 9/1/87)

WAC 251-14-030 DETERMINATION OF BARGAINING UNIT. (1) Determination, alteration, modification or combination of appropriate bargaining units shall be made by the board upon petition from the appointing authority, an employee organization or upon the board's own motion, after twenty calendar days' notice has been given to the appointing authority and to affected employees and their representatives.

(2) In determining a bargaining unit, the board shall consider the following factors:

- (a) Duties, skills and working conditions of the employees.
- (b) History of collective bargaining by the employees and their bargaining representatives.
- (c) Extent of organization among the employees.
- (d) Desires of the employees.

(3) Any petition filed hereunder shall, in writing, set forth all pertinent facts and supporting reasons as comprehensively as possible, to aid the board in its determination.

(4) When the board combines existing bargaining units into one new unit and/or accretes additional classes and/or positions to a bargaining unit, such action shall effect an automatic decertification of any ~~((union))~~ agency shop representative provision in effect except in the following instances:

(a) Where the same employee organization is certified as the ~~((union))~~ agency shop representative in each of the existing bargaining units that are being combined into one new unit;

(b) Where results of the ~~((union))~~ agency shop election previously held still represent a majority vote in favor of the ~~((union))~~ agency shop provision in the new unit. Majority vote will be determined by adding the number of employees not previously covered by ~~((a-union))~~ an agency shop provision to the total number of employees eligible to vote in the previous election.

(5) At the hearing on a petition, the board shall make an oral determination. Within thirty calendar days of the hearing, the board shall also enter an appropriate order containing findings of fact and conclusions of law reflecting its oral determination. Unless otherwise provided, the effective date for the creation or modification of a bargaining unit shall be the date of the board's oral determination.

(6) Bargaining units normally shall not include both supervisory and nonsupervisory employees.

~~((7) The director or designee shall update bargaining unit descriptions to reflect any change in class title and/or code affected by board action and notify the affected exclusive bargaining representative and the institution of the change thirty days prior to the intended action. Either party may appeal the designee's decision to the board within thirty calendar days after receipt of the proposed updated description. The basis of the appeal is limited to whether the action represents a change which would affect the composition of the bargaining unit.)~~

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-14-052 ~~((UNION))~~ AGENCY SHOP REPRESENTATIVE ELECTION. (1) The director shall order ~~((a-union))~~ an agency shop representative election to be held upon petition from an employee organization which has been certified per WAC 251-14-040 as the exclusive representative of the employees of a bargaining unit.

(2) The director shall, upon receipt of a petition for ~~((a-union))~~ an agency shop representative election, inform all affected employees of the ~~((union))~~ agency shop provisions contained in the state higher education personnel law, RCW 28B.16.100.

(3) The director or designee, at a preelection conference, shall review with the employee organization and appointing authority or designee the standards and procedures for the conduct of the election and shall inform all affected employees of the conditions set forth therein.

(4) The election shall be held on state property during working hours unless otherwise agreed to by all parties during the preelection conference.

(5) All employees on the active payroll and employed within the bargaining unit on the date of election will be eligible to vote. Eligible employees unable to vote at the time of election may vote by absentee ballot.

(6) Absentee ballots may be requested prior to date of election but will be counted only if received by the director or designee no later than two regular working days following the closing date of election.

(7) Transportation to official places of voting shall be provided to the degree practicable as determined by preelection conference.

(8) Election signs and banners shall not be permitted in the area in which the balloting takes place, nor shall any person in the area discuss the advantages or disadvantages of ~~((a-union))~~ an agency shop and mandatory ~~((membership-in))~~ payment to an employee organization.

(9) The director will certify the employee organization as the ~~((union))~~ agency shop representative if a majority of employees in the bargaining unit vote in favor of requiring ~~((membership-in))~~ payment to the employee organization to be a condition of employment.

(10) Another ~~((union))~~ agency shop representative election shall not be held concerning the same bargaining unit for at least twelve months from the date of the last previous ~~((union))~~ agency shop representative election.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-14-054 ~~((UNION))~~ AGENCY SHOP REPRESENTATIVE DECERTIFICATION ELECTION. (1) The director shall, upon petition of thirty percent of the members of a bargaining unit, order an election to determine if a majority of employees in such bargaining unit wish to rescind ~~((membership-in))~~ mandatory payment to the employee organization as a condition of employment, providing twelve months have lapsed since the original election which established the ~~((union))~~ agency shop representative. Such election shall be conducted in accordance with WAC 251-14-052 (2), (3), (4), (5), (6), (7), and (8).

(2) Another ~~((union))~~ agency shop representative decertification election shall not be held concerning the same bargaining unit for at least twelve months from the date of the last previous ~~((union))~~ agency shop decertification election.

(3) The director will issue a notice of ~~((union))~~ agency shop representative decertification, which will nullify the requirement of ~~((membership-in))~~ mandatory payment to an employee organization ~~((or the payment of a representation fee))~~ as a condition of employment when a majority of the employees in the bargaining unit vote to rescind ~~((membership-in))~~ mandatory payment to an employee organization as a condition of employment.

AMENDATORY SECTION (Amending Order 98, filed 7/22/82, effective 9/1/82)

WAC 251-14-058 ~~((UNION))~~ AGENCY SHOP REQUIREMENTS. (1) When a majority of employees within a bargaining unit determine by election to require as a condition of employment ~~((membership-in))~~ periodic payment to the employee organization designated as the exclusive bargaining representative, all employees included in that bargaining unit are required to become members of such employee organization or pay a representation fee or a nonassociation fee within thirty calendar days of the beginning of their employment within the bargaining unit or within thirty calendar days of the date of the ~~((union))~~ agency shop representative election, whichever is later.

(2) Membership in the employee organization is satisfied by the payment of monthly or other periodic dues and does not require payment of initiation, reinstatement, or any other fees or fines, and includes full and complete membership rights.

(3) Employees who wish to exercise the right of nonassociation with an employee organization ~~((must base their reasons))~~ based on bona fide religious tenets, or teachings of a church or religious body of which they are members ~~((Such requests)),~~ must ~~((be presented))~~ present a request for nonassociation to the personnel office ~~((on the campus))~~ of the concerned institution. The appointing authority or designee and the ~~((union))~~ agency shop representative must be in agreement that the requests are based on such bona fide reasons. If agreement cannot be reached within a reasonable time, either party may submit the issues in dispute to the director or designee. Should the

request for nonassociation be denied by the appointing authority or designee, the employee may submit the issue to the director or designee. The decision of the director regarding nonassociation shall be final.

(4) Employees who are granted ~~((the))~~ nonassociation ~~((right))~~ must pay a ~~((union-shop representation))~~ nonassociation fee to the employee organization. Such fee is equivalent to the regular dues of the organization minus any monthly premiums for union sponsored insurance programs.

(5) When an employee has qualified for nonassociation with an employee organization on religious grounds, the employee may designate which of the programs of the employee organization are in harmony with the employee's conscience and may then designate that the ~~((union-shop representation))~~ nonassociation fee shall go to such programs.

(6) The employee who qualifies for the nonassociation clause shall not be a member of the employee organization, but is entitled to the same representation rights as a member of the employee organization.

(7) Employees who do not want to be members of an employee organization which is their agency shop representative and who do not seek the right of nonassociation provided by subsection (3) of this section shall pay a representation fee to such employee organization. Employees who choose to pay a representation fee in lieu of membership are entitled to all of the representation rights upon which their representation fee is calculated.

(8) A condition of employment for an employee employed in a bargaining unit where an employee organization is the exclusive ~~((union))~~ agency shop representative(;) is membership in that employee organization or the regular payment of ~~((a-union))~~ an agency shop representation fee or a nonassociation fee to such organization. Failure of an employee to become a member of the employee organization or make payment of the ~~((union-shop))~~ representation or nonassociation fee within thirty calendar days following the beginning of employment within the bargaining unit or thirty calendar days after the date of the ~~((union))~~ agency shop representative election, whichever is later, constitutes cause for dismissal per the provisions of WAC 251-10-170.

~~((8))~~ (9) The ~~((union))~~ agency shop representative shall inform the appointing authority, in writing, of those employees who have not complied with WAC 251-14-058.

~~((9))~~ (10) The requirement to be a member of an employee organization or the payment of a ~~((union-shop))~~ representation fee or a nonassociation fee as a condition of employment will be nullified when the employee organization which is the ~~((union))~~ agency shop representative is decertified per WAC 251-14-050 or 251-14-054.

~~((10))~~ (11) The appointing authority or designee shall notify affected employees of existing ~~((union))~~ agency shop provisions prior to their hire or transfer into a bargaining unit where there is a requirement to be a member of a designated employee organization ~~((and/))~~ or to pay a ~~((union-shop))~~ representation fee or a nonassociation fee as a condition of employment.

~~((11))~~ (12) Payroll deductions for employee organization dues and/or ~~((union-shop))~~ representation or nonassociation fees may be provided by the institution upon written authorization from the employee.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-10-170 **DISMISSAL—~~((UNION))~~ AGENCY SHOP—NOTICE—RECISSION.** Appointing authorities shall dismiss an employee, who is employed within a bargaining unit that has a certified ~~((union))~~ agency shop representative(;) when notified by the ~~((union))~~ agency shop representative of the employee's failure to comply with ~~((union))~~ agency shop requirements per WAC 251-14-058. The employee shall be furnished with a written notice of the dismissal at least fifteen calendar days prior to the effective date of the action. Prior to the effective date, the dismissal shall be rescinded upon the employee's presenting evidence to the appointing authority of compliance with WAC 251-14-058, or that the agency shop representative has not complied with WAC 251-14-020(2) or 251-14-058.

NEW SECTION

WAC 251-01-018 **AGENCY SHOP.** A bargaining unit which has voted, pursuant to WAC 251-14-052, to require, as a condition of employment, payment of dues, a representation fee or a nonassociation fee to the certified exclusive bargaining representative of the unit.

NEW SECTION

WAC 251-01-258 **NONASSOCIATION FEE.** A fee which an employee who is granted nonassociation as provided in WAC 251-14-058(3) must pay to an agency shop exclusive bargaining representative as an alternative to becoming a member of such employee organization and paying regular dues.

NEW SECTION

WAC 251-01-367 **REPRESENTATION FEE.** A fee which an employee included in an agency shop bargaining unit may pay to the exclusive bargaining representative as an alternative to becoming a member of such employee organization and paying regular dues.

REPEALER

The following sections of the Washington Administrative Code are repealed;

WAC 251-01-445 UNION SHOP.
WAC 251-01-450 UNION SHOP REPRESENTATIVE.
WAC 251-01-455 UNION SHOP REPRESENTATIVE FEE.

WSR 88-02-073

NOTICE OF PUBLIC MEETINGS DEPARTMENT OF ECOLOGY

[Memorandum—January 6, 1988]

NOTICE OF PUBLIC WORKSHOP AND CONTINUANCE OF DESIGNATION OF THE METHOW RIVER BASIN GROUND WATER MANAGEMENT AREA

The Washington State Department of Ecology (ecology) hereby gives notice of its continuance of the designation proceeding for the Methow River basin ground water management area. Designation of the area pursuant to chapter 173-100 WAC was scheduled to take place at Olympia, Washington, on December 7, 1987.

The Methow River basin has been identified by ecology as a probable ground water management area on its 1987 general schedule at the request of Okanogan County. Designation of the area will allow the development of a comprehensive ground water management program to address and protect both the quantity and quality of ground water within the area.

Ecology conducted two public hearings in Twisp, Washington, on the dates of September 23, 1987, and November 16, 1987. Notice of these hearings was given in accordance with state regulations. Approximately thirty people attended each hearing. The public comment period closed on November 30, 1987. Many public comments were received at the hearings, and numerous written comments were submitted during the comment period. A summary of the public comments received together with ecology's responses is available.

In order to fully evaluate and consider the comments, ecology has continued the designation proceeding until March 3, 1988.

Common issues noted in many of the comments concerned the designation process, the objectives of the designation, funding of program development, and the relationship of the designation to the Early Winters Ski Resort proposal. In order to more fully address these concerns, ecology will hold a public workshop to discuss

these and other issues in an informal meeting. The workshop will be held at the following time and place:

February 17, 1988
7:00 p.m., Wednesday
Twisp Senior Center
215 West Highway 20
Twisp, Washington

For additional information, please contact Jon Pace at (206) 459-6021 or write to Jon Pace, Water Resources Program, Washington Department of Ecology, Mailstop PV-11, Olympia, Washington 98504.

Table of WAC Sections Affected as of 12/31/87

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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4-25-141	AMD-P	87-09-059	16-23-075	NEW-P	87-15-106	16-32-010	NEW-P	87-08-057
4-25-141	AMD-C	87-10-033	16-23-075	NEW	87-22-020	16-32-010	NEW	87-11-004
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4-25-181	REP-P	87-09-060	16-23-095	NEW	87-22-020	16-54-010	AMD-P	88-01-123
4-25-181	REP-C	87-10-034	16-23-100	NEW-P	87-15-106	16-54-030	AMD-P	87-04-053
4-25-181	REP-P	87-22-069	16-23-100	NEW	87-22-020	16-54-030	AMD	87-08-021
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16-231-910	AMD-P	87-04-060	16-319-081	AMD-P	87-08-063	16-328-090	REP-P	87-09-085
16-231-910	AMD-E	87-08-072	16-319-081	AMD	87-12-006	16-328-090	REP	87-13-016
16-231-910	AMD	87-09-015	16-319-091	NEW-P	87-08-063	16-329-001	REP-P	87-09-085
16-231-910	AMD-P	87-14-073	16-319-091	NEW	87-12-006	16-329-001	REP	87-13-016
16-231-910	AMD-E	87-14-074	16-319-101	NEW-P	87-08-063	16-329-010	REP-P	87-09-085
16-231-910	AMD	87-18-060	16-319-101	NEW	87-12-006	16-329-010	REP	87-13-016
16-231-912	NEW-P	87-04-060	16-324-360	AMD-E	87-13-017	16-329-015	REP-P	87-09-085
16-231-912	NEW-E	87-08-072	16-324-360	AMD-P	87-15-070	16-329-015	REP	87-13-016
16-231-912	NEW	87-09-015	16-324-360	AMD	87-19-033	16-329-020	REP-P	87-09-085
16-231-912	AMD-P	88-01-128	16-324-380	AMD-P	87-15-070	16-329-020	REP	87-13-016
16-231-935	AMD-P	87-04-060	16-324-380	AMD	87-19-033	16-329-025	REP-P	87-09-085
16-231-935	AMD-E	87-08-072	16-324-390	AMD-P	87-15-070	16-329-025	REP	87-13-016
16-231-935	AMD	87-09-015	16-324-390	AMD	87-19-033	16-329-030	REP-P	87-09-085
16-231-938	NEW-E	87-08-072	16-324-430	AMD-P	87-15-070	16-329-030	REP	87-13-016
16-231-938	NEW-P	87-14-073	16-324-430	AMD	87-19-033	16-333-020	AMD-P	87-09-085
16-231-938	NEW-E	87-14-074	16-324-450	AMD-P	87-15-070	16-333-020	AMD	87-13-016
16-231-938	NEW	87-18-060	16-324-450	AMD	87-19-033	16-333-040	AMD-P	87-09-085
16-232-010	AMD-P	87-04-060	16-324-600	NEW-E	87-13-017	16-333-040	AMD	87-13-016
16-232-010	AMD-E	87-08-072	16-324-600	NEW-P	87-15-070	16-333-050	AMD-P	87-09-085
16-232-010	AMD	87-09-015	16-324-600	NEW	87-19-033	16-333-050	AMD	87-13-016
16-232-010	AMD-P	88-01-128	16-324-605	NEW-P	87-15-070	16-333-065	NEW-P	87-13-064
16-232-015	AMD-P	88-01-128	16-324-605	NEW	87-19-033	16-333-065	NEW-E	87-14-012
16-232-020	AMD-P	88-01-128	16-324-610	NEW-E	87-13-017	16-333-065	NEW	87-17-024
16-232-025	AMD-P	88-01-128	16-324-610	NEW-P	87-15-070	16-401-002	REP-P	87-13-062
16-232-027	NEW-P	88-01-128	16-324-610	NEW	87-19-033	16-401-002	REP-E	87-16-014
16-232-035	AMD-P	87-04-060	16-324-620	NEW-E	87-13-017	16-401-002	REP	87-19-098
16-232-035	AMD-E	87-08-072	16-324-620	NEW-P	87-15-070	16-401-020	AMD-P	87-13-062
16-232-035	AMD	87-09-015	16-324-620	NEW	87-19-033	16-401-020	AMD-E	87-16-014
16-232-038	NEW-E	87-08-072	16-324-630	NEW-E	87-13-017	16-401-020	AMD	87-19-098
16-232-038	NEW-P	87-14-073	16-324-630	NEW-P	87-15-070	16-401-025	AMD-P	87-13-062
16-232-038	NEW-E	87-14-074	16-324-630	NEW	87-19-033	16-401-025	AMD-E	87-16-014
16-232-038	NEW	87-18-060	16-324-640	NEW-E	87-13-017	16-401-025	AMD	87-19-098
16-232-038	AMD-P	88-01-128	16-324-640	NEW-P	87-15-070	16-401-030	AMD-P	87-13-062
16-232-125	REP-P	87-04-060	16-324-640	NEW	87-19-033	16-401-030	AMD-E	87-16-014
16-232-125	REP-E	87-08-072	16-324-650	NEW-E	87-13-017	16-401-030	AMD	87-19-098
16-232-125	REP	87-09-015	16-324-650	NEW-P	87-15-070	16-401-040	NEW-P	87-13-062
16-232-225	AMD-P	87-04-060	16-324-650	NEW	87-19-033	16-401-040	NEW-E	87-16-014
16-232-225	AMD-E	87-08-072	16-324-660	NEW-E	87-13-017	16-401-040	NEW	87-19-098
16-232-225	AMD	87-09-015	16-324-660	NEW-P	87-15-070	16-401-050	NEW-P	87-13-062
16-232-315	AMD-P	87-04-060	16-324-660	NEW	87-19-033	16-401-050	NEW-E	87-16-014
16-232-315	AMD-E	87-08-072	16-324-670	NEW-P	87-15-070	16-401-050	NEW	87-19-098
16-232-315	AMD	87-09-015	16-324-670	NEW	87-19-033	16-458-070	REP-P	87-20-049
16-304-040	AMD-P	87-08-063	16-324-680	NEW-P	87-15-070	16-458-070	REP	87-24-009
16-304-040	AMD	87-12-006	16-324-680	NEW	87-19-033	16-458-080	AMD-P	87-20-049
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

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
30-40-030	NEW 87-11-001	44-10-210	NEW-P 88-01-091	50-52-210	NEW 87-13-030
30-40-040	NEW 87-11-001	44-10-210	NEW-E 88-01-092	50-52-220	NEW-P 87-10-046
30-40-050	NEW 87-11-001	50-12-110	AMD-P 87-16-109	50-52-220	NEW 87-13-030
30-40-060	NEW 87-11-001	50-12-110	AMD 87-20-036	50-52-230	NEW-P 87-10-046
30-40-070	NEW 87-11-001	50-12-115	NEW-P 87-16-109	50-52-230	NEW 87-13-030
30-40-080	NEW 87-11-001	50-12-115	NEW 87-20-036	50-52-240	NEW-P 87-10-046
30-40-090	NEW 87-11-001	50-12-116	NEW-P 87-16-109	50-52-240	NEW 87-13-030
30-44-010	NEW 87-11-001	50-12-116	NEW 87-20-036	50-52-250	NEW-P 87-10-046
30-44-020	NEW 87-11-001	50-12-117	NEW-P 87-21-075	50-52-250	NEW 87-13-030
30-44-030	NEW 87-11-001	50-12-117	NEW 87-24-042	50-52-260	NEW-P 87-10-046
30-44-040	NEW 87-11-001	50-12-210	NEW-P 87-16-108	50-52-260	NEW 87-13-030
30-44-050	NEW 87-11-001	50-12-210	NEW 87-20-022	50-52-270	NEW-P 87-10-046
30-48-010	NEW 87-11-001	50-12-220	NEW-P 87-16-108	50-52-270	NEW 87-13-030
30-48-020	NEW 87-11-001	50-12-220	NEW 87-20-022	50-52-280	NEW-P 87-10-046
30-48-030	NEW 87-11-001	50-12-230	NEW-P 87-16-108	50-52-280	NEW 87-13-030
30-48-040	NEW 87-11-001	50-12-230	NEW 87-20-022	50-52-290	NEW-P 87-10-046
30-48-050	NEW 87-11-001	50-12-240	NEW-P 87-16-108	50-52-290	NEW 87-13-030
30-48-060	NEW 87-11-001	50-12-240	NEW 87-20-022	50-52-300	NEW-P 87-10-046
30-48-070	NEW 87-11-001	50-12-250	NEW-P 87-16-108	50-52-300	NEW 87-13-030
44-10-010	NEW-P 87-22-096	50-12-250	NEW 87-20-022	50-52-310	NEW-P 87-10-046
44-10-010	NEW 88-01-093	50-12-250	AMD-P 87-21-075	50-52-310	NEW 87-13-030
44-10-010	NEW-E 88-02-014	50-12-250	AMD 87-24-042	50-52-320	NEW-P 87-10-046
44-10-030	NEW-P 87-22-096	50-12-260	NEW-P 87-16-108	50-52-320	NEW 87-13-030
44-10-030	NEW 88-01-093	50-12-260	NEW 87-20-022	50-52-330	NEW-P 87-10-046
44-10-030	NEW-E 88-02-014	50-12-270	NEW-P 87-16-108	50-52-330	NEW 87-13-030
44-10-040	NEW-P 87-22-096	50-12-270	NEW 87-20-022	50-52-340	NEW-P 87-10-046
44-10-040	NEW-P 88-01-091	50-12-280	NEW-P 87-16-108	50-52-340	NEW 87-13-030
44-10-040	NEW-E 88-01-092	50-12-280	NEW 87-20-022	50-52-350	NEW-P 87-10-046
44-10-050	NEW-P 87-22-096	50-12-290	NEW-P 87-16-108	50-52-350	NEW 87-13-030
44-10-050	AMD-P 88-01-091	50-12-290	NEW 87-20-022	50-52-360	NEW-P 87-10-046
44-10-050	AMD-E 88-01-092	50-12-300	NEW-P 87-16-108	50-52-360	NEW 87-13-030
44-10-050	NEW 88-01-093	50-12-300	NEW 87-20-022	50-52-370	NEW-P 87-10-046
44-10-055	NEW-P 88-01-091	50-48-100	NEW-P 87-08-071	50-52-370	NEW 87-13-030
44-10-055	NEW-E 88-01-092	50-48-100	NEW 87-10-047	50-52-380	NEW-P 87-10-046
44-10-060	NEW-P 87-22-096	50-48-100	AMD-P 87-10-058	50-52-380	NEW 87-13-030
44-10-060	NEW-P 88-01-091	50-48-100	AMD 87-13-015	50-52-390	NEW-P 87-10-046
44-10-060	NEW-E 88-01-092	50-52-010	NEW-P 87-10-046	50-52-390	NEW 87-13-030
44-10-070	NEW-P 87-22-096	50-52-010	NEW 87-13-030	50-52-400	NEW-P 87-10-046
44-10-070	NEW-P 88-01-091	50-52-020	NEW-P 87-10-046	50-52-400	NEW 87-13-030
44-10-070	NEW-E 88-01-092	50-52-020	NEW 87-13-030	50-52-410	NEW-P 87-10-046
44-10-080	NEW-P 87-22-096	50-52-030	NEW-P 87-10-046	50-52-410	NEW 87-13-030
44-10-080	NEW-P 88-01-091	50-52-030	NEW 87-13-030	50-52-420	NEW-P 87-10-046
44-10-080	NEW-E 88-01-092	50-52-040	NEW-P 87-10-046	50-52-420	NEW 87-13-030
44-10-090	NEW-E 87-20-046	50-52-040	NEW 87-13-030	50-52-430	NEW-P 87-10-046
44-10-090	NEW-P 87-20-089	50-52-050	NEW-P 87-10-046	50-52-430	NEW 87-13-030
44-10-090	NEW 87-23-030	50-52-050	NEW 87-13-030	50-52-440	NEW-P 87-10-046
44-10-100	NEW-P 87-22-096	50-52-060	NEW-P 87-10-046	50-52-440	NEW 87-13-030
44-10-100	NEW 88-01-093	50-52-060	NEW 87-13-030	50-52-450	NEW-P 87-10-046
44-10-100	NEW-E 88-02-014	50-52-070	NEW-P 87-10-046	50-52-450	NEW 87-13-030
44-10-110	NEW-P 87-22-096	50-52-070	NEW 87-13-030	50-52-460	NEW-P 87-10-046
44-10-110	NEW-P 88-01-091	50-52-080	NEW-P 87-10-046	50-52-460	NEW 87-13-030
44-10-110	NEW-E 88-01-092	50-52-080	NEW 87-13-030	50-52-470	NEW-P 87-10-046
44-10-120	NEW-P 87-22-096	50-52-090	NEW-P 87-10-046	50-52-470	NEW 87-13-030
44-10-120	NEW 88-01-093	50-52-090	NEW 87-13-030	50-52-480	NEW-P 87-10-046
44-10-120	NEW-E 88-02-014	50-52-100	NEW-P 87-10-046	50-52-480	NEW 87-13-030
44-10-130	NEW-P 87-22-096	50-52-100	NEW 87-13-030	50-52-490	NEW-P 87-10-046
44-10-130	NEW-P 88-01-091	50-52-110	NEW-P 87-10-046	50-52-490	NEW 87-13-030
44-10-130	NEW-E 88-01-092	50-52-110	NEW 87-13-030	50-52-500	NEW-P 87-10-046
44-10-140	NEW-P 87-22-096	50-52-120	NEW-P 87-10-046	50-52-500	NEW 87-13-030
44-10-140	NEW 88-01-093	50-52-120	NEW 87-13-030	50-52-510	NEW-P 87-10-046
44-10-140	NEW-E 88-02-014	50-52-130	NEW-P 87-10-046	50-52-510	NEW 87-13-030
44-10-150	NEW-P 87-22-096	50-52-130	NEW 87-13-030	50-52-520	NEW-P 87-10-046
44-10-150	NEW 88-01-093	50-52-140	NEW-P 87-10-046	50-52-520	NEW 87-13-030
44-10-150	NEW-E 88-02-014	50-52-140	NEW 87-13-030	50-52-530	NEW-P 87-10-046
44-10-160	NEW-P 87-22-096	50-52-150	NEW-P 87-10-046	50-52-530	NEW 87-13-030
44-10-160	NEW-P 88-01-091	50-52-150	NEW 87-13-030	50-52-540	NEW-P 87-10-046
44-10-160	NEW-E 88-01-092	50-52-160	NEW-P 87-10-046	50-52-540	NEW 87-13-030
44-10-170	NEW-P 87-22-096	50-52-160	NEW 87-13-030	50-52-550	NEW-P 87-10-046
44-10-170	NEW 88-01-093	50-52-170	NEW-P 87-10-046	50-52-550	NEW 87-13-030
44-10-170	NEW-E 88-02-014	50-52-170	NEW 87-13-030	50-52-560	NEW-P 87-10-046
44-10-180	NEW-P 87-22-096	50-52-180	NEW-P 87-10-046	50-52-560	NEW 87-13-030
44-10-180	NEW-P 88-01-091	50-52-180	NEW 87-13-030	50-52-570	NEW-P 87-10-046
44-10-180	NEW-E 88-01-092	50-52-190	NEW-P 87-10-046	50-52-570	NEW 87-13-030
44-10-200	NEW-P 87-22-096	50-52-190	NEW 87-13-030	50-52-580	NEW-P 87-10-046
44-10-200	NEW-P 88-01-091	50-52-200	NEW-P 87-10-046	50-52-580	NEW 87-13-030
44-10-200	NEW-E 88-01-092	50-52-200	NEW 87-13-030	50-52-590	NEW-P 87-10-046
44-10-210	NEW-P 87-22-096	50-52-210	NEW-P 87-10-046	50-52-590	NEW 87-13-030

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
50-52-600	NEW-P	87-10-046	118-33-030	NEW-E	87-18-026	132L-10-060	NEW-P	87-08-017
50-52-600	NEW	87-13-030	118-33-030	NEW-P	87-18-068	132L-10-070	NEW-E	87-07-031
50-52-610	NEW-P	87-10-046	118-33-030	NEW	87-24-005	132L-10-070	NEW-P	87-08-017
50-52-610	NEW	87-13-030	118-33-040	NEW-E	87-18-026	132L-10-080	NEW-E	87-07-031
50-52-620	NEW-P	87-10-046	118-33-040	NEW-P	87-18-068	132L-10-080	NEW-P	87-08-017
50-52-620	NEW	87-13-030	118-33-040	NEW	87-24-005	132L-10-090	NEW-E	87-07-031
50-52-630	NEW-P	87-10-046	118-33-050	NEW-E	87-18-026	132L-10-090	NEW-P	87-08-017
50-52-630	NEW	87-13-030	118-33-050	NEW-P	87-18-068	132L-10-100	NEW-E	87-07-031
50-52-640	NEW-P	87-10-046	118-33-050	NEW	87-24-005	132L-10-100	NEW-P	87-08-017
50-52-640	NEW	87-13-030	118-33-060	NEW-E	87-18-026	132L-10-100	NEW	87-13-026
82-24-080	AMD	87-06-012	118-33-060	NEW-P	87-18-068	132L-10-110	NEW-E	87-07-031
82-24-090	AMD	87-06-012	118-33-060	NEW	87-24-005	132L-10-110	NEW-P	87-08-017
82-24-110	AMD	87-06-012	118-33-070	NEW-E	87-18-026	132L-10-110	NEW	87-13-026
82-24-130	AMD	87-06-012	118-33-070	NEW-P	87-18-068	132L-10-120	NEW-E	87-07-031
82-50-021	AMD-P	87-13-066	118-33-070	NEW	87-24-005	132L-10-120	NEW-P	87-08-017
82-50-021	AMD	87-16-060	118-33-080	NEW-E	87-18-026	132L-10-120	NEW	87-13-026
100-100-050	AMD-P	87-09-099	118-33-080	NEW-P	87-18-068	132L-10-130	NEW-E	87-07-031
100-100-050	AMD-E	87-09-100	118-33-080	NEW	87-24-005	132L-10-130	NEW-P	87-08-017
100-100-070	AMD-P	87-06-046	118-33-090	NEW-E	87-18-026	132L-10-130	NEW	87-13-026
100-100-070	AMD-C	87-09-101	118-33-090	NEW-P	87-18-068	132L-10-140	NEW-E	87-07-031
100-100-070	AMD-E	87-09-102	118-33-090	NEW	87-24-005	132L-10-140	NEW-P	87-08-017
100-100-070	AMD	87-18-004	118-33-100	NEW-E	87-18-026	132L-10-150	NEW-E	87-07-031
106-116-201	AMD-P	87-19-008	118-33-100	NEW-P	87-18-068	132L-10-150	NEW-P	87-08-017
106-116-201	AMD-E	87-19-009	118-33-100	NEW	87-24-005	132L-10-160	NEW-E	87-07-031
106-116-201	AMD	87-23-012	118-33-110	NEW-E	87-18-026	132L-10-160	NEW-P	87-08-017
106-116-203	AMD-P	87-19-008	118-33-110	NEW-P	87-18-068	132L-20	AMD-E	87-07-048
106-116-203	AMD-E	87-19-009	118-33-110	NEW	87-24-005	132L-20	AMD-P	87-08-018
106-116-203	AMD	87-23-012	118-33-120	NEW-E	87-18-026	132L-20	AMD-P	87-14-023
106-116-205	AMD-P	87-19-008	118-33-120	NEW-P	87-18-068	132L-20	AMD-E	87-14-024
106-116-205	AMD-E	87-19-009	118-33-120	NEW	87-24-005	132L-20	AMD	87-17-037
106-116-205	AMD	87-23-012	131-08-010	AMD	87-04-025	132L-20-010	AMD-E	87-07-048
106-116-404	AMD-P	87-19-008	131-08-010	AMD-P	87-21-074	132L-20-010	AMD-P	87-08-018
106-116-404	AMD-E	87-19-009	131-08-010	AMD	88-01-008	132L-20-010	AMD-P	87-14-023
106-116-404	AMD	87-23-012	132E-136-010	REP-P	87-10-039	132L-20-010	AMD-E	87-14-024
106-116-603	AMD-P	87-19-008	132E-136-010	REP	87-14-002	132L-20-010	AMD	87-17-037
106-116-603	AMD-E	87-19-009	132E-136-020	REP-P	87-10-039	132L-20-020	AMD-E	87-07-048
106-116-603	AMD	87-23-012	132E-136-020	REP	87-14-002	132L-20-020	AMD-P	87-08-018
113-12-087	NEW	87-05-064	132E-136-030	REP-P	87-10-039	132L-20-020	REP-P	87-14-023
113-12-100	AMD-P	87-22-102	132E-136-030	REP	87-14-002	132L-20-020	REP-E	87-14-024
113-12-100	AMD	88-02-037	132E-137-010	NEW-P	87-10-038	132L-20-020	REP	87-17-037
113-12-115	AMD	87-05-064	132E-137-010	NEW	87-14-001	132L-20-030	AMD-E	87-07-048
113-12-150	AMD-P	87-19-131	132E-137-020	NEW-P	87-10-038	132L-20-030	AMD-P	87-08-018
113-12-150	AMD	87-24-064	132E-137-020	NEW	87-14-001	132L-20-030	AMD-P	87-14-023
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113-12-195	AMD-P	87-19-131	132E-137-030	NEW	87-14-001	132L-20-030	AMD	87-17-037
113-12-195	AMD	87-24-064	132E-137-040	NEW-P	87-10-038	132L-20-040	AMD-E	87-07-048
113-12-197	NEW	87-05-064	132E-137-040	NEW	87-14-001	132L-20-040	AMD-P	87-08-018
113-12-200	AMD-P	87-19-131	132E-137-050	NEW-P	87-10-038	132L-20-040	REP-P	87-14-023
113-12-200	AMD	87-24-064	132E-137-050	NEW	87-14-001	132L-20-040	REP-E	87-14-024
113-12-300	NEW-P	87-19-131	132E-137-060	NEW-P	87-10-038	132L-20-040	REP	87-17-037
113-12-300	NEW	87-24-064	132E-137-060	NEW	87-14-001	132L-20-050	AMD-E	87-07-048
113-12-310	NEW-P	87-19-131	132E-137-070	NEW-P	87-10-038	132L-20-050	AMD-P	87-08-018
113-12-310	NEW	87-24-064	132E-137-070	NEW	87-14-001	132L-20-050	AMD-P	87-14-023
113-12-320	NEW-P	87-19-131	132F-104-010	AMD-P	87-15-098	132L-20-050	AMD-E	87-14-024
113-12-320	NEW	87-24-064	132F-104-010	AMD	87-19-122	132L-20-050	AMD	87-17-037
113-12-330	NEW-P	87-19-131	132F-148-010	AMD-P	87-04-064	132L-20-060	AMD-E	87-07-048
113-12-330	NEW	87-24-064	132F-148-010	AMD	87-08-026	132L-20-060	AMD-P	87-08-018
113-12-340	NEW-P	87-19-131	132F-148-030	AMD-P	87-04-064	132L-20-060	REP-P	87-14-023
113-12-340	NEW	87-24-064	132F-148-030	AMD	87-08-026	132L-20-060	REP-E	87-14-024
113-12-350	NEW-P	87-19-131	132F-148-040	AMD-P	87-04-064	132L-20-060	REP	87-17-037
113-12-350	NEW	87-24-064	132F-148-040	AMD	87-08-026	132L-20-070	AMD-E	87-07-048
114-12-041	AMD-P	87-19-132	132L-10-010	NEW-E	87-07-031	132L-20-070	AMD-P	87-08-018
114-12-041	AMD	87-24-063	132L-10-010	NEW-P	87-08-017	132L-20-070	AMD-P	87-14-023
114-12-125	AMD-P	87-19-132	132L-10-010	NEW	87-13-026	132L-20-070	AMD-E	87-14-024
114-12-125	AMD	87-24-063	132L-10-020	NEW-E	87-07-031	132L-20-070	AMD	87-17-037
114-12-131	REP-P	87-19-132	132L-10-020	NEW-P	87-08-017	132L-20-080	AMD-E	87-07-048
114-12-131	REP	87-24-063	132L-10-020	NEW	87-13-026	132L-20-080	AMD-P	87-08-018
114-12-132	NEW-P	87-19-132	132L-10-030	NEW-E	87-07-031	132L-20-080	AMD-P	87-14-023
114-12-132	NEW	87-24-063	132L-10-030	NEW-P	87-08-017	132L-20-080	AMD-E	87-14-024
114-12-136	AMD-P	87-07-046	132L-10-030	NEW	87-13-026	132L-20-080	AMD	87-17-037
114-12-136	AMD	87-10-028	132L-10-040	NEW-E	87-07-031	132L-20-090	AMD-E	87-07-048
118-33-010	NEW-E	87-18-026	132L-10-040	NEW-P	87-08-017	132L-20-090	AMD-P	87-08-018
118-33-010	NEW-P	87-18-068	132L-10-040	NEW	87-13-026	132L-20-090	AMD-P	87-14-023
118-33-010	NEW	87-24-005	132L-10-050	NEW-E	87-07-031	132L-20-090	AMD-E	87-14-024
118-33-020	NEW-E	87-18-026	132L-10-050	NEW-P	87-08-017	132L-20-090	AMD	87-17-037
118-33-020	NEW-P	87-18-068	132L-10-050	NEW	87-13-026	132L-20-100	AMD-E	87-07-048
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132L-20-100	REP	87-17-037	132L-22-060	AMD-P	87-08-018	132N-128-112	NEW-P	87-10-045
132L-20-110	AMD-E	87-07-048	132L-22-060	AMD-P	87-14-023	132N-128-112	NEW	87-16-036
132L-20-110	AMD-P	87-08-018	132L-22-060	AMD-E	87-14-024	132N-128-114	NEW-P	87-10-045
132L-20-110	REP-P	87-14-023	132L-22-060	AMD	87-17-037	132N-128-114	NEW	87-16-036
132L-20-110	REP-E	87-14-024	132L-22-070	AMD-E	87-07-048	132N-128-116	NEW-P	87-10-045
132L-20-110	REP	87-17-037	132L-22-070	AMD-P	87-08-018	132N-128-116	NEW	87-16-036
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132L-20-120	AMD-P	87-08-018	132L-22-070	AMD-E	87-14-024	132N-128-118	NEW	87-16-036
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132L-20-135	NEW-E	87-14-024	132L-23-020	NEW-E	87-07-031	132N-156-015	REP-P	87-15-125
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132L-20-140	AMD-P	87-08-018	132L-23-030	NEW-E	87-07-031	132N-156-025	REP	87-19-103
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132L-20-140	AMD	87-17-037	132L-23-040	NEW	87-13-026	132N-156-045	REP-P	87-15-125
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132L-20-150	AMD-P	87-08-018	132L-24	AMD-P	87-08-018	132N-156-055	REP-P	87-15-125
132L-20-150	REP-P	87-14-023	132L-24	AMD-P	87-14-023	132N-156-055	REP	87-19-103
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132L-20-150	REP	87-17-037	132L-24	AMD	87-17-037	132N-156-065	REP	87-19-103
132L-20-160	AMD-E	87-07-048	132L-24-010	AMD-E	87-07-048	132N-156-075	REP-P	87-15-125
132L-20-160	AMD-P	87-08-018	132L-24-010	AMD-P	87-08-018	132N-156-075	REP	87-19-103
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132L-20-160	REP	87-17-037	132L-24-010	AMD	87-17-037	132N-156-095	REP-P	87-15-125
132L-20-170	AMD-E	87-07-048	132L-24-020	AMD-E	87-07-048	132N-156-095	REP	87-19-103
132L-20-170	AMD-P	87-08-018	132L-24-020	AMD-P	87-08-018	132N-156-105	REP-P	87-15-125
132L-20-170	REP-P	87-14-023	132L-24-020	AMD-P	87-14-023	132N-156-105	REP	87-19-103
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132L-21-010	NEW-P	87-08-017	132L-24-030	AMD-P	87-08-018	132N-156-125	REP	87-19-103
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132L-21-020	NEW-E	87-07-031	132L-24-030	AMD-E	87-14-024	132N-156-135	REP	87-19-103
132L-21-020	NEW-P	87-08-017	132L-24-030	AMD	87-17-037	132N-156-145	REP-P	87-15-125
132L-21-020	NEW	87-13-026	132L-24-040	AMD-E	87-07-048	132N-156-145	REP	87-19-103
132L-21-030	NEW-E	87-07-031	132L-24-040	AMD-P	87-08-018	132N-156-155	REP-P	87-15-125
132L-21-030	NEW-P	87-08-017	132L-24-040	REP-P	87-14-023	132N-156-155	REP	87-19-103
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132L-21-040	NEW-E	87-07-031	132L-24-040	REP	87-17-037	132N-156-165	REP	87-19-103
132L-21-040	NEW-P	87-08-017	132L-24-050	AMD-E	87-07-048	132N-156-175	REP-P	87-15-125
132L-21-040	NEW	87-13-026	132L-24-050	AMD-P	87-08-018	132N-156-175	REP	87-19-103
132L-22	AMD-E	87-07-048	132L-24-050	REP-P	87-14-023	132N-156-185	REP-P	87-15-125
132L-22	AMD-P	87-08-018	132L-24-050	REP-E	87-14-024	132N-156-185	REP	87-19-103
132L-22	AMD-P	87-14-023	132L-24-050	REP	87-17-037	132N-156-195	REP-P	87-15-125
132L-22	AMD-E	87-14-024	132L-24-060	AMD-E	87-07-048	132N-156-195	REP	87-19-103
132L-22	AMD	87-17-037	132L-24-060	AMD-P	87-08-018	132N-156-205	REP-P	87-15-125
132L-22-010	AMD-E	87-07-048	132L-24-060	REP-P	87-14-023	132N-156-205	REP	87-19-103
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132L-22-010	REP-P	87-14-023	132L-24-060	REP	87-17-037	132N-156-300	NEW	87-19-103
132L-22-010	REP-E	87-14-024	132L-24-070	AMD-E	87-07-048	132N-156-310	NEW-P	87-15-125
132L-22-010	REP	87-17-037	132L-24-070	AMD-P	87-08-018	132N-156-310	NEW	87-19-103
132L-22-020	AMD-E	87-07-048	132L-24-070	REP-P	87-14-023	132N-156-320	NEW-P	87-15-125
132L-22-020	AMD-P	87-08-018	132L-24-070	REP-E	87-14-024	132N-156-320	NEW	87-19-103
132L-22-020	AMD-P	87-14-023	132L-24-070	REP	87-17-037	132N-156-330	NEW-P	87-15-125
132L-22-020	AMD-E	87-14-024	132L-24-080	AMD-E	87-07-048	132N-156-330	NEW	87-19-103
132L-22-020	AMD	87-17-037	132L-24-080	AMD-P	87-08-018	132N-156-400	NEW-P	87-15-125
132L-22-030	AMD-E	87-07-048	132L-24-080	REP-P	87-14-023	132N-156-400	NEW	87-19-103
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132L-22-030	REP-P	87-14-023	132L-24-080	REP	87-17-037	132N-156-410	NEW	87-19-103
132L-22-030	REP-E	87-14-024	132L-25-010	NEW-P	87-14-023	132N-156-420	NEW-P	87-15-125
132L-22-030	REP	87-17-037	132L-25-010	NEW-E	87-14-024	132N-156-420	NEW	87-19-103
132L-22-040	AMD-E	87-07-048	132L-25-010	NEW	87-17-037	132N-156-430	NEW-P	87-15-125
132L-22-040	AMD-P	87-08-018	132N-128-080	AMD-P	87-10-045	132N-156-430	NEW	87-19-103
132L-22-040	REP-P	87-14-023	132N-128-080	AMD	87-16-036	132N-156-440	NEW-P	87-15-125
132L-22-040	REP-E	87-14-024	132N-128-085	NEW-P	87-10-045	132N-156-440	NEW	87-19-103
132L-22-040	REP	87-17-037	132N-128-085	NEW	87-16-036	132N-156-450	NEW-P	87-15-125
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132L-22-050	AMD-P	87-08-018	132N-128-090	AMD	87-16-036	132N-156-460	NEW-P	87-15-125
132L-22-050	REP-P	87-14-023	132N-128-100	AMD-P	87-10-045	132N-156-460	NEW	87-19-103
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132N-156-510	NEW	87-19-103	132Q-04-210	AMD-P	87-13-070	132Q-20-060	AMD	87-16-010
132N-156-520	NEW-P	87-15-125	132Q-04-210	AMD	87-16-010	132Q-20-070	AMD-P	87-13-070
132N-156-520	NEW	87-19-103	132Q-04-220	AMD-P	87-13-070	132Q-20-070	AMD	87-16-010
132N-156-530	NEW-P	87-15-125	132Q-04-220	AMD	87-16-010	132Q-20-080	AMD-P	87-13-070
132N-156-530	NEW	87-19-103	132Q-04-230	AMD-P	87-13-070	132Q-20-080	AMD	87-16-010
132N-156-540	NEW-P	87-15-125	132Q-04-230	AMD	87-16-010	132Q-20-090	AMD-P	87-13-070
132N-156-540	NEW	87-19-103	132Q-04-240	AMD-P	87-13-070	132Q-20-090	AMD	87-16-010
132N-156-550	NEW-P	87-15-125	132Q-04-240	AMD	87-16-010	132Q-20-110	AMD-P	87-13-070
132N-156-550	NEW	87-19-103	132Q-04-250	AMD-P	87-13-070	132Q-20-110	AMD	87-16-010
132N-156-560	NEW-P	87-15-125	132Q-04-250	AMD	87-16-010	132Q-20-130	AMD-P	87-13-070
132N-156-560	NEW	87-19-103	132Q-04-260	AMD-P	87-13-070	132Q-20-130	AMD	87-16-010
132N-156-570	NEW-P	87-15-125	132Q-04-260	AMD	87-16-010	132Q-20-150	AMD-P	87-13-070
132N-156-570	NEW	87-19-103	132Q-04-270	AMD-P	87-13-070	132Q-20-150	AMD	87-16-010
132N-156-600	NEW-P	87-15-125	132Q-04-270	AMD	87-16-010	132Q-20-160	AMD-P	87-13-070
132N-156-600	NEW	87-19-103	132Q-05	AMD-P	87-13-070	132Q-20-160	AMD	87-16-010
132N-156-610	NEW-P	87-15-125	132Q-05	AMD	87-16-010	132Q-20-170	AMD-P	87-13-070
132N-156-610	NEW	87-19-103	132Q-05-010	AMD-P	87-13-070	132Q-20-170	AMD	87-16-010
132N-156-620	NEW-P	87-15-125	132Q-05-010	AMD	87-16-010	132Q-20-180	AMD-P	87-13-070
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132N-156-630	NEW-P	87-15-125	132Q-05-020	AMD	87-16-010	132Q-20-190	AMD-P	87-13-070
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132N-156-700	NEW-P	87-15-125	132Q-05-040	AMD	87-16-010	132Q-20-220	AMD-P	87-13-070
132N-156-700	NEW	87-19-103	132Q-05-050	AMD-P	87-13-070	132Q-20-220	AMD	87-16-010
132N-156-710	NEW-P	87-15-125	132Q-05-050	AMD	87-16-010	132Q-20-230	AMD-P	87-13-070
132N-156-710	NEW	87-19-103	132Q-05-060	AMD-P	87-13-070	132Q-20-230	AMD	87-16-010
132N-156-720	NEW-P	87-15-125	132Q-05-060	AMD	87-16-010	132Q-20-240	AMD-P	87-13-070
132N-156-720	NEW	87-19-103	132Q-05-070	AMD-P	87-13-070	132Q-20-240	AMD	87-16-010
132N-156-730	NEW-P	87-15-125	132Q-05-070	AMD	87-16-010	132Q-20-250	AMD-P	87-13-070
132N-156-730	NEW	87-19-103	132Q-05-080	AMD-P	87-13-070	132Q-20-250	AMD	87-16-010
132N-156-740	NEW-P	87-15-125	132Q-05-080	AMD	87-16-010	132Q-20-260	AMD-P	87-13-070
132N-156-740	NEW	87-19-103	132Q-05-090	AMD-P	87-13-070	132Q-20-260	AMD	87-16-010
132N-156-750	NEW-P	87-15-125	132Q-05-090	AMD	87-16-010	132Q-20-265	NEW-P	87-13-070
132N-156-750	NEW	87-19-103	132Q-05-100	AMD-P	87-13-070	132Q-20-265	NEW	87-16-010
132N-156-760	NEW-P	87-15-125	132Q-05-100	AMD	87-16-010	132Q-20-270	AMD-P	87-13-070
132N-156-760	NEW	87-19-103	132Q-05-110	AMD-P	87-13-070	132Q-20-270	AMD	87-16-010
132Q-04	AMD-P	87-13-070	132Q-05-110	AMD	87-16-010	132Q-20-280	REP-P	87-13-070
132Q-04	AMD	87-16-010	132Q-05-120	AMD-P	87-13-070	132Q-20-280	REP	87-16-010
132Q-04-010	AMD-P	87-13-070	132Q-05-120	AMD	87-16-010	132Q-20-290	REP-P	87-13-070
132Q-04-010	AMD	87-16-010	132Q-06	AMD-P	87-13-070	132Q-20-290	REP	87-16-010
132Q-04-020	AMD-P	87-13-070	132Q-06	AMD	87-16-010	132Q-20-300	REP-P	87-13-070
132Q-04-020	AMD	87-16-010	132Q-06-010	AMD-P	87-13-070	132Q-20-300	REP	87-16-010
132Q-04-030	AMD-P	87-13-070	132Q-06-010	AMD	87-16-010	132Q-94	AMD-P	87-13-070
132Q-04-030	AMD	87-16-010	132Q-06-015	AMD-P	87-13-070	132Q-94	AMD	87-16-010
132Q-04-050	AMD-P	87-13-070	132Q-06-015	AMD	87-16-010	132Q-94-010	AMD-P	87-13-070
132Q-04-050	AMD	87-16-010	132Q-06-020	AMD-P	87-13-070	132Q-94-010	AMD	87-16-010
132Q-04-055	NEW-P	87-13-070	132Q-06-020	AMD	87-16-010	132Q-94-020	AMD-P	87-13-070
132Q-04-055	NEW	87-16-010	132Q-06-025	AMD-P	87-13-070	132Q-94-020	AMD	87-16-010
132Q-04-060	AMD-P	87-13-070	132Q-06-025	AMD	87-16-010	132Q-94-030	AMD-P	87-13-070
132Q-04-060	AMD	87-16-010	132Q-06-030	AMD-P	87-13-070	132Q-94-030	AMD	87-16-010
132Q-04-095	AMD-P	87-13-070	132Q-06-030	AMD	87-16-010	132Q-94-040	REP-P	87-13-070
132Q-04-095	AMD	87-16-010	132Q-06-040	AMD-P	87-13-070	132Q-94-040	REP	87-16-010
132Q-04-100	AMD-P	87-13-070	132Q-06-040	AMD	87-16-010	132Q-94-050	REP-P	87-13-070
132Q-04-100	AMD	87-16-010	132Q-08-010	REP	87-06-014	132Q-94-050	REP	87-16-010
132Q-04-105	NEW-P	87-13-070	132Q-08-020	REP	87-06-014	132Q-94-060	REP-P	87-13-070
132Q-04-105	NEW	87-16-010	132Q-08-030	REP	87-06-014	132Q-94-060	REP	87-16-010
132Q-04-110	AMD-P	87-13-070	132Q-08-040	REP	87-06-014	132Q-94-070	REP-P	87-13-070
132Q-04-110	AMD	87-16-010	132Q-08-050	REP	87-06-014	132Q-94-070	REP	87-16-010
132Q-04-120	AMD-P	87-13-070	132Q-08-060	REP	87-06-014	132Q-94-080	REP-P	87-13-070
132Q-04-120	AMD	87-16-010	132Q-08-070	REP	87-06-014	132Q-94-080	REP	87-16-010
132Q-04-130	AMD-P	87-13-070	132Q-08-080	REP	87-06-014	132Q-94-090	REP-P	87-13-070
132Q-04-130	AMD	87-16-010	132Q-20	AMD-P	87-13-070	132Q-94-090	REP	87-16-010
132Q-04-140	AMD-P	87-13-070	132Q-20	AMD	87-16-010	132Q-94-100	REP-P	87-13-070
132Q-04-140	AMD	87-16-010	132Q-20-010	AMD-P	87-13-070	132Q-94-100	REP	87-16-010
132Q-04-150	AMD-P	87-13-070	132Q-20-010	AMD	87-16-010	132Q-94-110	REP-P	87-13-070
132Q-04-150	AMD	87-16-010	132Q-20-020	AMD-P	87-13-070	132Q-94-110	REP	87-16-010
132Q-04-170	AMD-P	87-13-070	132Q-20-020	AMD	87-16-010	132Q-94-120	AMD-P	87-13-070
132Q-04-170	AMD	87-16-010	132Q-20-030	AMD-P	87-13-070	132Q-94-120	AMD	87-16-010
132Q-04-180	AMD-P	87-13-070	132Q-20-030	AMD	87-16-010	132Q-94-125	NEW-P	87-13-070
132Q-04-180	AMD	87-16-010	132Q-20-040	AMD-P	87-13-070	132Q-94-125	NEW	87-16-010
132Q-04-190	AMD-P	87-13-070	132Q-20-040	AMD	87-16-010	132Q-94-130	AMD-P	87-13-070
132Q-04-190	AMD	87-16-010	132Q-20-050	AMD-P	87-13-070	132Q-94-130	AMD	87-16-010

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132U-52-010	NEW-E 88-02-039	158-04-010	REP-P 87-22-059	172-120-110	AMD 87-20-056
132U-116-010	NEW-E 88-02-039	158-04-010	REP 88-01-090	172-120-120	AMD-P 87-16-040
132U-116-020	NEW-E 88-02-039	158-04-990	REP-P 87-22-059	172-120-120	AMD 87-20-056
132U-116-030	NEW-E 88-02-039	158-04-990	REP 88-01-090	172-120-130	AMD-P 87-16-040
132W-104-040	AMD-P 87-16-069	172-08-010	REP-P 87-12-022	172-120-130	AMD 87-20-056
132W-104-040	AMD 87-19-050	172-08-010	REP 87-16-041	172-120-140	AMD-P 87-16-040
132W-104-050	AMD-P 87-16-069	172-08-020	REP-P 87-12-022	172-120-140	AMD 87-20-056
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136-04-030	AMD-P 87-08-022	172-08-030	REP-P 87-12-022	172-120-150	NEW 87-20-056
136-04-030	AMD 87-11-014	172-08-030	REP 87-16-041	172-138-010	REP-P 87-12-022
136-130-050	AMD-P 88-01-110	172-52-010	REP-P 87-12-022	172-138-010	REP 87-16-041
136-130-060	AMD-P 88-01-110	172-52-010	REP 87-16-041	172-138-020	REP-P 87-12-022
136-130-070	AMD-P 88-01-110	172-52-020	REP-P 87-12-022	172-138-020	REP 87-16-041
136-150-010	AMD-P 87-18-019	172-52-020	REP 87-16-041	172-138-030	REP-P 87-12-022
136-150-010	AMD 87-21-046	172-52-030	REP-P 87-12-022	172-138-030	REP 87-16-041
136-150-020	AMD-P 87-18-019	172-52-030	REP 87-16-041	172-138-040	REP-P 87-12-022
136-150-020	AMD 87-21-046	172-52-040	REP-P 87-12-022	172-138-040	REP 87-16-041
136-150-021	NEW-P 87-18-019	172-52-040	REP 87-16-041	172-140-010	REP-P 87-12-022
136-150-021	NEW 87-21-046	172-52-050	REP-P 87-12-022	172-140-010	REP 87-16-041
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136-150-022	NEW 87-21-046	172-52-060	REP-P 87-12-022	172-140-015	REP 87-16-041
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136-150-023	NEW 87-21-046	172-52-070	REP-P 87-12-022	172-140-020	REP 87-16-041
136-150-024	AMD-P 87-18-019	172-52-070	REP 87-16-041	172-140-030	REP-P 87-12-022
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136-160-050	AMD-P 88-01-110	172-52-090	REP 87-16-041	172-140-050	REP-P 87-12-022
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137-12A-060	AMD-P 87-03-028	172-52-110	REP-P 87-12-022	172-140-060	REP 87-16-041
137-12A-060	AMD 87-06-045	172-52-110	REP 87-16-041	172-150-010	REP-P 87-12-022
137-60-040	AMD-P 87-23-042	172-52-120	REP-P 87-12-022	172-150-010	REP 87-16-041
137-70-020	AMD 87-03-029	172-52-120	REP 87-16-041	172-150-020	REP-P 87-12-022
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137-75-050	AMD-P 87-11-010	172-114-010	REP-P 87-12-022	172-150-050	REP 87-16-041
137-75-050	AMD 87-14-045	172-114-010	REP 87-16-041	172-150-060	REP-P 87-12-022
139-05-200	AMD-P 87-15-093	172-114-020	REP-P 87-12-022	172-150-060	REP 87-16-041
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139-10-230	AMD-P 87-15-094	172-114-050	REP-P 87-12-022	172-150-090	REP 87-16-041
139-10-230	AMD 87-19-105	172-114-050	REP 87-16-041	172-150-100	REP-P 87-12-022
139-10-235	AMD-P 87-15-094	172-114-060	REP-P 87-12-022	172-150-100	REP 87-16-041
139-10-235	AMD 87-19-105	172-114-060	REP 87-16-041	172-150-110	REP-P 87-12-022
139-10-237	NEW-P 87-15-094	172-114-070	REP-P 87-12-022	172-150-110	REP 87-16-041
139-10-237	NEW 87-19-105	172-114-070	REP 87-16-041	172-150-120	REP-P 87-12-022
139-10-240	AMD-P 87-15-094	172-114-080	REP-P 87-12-022	172-150-120	REP 87-16-041
139-10-240	AMD 87-19-105	172-114-080	REP 87-16-041	172-150-130	REP-P 87-12-022
139-10-310	AMD-P 87-15-095	172-114-090	REP-P 87-12-022	172-150-130	REP 87-16-041
139-10-310	AMD 87-19-106	172-114-090	REP 87-16-041	172-150-140	REP-P 87-12-022
139-10-320	AMD-P 87-15-095	172-120-010	AMD-P 87-16-040	172-150-140	REP 87-16-041
139-10-320	AMD 87-19-106	172-120-010	AMD 87-20-056	172-150-145	REP-P 87-12-022
139-10-410	AMD-P 87-15-095	172-120-030	AMD-P 87-16-040	172-150-145	REP 87-16-041
139-10-410	AMD 87-19-106	172-120-030	AMD 87-20-056	172-150-150	REP-P 87-12-022
139-10-510	AMD-P 87-15-095	172-120-040	AMD-P 87-16-040	172-150-150	REP 87-16-041
139-10-510	AMD 87-19-106	172-120-040	AMD 87-20-056	172-150-160	REP-P 87-12-022
139-10-520	AMD-P 87-15-095	172-120-050	AMD-P 87-16-040	172-150-160	REP 87-16-041
139-10-520	AMD 87-19-106	172-120-050	AMD 87-20-056	172-150-170	REP-P 87-12-022
154-04-040	AMD-P 87-13-076	172-120-060	AMD-P 87-16-040	172-150-170	REP 87-16-041
154-12-015	AMD-P 87-13-076	172-120-060	AMD 87-20-056	172-150-180	REP-P 87-12-022
154-12-015	AMD 87-18-022	172-120-080	AMD-P 87-16-040	172-150-180	REP 87-16-041
154-12-050	AMD-P 87-13-076	172-120-080	AMD 87-20-056	172-150-190	REP-P 87-12-022
154-12-050	AMD 87-18-022	172-120-090	AMD-P 87-16-040	172-150-190	REP 87-16-041
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172-180-020	REP	87-16-041	173-19-420	AMD	87-20-026	173-160-235	NEW-P	87-20-063
172-180-030	REP-P	87-12-022	173-19-4203	AMD-P	87-15-088	173-160-240	REP-P	87-20-063
172-180-030	REP	87-16-041	173-19-4203	AMD	87-20-026	173-160-245	NEW-P	87-20-063
172-180-040	REP-P	87-12-022	173-19-4205	AMD-P	87-15-088	173-160-250	REP-P	87-20-063
172-180-040	REP	87-16-041	173-19-4205	AMD	87-20-026	173-160-255	NEW-P	87-20-063
173-14	AMD-C	88-01-014	173-19-450	AMD-P	87-08-059	173-160-260	REP-P	87-20-063
173-14-030	AMD-P	87-22-099	173-19-450	AMD	87-13-018	173-160-265	NEW-P	87-20-063
173-14-055	AMD-P	87-09-080	173-22-0648	AMD-P	87-17-065	173-160-270	REP-P	87-20-063
173-14-055	AMD	87-16-101	173-22-0648	AMD	87-20-050	173-160-275	NEW-P	87-20-063
173-14-060	AMD-P	87-09-080	173-22-0648	AMD-P	87-21-081	173-160-280	REP-P	87-20-063
173-14-060	AMD	87-16-101	173-60-110	AMD-P	87-02-059	173-160-285	NEW-P	87-20-063
173-14-060	AMD-P	87-22-099	173-60-110	AMD	87-06-056	173-160-290	REP-P	87-20-063
173-14-061	NEW-P	87-22-099	173-91-010	NEW-E	87-15-057	173-160-295	NEW-P	87-20-063
173-14-080	AMD-P	87-09-080	173-91-020	NEW-E	87-15-057	173-160-300	REP-P	87-20-063
173-14-180	REP-P	87-09-080	173-91-030	NEW-E	87-15-057	173-160-305	NEW-P	87-20-063
173-14-180	REP	87-16-101	173-91-040	NEW-E	87-15-057	173-160-310	REP-P	87-20-063
173-15-040	REP-P	87-09-080	173-91-050	NEW-E	87-15-057	173-160-315	NEW-P	87-20-063
173-15-040	REP	87-16-101	173-105-010	NEW-E	87-16-018	173-160-320	REP-P	87-20-063
173-17-010	NEW-P	87-09-080	173-105-020	NEW-E	87-16-018	173-160-325	NEW-P	87-20-063
173-17-010	NEW	87-16-101	173-105-030	NEW-E	87-16-018	173-160-330	REP-P	87-20-063
173-17-020	NEW-P	87-09-080	173-105-040	NEW-E	87-16-018	173-160-335	NEW-P	87-20-063
173-17-020	NEW	87-16-101	173-105-050	NEW-E	87-16-018	173-160-340	REP-P	87-20-063
173-17-030	NEW-P	87-09-080	173-105-060	NEW-E	87-16-018	173-160-345	NEW-P	87-20-063
173-17-030	NEW	87-16-101	173-145	AMD-C	87-02-043	173-160-350	REP-P	87-20-063
173-17-040	NEW-P	87-09-080	173-145	AMD-C	87-03-044	173-160-355	NEW-P	87-20-063
173-17-040	NEW	87-16-101	173-145-010	AMD	87-04-022	173-160-360	REP-P	87-20-063
173-17-050	NEW-P	87-09-080	173-145-020	AMD	87-04-022	173-160-365	NEW-P	87-20-063
173-17-050	NEW	87-16-101	173-145-030	AMD	87-04-022	173-160-370	REP-P	87-20-063
173-17-060	NEW-P	87-09-080	173-145-040	AMD	87-04-022	173-160-375	NEW-P	87-20-063
173-17-060	NEW	87-16-101	173-145-050	AMD	87-04-022	173-160-380	REP-P	87-20-063
173-17-070	NEW-P	87-09-080	173-145-060	AMD	87-04-022	173-160-385	NEW-P	87-20-063
173-17-070	NEW	87-16-101	173-145-070	AMD	87-04-022	173-160-395	NEW-P	87-20-063
173-17-080	NEW-P	87-09-080	173-145-080	AMD	87-04-022	173-160-405	NEW-P	87-20-063
173-17-080	NEW	87-16-101	173-145-090	AMD	87-04-022	173-160-415	NEW-P	87-20-063
173-18-280	AMD-P	87-17-065	173-145-100	AMD	87-04-022	173-160-425	NEW-P	87-20-063
173-18-280	AMD	87-20-050	173-145-110	AMD	87-04-022	173-160-435	NEW-P	87-20-063
173-18-280	AMD-P	87-21-081	173-145-120	AMD	87-04-022	173-160-445	NEW-P	87-20-063
173-19-064	AMD-P	87-09-080	173-145-130	AMD	87-04-022	173-160-455	NEW-P	87-20-063
173-19-064	AMD	87-16-101	173-145-140	AMD	87-04-022	173-160-465	NEW-P	87-20-063
173-19-070	AMD-P	87-09-080	173-145-150	REP	87-04-022	173-160-475	NEW-P	87-20-063
173-19-070	AMD	87-16-101	173-145-155	NEW	87-04-022	173-160-485	NEW-P	87-20-063
173-19-130	AMD-P	88-01-119	173-160	AMD-P	87-20-063	173-160-500	NEW-P	87-20-063
173-19-220	AMD-P	87-13-075	173-160	AMD-C	87-21-039	173-160-510	NEW-P	87-20-063
173-19-220	AMD	87-18-023	173-160	AMD-C	87-24-071	173-160-520	NEW-P	87-20-063
173-19-2507	AMD-P	87-24-066	173-160-010	AMD-P	87-20-063	173-160-530	NEW-P	87-20-063
173-19-2515	AMD-P	87-12-069	173-160-020	AMD-P	87-20-063	173-160-540	NEW-P	87-20-063
173-19-2515	AMD-C	87-17-001	173-160-030	AMD-P	87-20-063	173-160-550	NEW-P	87-20-063
173-19-2515	AMD	87-19-085	173-160-040	AMD-P	87-20-063	173-160-560	NEW-P	87-20-063
173-19-2517	AMD-P	87-20-087	173-160-050	AMD-P	87-20-063	173-160-570	NEW-P	87-20-063
173-19-2517	AMD	87-24-068	173-160-055	NEW-P	87-20-063	173-162	AMD-P	87-20-063
173-19-2521	AMD	87-05-015	173-160-060	REP-P	87-20-063	173-162	AMD-C	87-21-039
173-19-2521	AMD-P	87-13-074	173-160-065	NEW-P	87-20-063	173-162	AMD-C	87-24-071
173-19-2521	AMD-C	87-19-083	173-160-070	REP-P	87-20-063	173-162-010	AMD-P	87-20-063
173-19-2521	AMD	87-24-067	173-160-075	NEW-P	87-20-063	173-162-020	AMD-P	87-20-063
173-19-310	AMD-P	87-19-157	173-160-080	REP-P	87-20-063	173-162-030	AMD-P	87-20-063
173-19-310	AMD-C	87-24-065	173-160-085	NEW-P	87-20-063	173-162-040	AMD-P	87-20-063
173-19-320	AMD-P	87-06-025	173-160-090	REP-P	87-20-063	173-162-050	AMD-P	87-20-063
173-19-320	AMD-W	87-11-042	173-160-09001	REP-P	87-20-063	173-162-060	AMD-P	87-20-063
173-19-320	AMD-P	87-16-102	173-160-095	NEW-P	87-20-063	173-162-100	AMD-P	87-20-063
173-19-320	AMD-C	87-19-084	173-160-100	REP-P	87-20-063	173-162-110	REP-P	87-20-063
173-19-320	AMD	87-20-051	173-160-105	NEW-P	87-20-063	173-162-130	AMD-P	87-20-063
173-19-320	AMD-P	87-21-081	173-160-110	REP-P	87-20-063	173-162-140	AMD-P	87-20-063
173-19-3302	AMD-P	87-15-087	173-160-120	REP-P	87-20-063	173-162-150	REP-P	87-20-063
173-19-3302	AMD-W	87-20-027	173-160-130	REP-P	87-20-063	173-162-160	REP-P	87-20-063
173-19-3302	AMD-P	87-22-098	173-160-140	REP-P	87-20-063	173-162-170	AMD-P	87-20-063
173-19-3508	AMD	87-08-001	173-160-150	REP-P	87-20-063	173-162-180	REP-P	87-20-063
173-19-3512	AMD-P	87-22-097	173-160-160	REP-P	87-20-063	173-162-190	AMD-P	87-20-063
173-19-3514	AMD-P	87-16-103	173-160-170	REP-P	87-20-063	173-164-050	AMD-E	87-19-058
173-19-3514	AMD	87-19-111	173-160-180	REP-P	87-20-063	173-201	AMD-P	87-13-069
173-19-360	AMD-P	87-09-081	173-160-190	REP-P	87-20-063	173-201	AMD-C	87-20-083
173-19-360	AMD-W	87-15-066	173-160-200	REP-P	87-20-063	173-201-010	AMD-P	87-13-069
173-19-370	AMD-P	87-18-074	173-160-205	NEW-P	87-20-063	173-201-010	AMD-C	87-20-083
173-19-370	AMD	87-22-100	173-160-210	REP-P	87-20-063	173-201-025	AMD-P	87-13-069
173-19-390	AMD	87-05-015	173-160-215	NEW-P	87-20-063	173-201-025	AMD-C	87-20-083
173-19-400	AMD-P	87-18-073	173-160-220	REP-P	87-20-063	173-201-035	AMD-P	87-13-069

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173-201-045	AMD-P	87-13-069	173-245-040	NEW-C	87-04-014	173-303-400	AMD-P	87-09-078
173-201-045	AMD-C	87-20-083	173-245-040	NEW	87-04-020	173-303-400	AMD	87-14-029
173-201-047	NEW-P	87-13-069	173-245-050	NEW-C	87-02-050	173-303-400	AMD-P	87-18-062
173-201-047	NEW-C	87-20-083	173-245-050	NEW-C	87-04-014	173-303-420	AMD	87-03-014
173-201-070	AMD-P	87-13-069	173-245-050	NEW	87-04-020	173-303-420	AMD-P	87-09-078
173-201-070	AMD-C	87-20-083	173-245-055	NEW-C	87-02-050	173-303-420	AMD	87-14-029
173-201-080	AMD-P	87-13-069	173-245-055	NEW-C	87-04-014	173-303-420	AMD-P	87-24-099
173-201-080	AMD-C	87-20-083	173-245-055	NEW	87-04-020	173-303-430	AMD-P	87-24-099
173-201-090	AMD-P	87-13-069	173-245-060	NEW-C	87-02-050	173-303-440	AMD-P	87-24-099
173-201-090	AMD-C	87-20-083	173-245-060	NEW-C	87-04-014	173-303-510	AMD-P	87-24-099
173-201-100	AMD-P	87-13-069	173-245-060	NEW	87-04-020	173-303-515	AMD-P	87-09-078
173-201-100	AMD-C	87-20-083	173-245-070	NEW-C	87-02-050	173-303-515	AMD	87-14-029
173-202-020	AMD-P	87-10-060	173-245-070	NEW-C	87-04-014	173-303-520	AMD-P	87-24-099
173-202-020	AMD-C	87-19-012	173-245-070	NEW	87-04-020	173-303-550	AMD-P	87-09-078
173-202-020	AMD	87-23-017	173-245-075	NEW-C	87-02-050	173-303-550	AMD	87-14-029
173-221-010	NEW-P	87-13-068	173-245-075	NEW-C	87-04-014	173-303-560	AMD-P	87-09-078
173-221-010	NEW-C	87-20-008	173-245-075	NEW	87-04-020	173-303-560	AMD	87-14-029
173-221-010	NEW-C	87-22-053	173-245-080	NEW-C	87-02-050	173-303-560	AMD-P	87-24-099
173-221-010	NEW	87-23-020	173-245-080	NEW-C	87-04-014	173-303-600	AMD-P	87-09-078
173-221-020	NEW-P	87-13-068	173-245-080	NEW	87-04-020	173-303-600	AMD	87-14-029
173-221-020	NEW-C	87-20-008	173-245-084	NEW-C	87-02-050	173-303-600	AMD-P	87-24-099
173-221-020	NEW-C	87-22-053	173-245-084	NEW-C	87-04-014	173-303-610	AMD-P	87-09-078
173-221-020	NEW	87-23-020	173-245-084	NEW	87-04-020	173-303-610	AMD	87-14-029
173-221-030	NEW-P	87-13-068	173-245-090	NEW-C	87-02-050	173-303-620	AMD-P	87-09-078
173-221-030	NEW-C	87-20-008	173-245-090	NEW-C	87-04-014	173-303-620	AMD	87-14-029
173-221-030	NEW-C	87-22-053	173-245-090	NEW	87-04-020	173-303-650	AMD-P	87-24-099
173-221-030	NEW	87-23-020	173-303	AMD-C	87-20-072	173-303-660	AMD-P	87-09-078
173-221-040	NEW-P	87-13-068	173-303	AMD-C	87-24-057	173-303-660	AMD	87-14-029
173-221-040	NEW-C	87-20-008	173-303-017	AMD-P	87-09-078	173-303-665	AMD-P	87-18-062
173-221-040	NEW-C	87-22-053	173-303-017	AMD	87-14-029	173-303-800	AMD-P	87-24-099
173-221-040	NEW	87-23-020	173-303-040	AMD-P	87-09-078	173-303-801	AMD-P	87-09-078
173-221-050	NEW-P	87-13-068	173-303-040	AMD	87-14-029	173-303-801	AMD	87-14-029
173-221-050	NEW-C	87-20-008	173-303-045	AMD-P	87-09-078	173-303-802	AMD-P	87-09-078
173-221-050	NEW-C	87-22-053	173-303-045	AMD	87-14-029	173-303-802	AMD	87-14-029
173-221-050	NEW	87-23-020	173-303-060	AMD-P	87-09-078	173-303-802	AMD-P	87-24-099
173-221-100	NEW-P	87-13-068	173-303-060	AMD	87-14-029	173-303-805	AMD-P	87-09-078
173-221-100	NEW-C	87-20-008	173-303-070	AMD-P	87-09-078	173-303-805	AMD	87-14-029
173-221-100	NEW-C	87-22-053	173-303-070	AMD	87-14-029	173-303-805	AMD-P	87-24-099
173-221-100	NEW	87-23-020	173-303-071	AMD-P	87-09-078	173-303-806	AMD-P	87-09-078
173-230	AMD-C	87-19-014	173-303-071	AMD	87-14-029	173-303-806	AMD	87-14-029
173-230-010	AMD-P	87-17-063	173-303-081	AMD-P	87-09-078	173-303-806	AMD-P	87-24-099
173-230-010	AMD	87-22-006	173-303-081	AMD	87-14-029	173-303-809	AMD-P	87-09-078
173-230-020	AMD-P	87-17-063	173-303-082	AMD-P	87-09-078	173-303-809	AMD	87-14-029
173-230-020	AMD	87-22-006	173-303-082	AMD	87-14-029	173-303-810	AMD-P	87-09-078
173-230-030	AMD-P	87-17-063	173-303-084	AMD-P	87-09-078	173-303-810	AMD	87-14-029
173-230-030	AMD	87-22-006	173-303-084	AMD	87-14-029	173-303-830	AMD-P	87-09-078
173-230-040	AMD-P	87-17-063	173-303-090	AMD-P	87-09-078	173-303-830	AMD	87-14-029
173-230-040	AMD	87-22-006	173-303-090	AMD	87-14-029	173-303-901	NEW-P	87-24-099
173-230-050	AMD-P	87-17-063	173-303-101	AMD-P	87-09-078	173-303-910	AMD-P	87-18-062
173-230-050	AMD	87-22-006	173-303-101	AMD	87-14-029	173-303-9901	AMD-P	87-09-078
173-230-061	AMD-P	87-17-063	173-303-102	AMD-P	87-09-078	173-303-9901	AMD	87-14-029
173-230-061	AMD	87-22-006	173-303-102	AMD	87-14-029	173-303-9904	AMD-P	87-09-078
173-230-070	AMD-P	87-17-063	173-303-103	AMD-P	87-09-078	173-303-9904	AMD	87-14-029
173-230-070	AMD	87-22-006	173-303-103	AMD	87-14-029	173-303-9905	AMD-P	87-09-078
173-230-080	AMD-P	87-17-063	173-303-120	AMD-P	87-09-078	173-303-9905	AMD	87-14-029
173-230-080	AMD	87-22-006	173-303-120	AMD	87-14-029	173-303-9906	AMD-P	87-09-078
173-230-090	AMD-P	87-17-063	173-303-120	AMD-P	87-24-099	173-303-9906	AMD	87-14-029
173-230-090	AMD	87-22-006	173-303-140	AMD-P	87-18-062	173-303-9907	AMD-P	87-09-078
173-230-100	AMD-P	87-17-063	173-303-170	AMD-P	87-09-078	173-303-9907	AMD	87-14-029
173-230-100	AMD	87-22-006	173-303-170	AMD	87-14-029	173-304-012	NEW-C	87-02-035
173-230-110	AMD-P	87-17-063	173-303-170	AMD-P	87-18-062	173-304-012	NEW-C	87-04-019
173-230-110	AMD	87-22-006	173-303-201	AMD-P	87-09-078	173-304-012	NEW-W	87-04-037
173-230-140	AMD-P	87-17-063	173-303-201	AMD	87-14-029	173-304-012	NEW-P	87-04-038
173-230-140	AMD	87-22-006	173-303-220	AMD-P	87-09-078	173-304-012	NEW-W	87-05-035
173-245-010	NEW-C	87-02-050	173-303-220	AMD	87-14-029	173-304-012	NEW-P	87-05-054
173-245-010	NEW-C	87-04-014	173-303-230	AMD-P	87-09-078	173-304-012	NEW-C	87-08-060
173-245-010	NEW	87-04-020	173-303-230	AMD	87-14-029	173-304-012	NEW-W	87-11-038
173-245-015	NEW-C	87-02-050	173-303-240	AMD-P	87-09-078	173-304-012	NEW-P	87-11-039
173-245-015	NEW-C	87-04-014	173-303-240	AMD	87-14-029	173-304-012	NEW	87-15-049
173-245-015	NEW	87-04-020	173-303-280	AMD-P	87-09-078	173-304-100	AMD-P	87-14-060
173-245-020	NEW-C	87-02-050	173-303-280	AMD	87-14-029	173-304-100	AMD-W	87-20-069
173-245-020	NEW-C	87-04-014	173-303-280	AMD-P	87-18-062	173-304-400	AMD-P	87-14-060
173-245-020	NEW	87-04-020	173-303-284	NEW-P	87-24-099	173-304-400	AMD-W	87-20-069
173-245-030	NEW-C	87-02-050	173-303-285	NEW-P	87-24-099	173-304-405	AMD-P	87-14-060
173-245-030	NEW-C	87-04-014	173-303-286	NEW-P	87-24-099	173-304-405	AMD-W	87-20-069
173-245-030	NEW	87-04-020	173-303-360	AMD-P	87-09-078	173-304-407	NEW-P	87-13-067

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173-304-407	NEW-P	87-14-060	173-434-020	NEW	87-07-041	173-481-100	NEW-P	87-15-121
173-304-407	NEW-W	87-20-069	173-434-030	NEW	87-07-041	173-481-100	NEW	87-19-073
173-304-430	AMD-P	87-14-060	173-434-050	NEW	87-07-041	173-481-110	NEW-P	87-15-121
173-304-430	AMD-W	87-20-069	173-434-100	NEW	87-07-041	173-481-110	NEW	87-19-073
173-304-440	AMD-P	87-04-038	173-434-110	NEW	87-07-041	173-481-150	NEW-P	87-15-121
173-304-440	AMD-W	87-05-035	173-434-120	NEW	87-07-041	173-481-150	NEW	87-19-073
173-304-440	AMD-P	87-05-054	173-434-130	NEW	87-07-041	173-481-160	NEW-P	87-15-121
173-304-440	AMD-C	87-08-060	173-434-160	NEW	87-07-041	173-481-160	NEW	87-19-073
173-304-440	AMD-W	87-11-038	173-434-170	NEW	87-07-041	174-12-010	REP-P	87-21-071
173-304-450	AMD-P	87-14-060	173-434-190	NEW	87-07-041	174-12-010	REP-E	87-22-003
173-304-450	AMD-W	87-20-069	173-434-200	NEW	87-07-041	174-12-010	REP	88-01-047
173-304-460	AMD-P	87-14-060	173-434-210	NEW	87-07-041	174-12-020	REP-P	87-21-071
173-304-460	AMD-W	87-20-069	173-440-010	NEW-P	87-15-117	174-12-020	REP-E	87-22-003
173-304-467	NEW-P	87-13-067	173-440-010	NEW	87-19-076	174-12-020	REP	88-01-047
173-304-467	NEW-P	87-14-060	173-440-020	NEW-P	87-15-117	174-12-030	REP-P	87-21-071
173-304-467	NEW-W	87-20-069	173-440-020	NEW	87-19-076	174-12-030	REP-E	87-22-003
173-304-600	AMD-P	87-14-060	173-440-030	NEW-P	87-15-117	174-12-030	REP	88-01-047
173-304-600	AMD-W	87-20-069	173-440-030	NEW	87-19-076	174-12-040	REP-P	87-21-071
173-326-010	NEW-E	87-05-032	173-440-040	NEW-P	87-15-117	174-12-040	REP-E	87-22-003
173-326-010	NEW-P	87-11-028	173-440-040	NEW	87-19-076	174-12-040	REP	88-01-047
173-326-010	NEW-E	87-11-029	173-440-100	NEW-P	87-15-117	174-12-050	REP-P	87-21-071
173-326-010	NEW	87-14-078	173-440-100	NEW	87-19-076	174-12-050	REP-E	87-22-003
173-326-020	NEW-E	87-05-032	173-440-900	NEW-P	87-15-117	174-12-050	REP	88-01-047
173-326-020	NEW-P	87-11-028	173-440-900	NEW	87-19-076	174-12-060	REP-P	87-21-071
173-326-020	NEW-E	87-11-029	173-450-010	NEW-P	87-15-118	174-12-060	REP-E	87-22-003
173-326-020	NEW	87-14-078	173-450-010	NEW	87-19-077	174-12-060	REP	88-01-047
173-326-030	NEW-E	87-05-032	173-450-020	NEW-P	87-15-118	174-12-990	REP-P	87-21-071
173-326-030	NEW-P	87-11-028	173-450-020	NEW	87-19-077	174-12-990	REP-E	87-22-003
173-326-030	NEW-E	87-11-029	173-450-030	NEW-P	87-15-118	174-12-990	REP	88-01-047
173-326-030	NEW	87-14-078	173-450-030	NEW	87-19-077	174-12-99001	REP-P	87-21-071
173-326-040	NEW-E	87-05-032	173-450-040	NEW-P	87-15-118	174-12-99001	REP-E	87-22-003
173-326-040	NEW-P	87-11-028	173-450-040	NEW	87-19-077	174-12-99001	REP	88-01-047
173-326-040	NEW-E	87-11-029	173-450-050	NEW-P	87-15-118	174-12-99002	REP-P	87-21-071
173-326-040	NEW	87-14-078	173-450-050	NEW	87-19-077	174-12-99002	REP-E	87-22-003
173-400-105	NEW-P	87-15-114	173-450-060	NEW-P	87-15-118	174-12-99002	REP	88-01-047
173-400-105	NEW	87-20-019	173-450-060	NEW	87-19-077	174-104-010	REP-P	87-21-071
173-403-030	AMD-P	87-15-115	173-450-070	NEW-P	87-15-118	174-104-010	REP-E	87-22-003
173-403-030	AMD	87-19-074	173-450-070	NEW	87-19-077	174-104-010	REP	88-01-047
173-405-045	NEW-P	87-22-066	173-450-080	NEW-P	87-15-118	174-104-020	REP-P	87-21-071
173-405-045	NEW	88-01-057	173-450-080	NEW	87-19-077	174-104-020	REP-E	87-22-003
173-405-087	NEW-P	87-22-066	173-450-090	NEW-P	87-15-118	174-104-020	REP	88-01-047
173-405-087	NEW	88-01-057	173-450-090	NEW	87-19-077	174-107-100	REP-P	87-24-019
173-410-045	NEW-P	87-22-066	173-450-100	NEW-P	87-15-118	174-107-110	REP-P	87-24-019
173-410-045	NEW	88-01-057	173-450-100	NEW	87-19-077	174-107-120	REP-P	87-24-019
173-410-087	NEW-P	87-22-066	173-470-010	NEW-P	87-15-119	174-107-130	REP-P	87-24-019
173-410-087	NEW	88-01-057	173-470-010	NEW	87-19-080	174-107-140	REP-P	87-24-019
173-415-045	NEW-P	87-22-066	173-470-020	NEW-P	87-15-119	174-107-150	REP-P	87-24-019
173-415-045	NEW	88-01-057	173-470-020	NEW	87-19-080	174-107-160	REP-P	87-24-019
173-415-051	NEW-P	87-22-066	173-470-030	NEW-P	87-15-119	174-107-170	REP-P	87-24-019
173-415-051	NEW	88-01-057	173-470-030	NEW	87-19-080	174-107-180	REP-P	87-24-019
173-421-010	NEW-P	87-15-116	173-470-100	NEW-P	87-15-119	174-107-190	REP-P	87-24-019
173-421-010	NEW	87-19-078	173-470-100	NEW	87-19-080	174-107-200	REP-P	87-24-019
173-421-020	NEW-P	87-15-116	173-470-110	NEW-P	87-15-119	174-107-210	REP-P	87-24-019
173-421-020	NEW	87-19-078	173-470-110	NEW	87-19-080	174-107-220	REP-P	87-24-019
173-421-030	NEW-P	87-15-116	173-470-150	NEW-P	87-15-119	174-107-261	NEW-E	87-03-038
173-421-030	NEW	87-19-078	173-470-150	NEW	87-19-080	174-107-360	REP-P	87-24-019
173-421-100	NEW-P	87-15-116	173-470-160	NEW-P	87-15-119	174-107-370	REP-P	87-24-019
173-421-100	NEW	87-19-078	173-470-160	NEW	87-19-080	174-107-380	REP-P	87-24-019
173-422-130	AMD	87-02-051	173-474-010	NEW-P	87-15-120	174-107-400	REP-P	87-24-019
173-433-010	NEW-P	87-21-072	173-474-010	NEW	87-20-020	174-107-410	REP-P	87-24-019
173-433-010	NEW	88-01-056	173-474-015	NEW	87-20-020	174-107-420	REP-P	87-24-019
173-433-020	NEW-P	87-21-072	173-474-020	NEW-P	87-15-120	174-107-430	REP-P	87-24-019
173-433-020	NEW	88-01-056	173-474-020	NEW	87-20-020	174-107-440	REP-P	87-24-019
173-433-030	NEW-P	87-21-072	173-474-030	NEW-P	87-15-120	174-107-450	REP-P	87-24-019
173-433-030	NEW	88-01-056	173-474-030	NEW	87-20-020	174-107-460	REP-P	87-24-019
173-433-100	NEW-P	87-21-072	173-474-100	NEW-P	87-15-120	174-107-470	REP-P	87-24-019
173-433-100	NEW	88-01-056	173-474-100	NEW	87-20-020	174-107-500	REP-P	87-24-019
173-433-110	NEW-P	87-21-072	173-474-150	NEW-P	87-15-120	174-107-510	REP-P	87-24-019
173-433-110	NEW	88-01-056	173-474-150	NEW	87-20-020	174-107-520	REP-P	87-24-019
173-433-120	NEW-P	87-21-072	173-474-160	NEW-P	87-15-120	174-107-530	REP-P	87-24-019
173-433-120	NEW	88-01-056	173-474-160	NEW	87-20-020	174-107-540	REP-P	87-24-019
173-433-150	NEW-P	87-21-072	173-481-010	NEW-P	87-15-121	174-107-550	REP-P	87-24-019
173-433-150	NEW	88-01-056	173-481-010	NEW	87-19-073	174-108-010	REP-P	87-21-071
173-433-200	NEW-P	87-21-072	173-481-020	NEW-P	87-15-121	174-108-010	REP-E	87-22-003
173-433-200	NEW	88-01-056	173-481-020	NEW	87-19-073	174-108-010	REP	88-01-047
173-434	NEW-C	87-03-045	173-481-030	NEW-P	87-15-121	174-108-020	REP-P	87-21-071
173-434-010	NEW	87-07-041	173-481-030	NEW	87-19-073	174-108-020	REP-E	87-22-003

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
174-108-020	REP	88-01-047	174-112-010	REP-E	87-22-003	174-116-126	AMD-C	87-13-029
174-108-030	REP-P	87-21-071	174-112-010	REP	88-01-047	174-116-126	AMD	87-14-020
174-108-030	REP-E	87-22-003	174-112-020	REP-P	87-21-071	174-116-127	AMD-P	87-10-054
174-108-030	REP	88-01-047	174-112-020	REP-E	87-22-003	174-116-127	AMD-C	87-13-029
174-108-041	REP-P	87-21-071	174-112-020	REP	88-01-047	174-116-127	AMD	87-14-020
174-108-041	REP-E	87-22-003	174-112-030	REP-P	87-21-071	174-116-190	REP-P	87-10-054
174-108-041	REP	88-01-047	174-112-030	REP-E	87-22-003	174-116-190	REP	87-14-020
174-108-051	REP-P	87-21-071	174-112-030	REP	88-01-047	174-116-260	REP-P	87-10-054
174-108-051	REP-E	87-22-003	174-112-070	REP-P	87-21-071	174-116-260	REP	87-14-020
174-108-051	REP	88-01-047	174-112-070	REP-E	87-22-003	174-120-010	NEW-P	87-24-019
174-108-06001	REP-P	87-21-071	174-112-070	REP	88-01-047	174-120-020	NEW-P	87-24-019
174-108-06001	REP-E	87-22-003	174-112-080	REP-P	87-21-071	174-120-030	NEW-P	87-24-019
174-108-06001	REP	88-01-047	174-112-080	REP-E	87-22-003	174-120-040	NEW-P	87-24-019
174-108-06003	REP-P	87-21-071	174-112-080	REP	88-01-047	174-120-050	NEW-P	87-24-019
174-108-06003	REP-E	87-22-003	174-112-090	REP-P	87-21-071	174-120-060	NEW-P	87-24-019
174-108-06003	REP	88-01-047	174-112-090	REP-E	87-22-003	174-120-070	NEW-P	87-24-019
174-108-06005	REP-P	87-21-071	174-112-090	REP	88-01-047	174-120-080	NEW-P	87-24-019
174-108-06005	REP-E	87-22-003	174-116	AMD-P	87-10-054	174-124-020	REP-P	87-21-071
174-108-06005	REP	88-01-047	174-116	AMD	87-14-020	174-124-020	REP-E	87-22-003
174-108-06007	REP-P	87-21-071	174-116-010	AMD-P	87-10-054	174-124-030	REP-P	87-21-071
174-108-06007	REP-E	87-22-003	174-116-010	AMD-C	87-13-029	174-124-030	REP-E	87-22-003
174-108-06007	REP	88-01-047	174-116-010	AMD	87-14-020	174-124-040	REP-P	87-21-071
174-108-06009	REP-P	87-21-071	174-116-020	AMD-P	87-10-054	174-124-040	REP-E	87-22-003
174-108-06009	REP-E	87-22-003	174-116-020	AMD-C	87-13-029	174-124-050	REP-P	87-21-071
174-108-06009	REP	88-01-047	174-116-020	AMD	87-14-020	174-124-050	REP-E	87-22-003
174-108-06011	REP-P	87-21-071	174-116-030	AMD-P	87-10-054	174-124-120	REP-P	87-21-071
174-108-06011	REP-E	87-22-003	174-116-030	AMD-C	87-13-029	174-124-120	REP-E	87-22-003
174-108-06011	REP	88-01-047	174-116-030	AMD	87-14-020	174-148-010	REP-P	87-21-071
174-108-07001	REP-P	87-21-071	174-116-040	AMD-P	87-10-054	174-148-010	REP-E	87-22-003
174-108-07001	REP-E	87-22-003	174-116-040	AMD-C	87-13-029	174-148-010	REP	88-01-047
174-108-07001	REP	88-01-047	174-116-040	AMD	87-14-020	174-148-015	REP-P	87-21-071
174-108-08001	REP-P	87-21-071	174-116-041	AMD-P	87-10-054	174-148-015	REP-E	87-22-003
174-108-08001	REP-E	87-22-003	174-116-041	AMD-C	87-13-029	174-148-015	REP	88-01-047
174-108-08001	REP	88-01-047	174-116-041	AMD	87-14-020	174-148-030	REP-P	87-21-071
174-109-010	REP-P	87-21-071	174-116-042	AMD-P	87-10-054	174-148-030	REP-E	87-22-003
174-109-010	REP-E	87-22-003	174-116-042	AMD-C	87-13-029	174-148-030	REP	88-01-047
174-109-010	REP	88-01-047	174-116-042	AMD	87-14-020	174-148-040	REP-P	87-21-071
174-109-020	REP-P	87-21-071	174-116-043	AMD-P	87-10-054	174-148-040	REP-E	87-22-003
174-109-020	REP-E	87-22-003	174-116-043	AMD-C	87-13-029	174-148-040	REP	88-01-047
174-109-020	REP	88-01-047	174-116-043	AMD	87-14-020	174-148-050	REP-P	87-21-071
174-109-030	REP-P	87-21-071	174-116-044	AMD-P	87-10-054	174-148-050	REP-E	87-22-003
174-109-030	REP-E	87-22-003	174-116-044	AMD-C	87-13-029	174-148-050	REP	88-01-047
174-109-030	REP	88-01-047	174-116-044	AMD	87-14-020	174-148-060	REP-P	87-21-071
174-109-040	REP-P	87-21-071	174-116-045	AMD-P	87-10-054	174-148-060	REP-E	87-22-003
174-109-040	REP-E	87-22-003	174-116-045	AMD-C	87-13-029	174-148-060	REP	88-01-047
174-109-040	REP	88-01-047	174-116-045	AMD	87-14-020	174-148-070	REP-P	87-21-071
174-109-050	REP-P	87-21-071	174-116-050	AMD-P	87-10-054	174-148-070	REP-E	87-22-003
174-109-050	REP-E	87-22-003	174-116-050	AMD-C	87-13-029	174-148-070	REP	88-01-047
174-109-050	REP	88-01-047	174-116-050	AMD	87-14-020	174-148-080	REP-P	87-21-071
174-109-060	REP-P	87-21-071	174-116-070	REP-P	87-10-054	174-148-080	REP-E	87-22-003
174-109-060	REP-E	87-22-003	174-116-070	REP-C	87-13-029	174-148-080	REP	88-01-047
174-109-060	REP	88-01-047	174-116-070	REP	87-14-020	174-148-085	REP-P	87-21-071
174-109-070	REP-P	87-21-071	174-116-071	AMD-P	87-10-054	174-148-085	REP-E	87-22-003
174-109-070	REP-E	87-22-003	174-116-071	AMD-C	87-13-029	174-148-085	REP	88-01-047
174-109-070	REP	88-01-047	174-116-071	AMD	87-14-020	174-148-090	REP-P	87-21-071
174-109-080	REP-P	87-21-071	174-116-072	AMD-P	87-10-054	174-148-090	REP-E	87-22-003
174-109-080	REP-E	87-22-003	174-116-072	AMD-C	87-13-029	174-148-090	REP	88-01-047
174-109-080	REP	88-01-047	174-116-072	AMD	87-14-020	174-148-100	REP-P	87-21-071
174-109-090	REP-P	87-21-071	174-116-091	AMD-P	87-10-054	174-148-100	REP-E	87-22-003
174-109-090	REP-E	87-22-003	174-116-091	AMD-C	87-13-029	174-148-100	REP	88-01-047
174-109-090	REP	88-01-047	174-116-091	AMD	87-14-020	174-148-110	REP-P	87-21-071
174-109-100	REP-P	87-21-071	174-116-092	AMD-P	87-10-054	174-148-110	REP-E	87-22-003
174-109-100	REP-E	87-22-003	174-116-092	AMD-C	87-13-029	174-148-110	REP	88-01-047
174-109-100	REP	88-01-047	174-116-092	AMD	87-14-020	174-148-120	REP-P	87-21-071
174-109-200	REP-P	87-21-071	174-116-119	AMD-P	87-10-054	174-148-120	REP-E	87-22-003
174-109-200	REP-E	87-22-003	174-116-119	AMD-C	87-13-029	174-148-120	REP	88-01-047
174-109-200	REP	88-01-047	174-116-119	AMD	87-14-020	180-16-210	AMD-P	87-09-051
174-109-300	REP-P	87-21-071	174-116-121	AMD-P	87-10-054	180-16-210	AMD	87-12-043
174-109-300	REP-E	87-22-003	174-116-121	AMD-C	87-13-029	180-16-221	AMD-P	87-09-092
174-109-300	REP	88-01-047	174-116-121	AMD	87-14-020	180-16-221	AMD	87-12-040
174-109-400	REP-P	87-21-071	174-116-122	AMD-P	87-10-054	180-24-003	NEW	87-04-059
174-109-400	REP-E	87-22-003	174-116-122	AMD-C	87-13-029	180-24-005	REP	87-04-059
174-109-400	REP	88-01-047	174-116-122	AMD	87-14-020	180-24-007	NEW	87-04-059
174-109-500	REP-P	87-21-071	174-116-123	AMD-P	87-10-054	180-24-008	NEW	87-04-059
174-109-500	REP-E	87-22-003	174-116-123	AMD-C	87-13-029	180-24-010	REP	87-04-059
174-109-500	REP	88-01-047	174-116-123	AMD	87-14-020	180-24-013	NEW	87-04-059
174-112-010	REP-P	87-21-071	174-116-126	AMD-P	87-10-054	180-24-015	REP	87-04-059

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-24-016	NEW	87-04-059	180-75-044	AMD-P	87-22-106	180-78-095	NEW-P	87-22-107
180-24-017	NEW	87-04-059	180-75-044	AMD	88-01-085	180-78-100	NEW-P	87-22-107
180-24-020	REP	87-04-059	180-75-045	AMD-P	87-22-106	180-78-105	NEW-P	87-22-107
180-24-021	NEW	87-04-059	180-75-045	AMD	88-01-085	180-78-110	NEW-P	87-22-107
180-24-025	REP	87-04-059	180-75-065	AMD-P	87-05-048	180-78-115	NEW-P	87-22-107
180-24-030	REP	87-04-059	180-75-065	AMD	87-09-010	180-78-120	NEW-P	87-22-107
180-24-080	NEW	87-04-059	180-75-070	AMD-P	87-05-048	180-78-125	NEW-P	87-22-107
180-24-100	REP	87-04-059	180-75-070	AMD	87-09-010	180-78-130	NEW-P	87-22-107
180-24-101	NEW	87-04-059	180-75-075	AMD-P	87-05-048	180-78-140	NEW-P	87-22-107
180-24-102	NEW	87-04-059	180-75-075	AMD	87-09-010	180-78-145	NEW-P	87-22-107
180-24-110	NEW	87-04-059	180-75-075	REP-P	87-22-106	180-78-150	NEW-P	87-22-107
180-24-112	NEW	87-04-059	180-75-075	REP	88-01-085	180-78-155	NEW-P	87-22-107
180-24-115	NEW	87-04-059	180-75-080	AMD-P	87-05-048	180-78-160	NEW-P	87-22-107
180-24-120	NEW	87-04-059	180-75-080	AMD	87-09-010	180-78-165	NEW-P	87-22-107
180-24-125	NEW	87-04-059	180-75-081	NEW-P	87-05-048	180-78-170	NEW-P	87-22-107
180-24-130	NEW	87-04-059	180-75-081	NEW	87-09-010	180-78-175	NEW-P	87-22-107
180-24-140	NEW	87-04-059	180-75-082	NEW-P	87-05-048	180-78-180	NEW-P	87-22-107
180-24-200	AMD	87-04-059	180-75-082	NEW	87-09-010	180-78-185	NEW-P	87-22-107
180-24-300	NEW	87-04-059	180-75-083	NEW-P	87-05-048	180-78-190	NEW-P	87-22-107
180-24-305	NEW	87-04-059	180-75-083	NEW	87-09-010	180-78-191	NEW-P	87-05-049
180-24-310	NEW	87-04-059	180-75-084	NEW-P	87-05-048	180-78-191	NEW	87-09-011
180-24-312	NEW	87-04-059	180-75-084	NEW	87-09-010	180-78-192	NEW-P	87-05-049
180-24-315	NEW	87-04-059	180-75-085	AMD-P	87-05-048	180-78-192	NEW	87-09-011
180-24-320	NEW	87-04-059	180-75-085	AMD	87-09-010	180-78-193	NEW-P	87-05-049
180-24-325	NEW	87-04-059	180-75-085	AMD-P	87-22-106	180-78-193	NEW	87-09-011
180-24-327	NEW	87-04-059	180-75-085	AMD	88-01-085	180-78-193	AMD-P	87-22-107
180-24-330	NEW	87-04-059	180-75-086	NEW-P	87-05-048	180-78-194	NEW-P	87-05-049
180-24-335	NEW	87-04-059	180-75-086	NEW	87-09-010	180-78-194	NEW	87-09-011
180-24-340	NEW	87-04-059	180-75-087	AMD-P	87-05-048	180-78-194	AMD-P	87-22-107
180-24-345	NEW	87-04-059	180-75-087	AMD	87-09-010	180-78-195	NEW-P	87-05-049
180-24-350	NEW	87-04-059	180-75-090	AMD-P	87-22-106	180-78-195	NEW	87-09-011
180-24-355	NEW	87-04-059	180-75-090	AMD	88-01-085	180-78-197	NEW-P	87-05-049
180-24-360	NEW	87-04-059	180-75-091	NEW-P	87-22-106	180-78-197	NEW	87-09-011
180-24-365	NEW	87-04-059	180-75-091	NEW	88-01-085	180-78-198	NEW-P	87-05-049
180-24-370	NEW	87-04-059	180-75-092	NEW-P	87-22-106	180-78-198	NEW	87-09-011
180-24-375	NEW	87-04-059	180-75-092	NEW	88-01-085	180-78-199	NEW-P	87-05-049
180-24-380	NEW	87-04-059	180-75-199	NEW-P	87-05-048	180-78-199	NEW	87-09-011
180-40-235	AMD-P	87-05-047	180-75-199	NEW	87-09-010	180-78-199	AMD-P	87-22-107
180-40-235	AMD	87-09-040	180-78	AMD-P	87-05-049	180-78-205	NEW-P	87-22-107
180-50-310	AMD-P	87-22-104	180-78	AMD	87-09-011	180-78-210	NEW-P	87-22-107
180-50-310	AMD	88-01-108	180-78	AMD-P	87-22-107	180-78-215	NEW-P	87-22-107
180-51-060	AMD-P	87-22-105	180-78-003	NEW-P	87-05-049	180-78-220	NEW-P	87-22-107
180-51-060	AMD	88-01-109	180-78-003	NEW	87-09-011	180-78-225	NEW-P	87-22-107
180-51-062	REP-P	87-22-105	180-78-005	AMD-P	87-05-049	180-78-230	NEW-P	87-22-107
180-51-062	REP	88-01-109	180-78-005	AMD	87-09-011	180-78-235	NEW-P	87-22-107
180-75-005	AMD-P	87-09-052	180-78-007	NEW-P	87-22-107	180-78-240	NEW-P	87-22-107
180-75-005	AMD	87-12-042	180-78-008	NEW-P	87-22-107	180-78-245	NEW-P	87-22-107
180-75-015	AMD-P	87-05-048	180-78-010	AMD-P	87-05-049	180-78-250	NEW-P	87-22-107
180-75-015	AMD	87-09-010	180-78-010	AMD	87-09-011	180-78-255	NEW-P	87-22-107
180-75-015	REP-P	87-22-106	180-78-010	AMD-P	87-22-107	180-78-260	NEW-P	87-22-107
180-75-015	REP	88-01-085	180-78-025	AMD-P	87-05-049	180-78-265	NEW-P	87-22-107
180-75-018	NEW-P	87-05-048	180-78-025	AMD	87-09-011	180-78-270	NEW-P	87-22-107
180-75-018	NEW	87-09-010	180-78-026	NEW-P	87-22-107	180-78-275	NEW-P	87-22-107
180-75-019	NEW-P	87-05-048	180-78-027	REP-P	87-22-107	180-78-280	NEW-P	87-22-107
180-75-019	NEW	87-09-010	180-78-028	NEW-P	87-22-107	180-78-285	NEW-P	87-22-107
180-75-025	AMD-P	87-05-048	180-78-029	NEW-P	87-22-107	180-78-290	NEW-P	87-22-107
180-75-025	AMD	87-09-010	180-78-030	REP-P	87-22-107	180-78-295	NEW-P	87-22-107
180-75-026	NEW-P	87-05-048	180-78-033	NEW-P	87-22-107	180-78-300	NEW-P	87-22-107
180-75-026	NEW	87-09-010	180-78-035	REP-P	87-22-107	180-78-305	NEW-P	87-22-107
180-75-034	NEW-P	87-05-048	180-78-036	NEW-P	87-22-107	180-78-310	NEW-P	87-22-107
180-75-034	NEW	87-09-010	180-78-037	NEW-P	87-22-107	180-78-315	NEW-P	87-22-107
180-75-035	AMD-P	87-05-048	180-78-040	REP-P	87-22-107	180-78-320	NEW-P	87-22-107
180-75-035	AMD	87-09-010	180-78-047	NEW-P	87-22-107	180-78-325	NEW-P	87-22-107
180-75-037	NEW-P	87-05-048	180-78-050	REP-P	87-22-107	180-79	AMD-P	87-05-050
180-75-037	NEW	87-09-010	180-78-055	REP-P	87-22-107	180-79	AMD	87-09-012
180-75-038	NEW-P	87-05-048	180-78-057	AMD-P	87-22-107	180-79-003	NEW-P	87-05-050
180-75-038	NEW	87-09-010	180-78-060	AMD-P	87-22-107	180-79-003	NEW	87-09-012
180-75-039	NEW-P	87-05-048	180-78-063	NEW-P	87-22-107	180-79-007	NEW-P	87-09-053
180-75-039	NEW	87-09-010	180-78-065	NEW-P	87-22-107	180-79-007	NEW	87-12-039
180-75-040	AMD-P	87-05-048	180-78-068	NEW-P	87-22-107	180-79-010	AMD-P	87-05-050
180-75-040	AMD	87-09-010	180-78-070	NEW-P	87-22-107	180-79-010	AMD	87-09-012
180-75-042	NEW-P	87-05-048	180-78-073	NEW-P	87-22-107	180-79-010	AMD-P	87-22-108
180-75-042	NEW	87-09-010	180-78-074	NEW-P	87-22-107	180-79-013	REP-P	87-22-108
180-75-043	NEW-P	87-05-048	180-78-075	NEW-P	87-22-107	180-79-014	REP-P	87-22-108
180-75-043	NEW	87-09-010	180-78-080	NEW-P	87-22-107	180-79-045	AMD-P	87-05-050
180-75-044	NEW-P	87-05-048	180-78-085	NEW-P	87-22-107	180-79-045	AMD	87-09-012
180-75-044	NEW	87-09-010	180-78-090	NEW-P	87-22-107	180-79-045	AMD-P	87-22-108

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
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	180-85-030	AMD	88-01-086
180-79-080	AMD-P	87-22-108	180-79-350	NEW-P	87-05-050	180-85-045	AMD-P	87-05-051
180-79-086	AMD-P	87-05-050	180-79-350	NEW	87-09-012	180-85-045	AMD	87-09-013
180-79-086	AMD	87-09-012	180-79-352	NEW-P	87-05-050	180-85-045	AMD-P	87-22-111
180-79-086	AMD-P	87-22-108	180-79-352	NEW	87-09-012	180-85-045	AMD	88-01-086
180-79-100	REP-P	87-22-108	180-79-354	NEW-P	87-05-050	180-85-045	AMD	88-01-086
180-79-115	AMD-P	87-05-050	180-79-354	NEW	87-09-012	180-85-085	NEW-P	87-22-111
180-79-115	AMD	87-09-012	180-79-356	NEW-P	87-05-050	180-85-085	NEW	88-01-086
180-79-115	AMD-P	87-22-108	180-79-356	NEW	87-09-012	180-85-200	AMD-P	87-22-111
180-79-117	NEW-P	87-22-108	180-79-358	NEW-P	87-05-050	180-85-200	AMD	88-01-086
180-79-120	AMD-P	87-22-108	180-79-358	NEW	87-09-012	180-85-202	NEW	88-01-086
180-79-122	NEW-P	87-22-108	180-79-360	NEW-P	87-05-050	180-85-205	AMD-P	87-22-111
180-79-125	AMD-P	87-22-108	180-79-360	NEW	87-09-012	180-85-205	AMD	88-01-086
180-79-127	NEW-P	87-22-108	180-79-362	NEW-P	87-05-050	180-85-220	AMD-P	87-05-051
180-79-130	REP-P	87-22-108	180-79-362	NEW	87-09-012	180-85-220	AMD	87-09-013
180-79-131	NEW-P	87-22-108	180-79-364	NEW-P	87-05-050	180-85-225	AMD-P	87-05-051
180-79-135	REP-P	87-22-108	180-79-364	NEW	87-09-012	180-85-225	AMD	87-09-013
180-79-136	NEW-P	87-22-108	180-79-366	NEW-P	87-05-050	180-90-125	NEW-P	87-05-052
180-79-140	NEW-P	87-22-108	180-79-366	NEW	87-09-012	180-90-125	NEW	87-09-039
180-79-150	REP-P	87-22-108	180-79-368	NEW-P	87-05-050	180-90-141	NEW-P	87-05-052
180-79-155	REP-P	87-22-108	180-79-368	NEW	87-09-012	180-90-141	NEW	87-09-039
180-79-160	REP-P	87-22-108	180-79-370	NEW-P	87-05-050	180-90-160	AMD-P	87-05-052
180-79-170	REP-P	87-22-108	180-79-370	NEW	87-09-012	180-90-160	AMD	87-09-039
180-79-175	REP-P	87-22-108	180-79-372	NEW-P	87-05-050	180-110-010	NEW-P	88-01-079
180-79-185	REP-P	87-22-108	180-79-372	NEW	87-09-012	180-110-010	NEW-E	88-01-080
180-79-190	REP-P	87-22-108	180-79-374	NEW-P	87-05-050	180-110-015	NEW-P	88-01-079
180-79-195	REP-P	87-22-108	180-79-374	NEW	87-09-012	180-110-015	NEW-E	88-01-080
180-79-200	REP-P	87-22-108	180-79-376	NEW-P	87-05-050	180-110-017	NEW-P	88-01-079
180-79-205	REP-P	87-22-108	180-79-376	NEW	87-09-012	180-110-017	NEW-E	88-01-080
180-79-210	REP-P	87-22-108	180-79-378	NEW-P	87-05-050	180-110-020	NEW-P	88-01-079
180-79-215	REP-P	87-22-108	180-79-378	NEW	87-09-012	180-110-020	NEW-E	88-01-080
180-79-230	AMD-P	87-05-050	180-79-380	NEW-P	87-05-050	180-110-030	NEW-P	88-01-079
180-79-230	AMD	87-09-012	180-79-380	NEW	87-09-012	180-110-030	NEW-E	88-01-080
180-79-230	AMD-P	87-22-108	180-79-382	NEW-P	87-05-050	180-110-035	NEW-P	88-01-079
180-79-245	AMD-P	87-22-108	180-79-382	NEW	87-09-012	180-110-035	NEW-E	88-01-080
180-79-250	REP-P	87-22-108	180-79-384	NEW-P	87-05-050	180-110-040	NEW-P	88-01-079
180-79-300	NEW-P	87-05-050	180-79-384	NEW	87-09-012	180-110-040	NEW-E	88-01-080
180-79-300	NEW	87-09-012	180-79-386	NEW-P	87-05-050	180-110-045	NEW-P	88-01-079
180-79-305	NEW-P	87-05-050	180-79-386	NEW	87-09-012	180-110-045	NEW-E	88-01-080
180-79-305	NEW	87-09-012	180-79-388	NEW-P	87-05-050	180-110-050	NEW-P	88-01-079
180-79-310	NEW-P	87-05-050	180-79-388	NEW	87-09-012	180-110-050	NEW-E	88-01-080
180-79-310	NEW	87-09-012	180-79-390	NEW-P	87-05-050	180-110-052	NEW-P	88-01-079
180-79-312	NEW-P	87-05-050	180-79-390	NEW	87-09-012	180-110-052	NEW-E	88-01-080
180-79-312	NEW	87-09-012	180-79-392	NEW-P	87-05-050	180-110-053	NEW-P	88-01-079
180-79-315	NEW-P	87-05-050	180-79-392	NEW	87-09-012	180-110-053	NEW-E	88-01-080
180-79-315	NEW	87-09-012	180-79-394	NEW-P	87-05-050	180-110-055	NEW-P	88-01-079
180-79-317	NEW-P	87-05-050	180-79-394	NEW	87-09-012	180-110-055	NEW-E	88-01-080
180-79-317	NEW	87-09-012	180-79-396	NEW-P	87-05-050	180-110-060	NEW-P	88-01-079
180-79-320	NEW-P	87-05-050	180-79-396	NEW	87-09-012	180-110-060	NEW-E	88-01-080
180-79-320	NEW	87-09-012	180-79-398	NEW-P	87-05-050	180-110-065	NEW-P	88-01-079
180-79-322	NEW-P	87-05-050	180-79-398	NEW	87-09-012	180-110-065	NEW-E	88-01-080
180-79-322	NEW	87-09-012	182-08-205	REP-P	87-22-109	182-08-060	AMD-E	87-11-003
180-79-324	NEW-P	87-05-050	180-80-210	REP-P	87-22-109	182-08-060	AMD-E	87-14-004
180-79-324	NEW	87-09-012	180-80-215	REP-P	87-22-109	182-08-060	AMD-P	87-15-025
180-79-326	NEW-P	87-05-050	180-80-280	REP-P	87-22-109	182-08-060	AMD-E	87-19-013
180-79-326	NEW	87-09-012	180-80-285	REP-P	87-22-109	182-08-060	AMD-C	87-19-031
180-79-328	NEW-P	87-05-050	180-80-290	REP-P	87-22-109	182-08-060	AMD	87-21-069
180-79-328	NEW	87-09-012	180-80-295	REP-P	87-22-109	182-12-126	REP-E	87-11-003
180-79-330	NEW-P	87-05-050	180-80-300	REP-P	87-22-109	182-12-126	REP-E	87-14-004
180-79-330	NEW	87-09-012	180-80-301	REP-P	87-22-109	182-12-126	REP-P	87-15-025
180-79-332	NEW-P	87-05-050	180-80-302	REP-P	87-22-109	182-12-126	REP-E	87-19-013

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
182-12-126	REP-C	87-19-031	196-26-020	NEW-P	87-07-046	212-51-045	NEW	87-06-044
182-12-126	REP	87-21-069	196-26-020	NEW-P	87-13-057	212-51-050	NEW-P	87-03-053
182-12-127	NEW-E	87-11-003	196-26-020	NEW-E	87-14-088	212-51-050	NEW	87-06-044
182-12-127	NEW-E	87-14-004	196-26-020	NEW	87-18-031	220-12-020	AMD-P	87-17-070
182-12-127	NEW-P	87-15-025	196-27-020	AMD-P	87-08-052	220-12-020	AMD	87-23-006
182-12-127	NEW-E	87-19-013	196-27-020	AMD	87-13-005	220-16-075	AMD-P	87-09-082
182-12-127	NEW-C	87-19-031	204-08-010	AMD-P	87-13-034	220-16-075	AMD-C	87-12-086
182-12-127	NEW	87-21-069	204-08-010	AMD	87-16-032	220-16-075	AMD	87-15-059
182-12-210	AMD-E	87-04-016	204-08-020	AMD-P	87-24-095	220-16-385	REP-P	87-17-070
182-12-210	AMD-P	87-04-039	204-08-030	AMD-P	87-24-095	220-16-385	REP	87-23-006
182-12-210	AMD	87-07-034	204-08-040	AMD-P	87-24-095	220-16-38500A	NEW-E	87-08-034
192-09-064	NEW-E	87-15-026	204-08-050	AMD-P	87-24-095	220-16-390	REP-P	87-17-070
192-12-005	NEW-P	87-08-049	204-41-035	NEW-P	87-18-021	220-16-390	REP	87-23-006
192-12-005	NEW	87-12-021	204-41-035	NEW-W	87-20-055	220-16-395	NEW-P	87-03-056
192-12-011	NEW-P	87-08-049	204-50-010	NEW-P	87-22-058	220-16-395	NEW	87-09-066
192-12-011	NEW	87-12-021	204-50-010	NEW	88-01-020	220-16-40000A	NEW-E	87-19-015
192-12-012	NEW-P	87-08-049	204-50-020	NEW-P	87-22-058	220-20-018	NEW-P	87-13-010
192-12-012	NEW	87-12-021	204-50-020	NEW	88-01-020	220-20-018	NEW-W	87-14-032
192-12-042	AMD-P	87-16-052	204-50-030	NEW-P	87-22-058	220-20-018	NEW-P	87-15-015
192-12-042	AMD	87-21-002	204-50-030	NEW	88-01-020	220-20-02000U	REP-E	87-15-015
192-12-115	AMD-P	87-19-144	204-50-040	NEW-P	87-22-058	220-20-02000V	REP-E	87-15-060
192-12-115	AMD-E	87-19-145	204-50-040	NEW	88-01-020	220-20-050	NEW-P	87-13-010
192-12-115	AMD	87-23-002	204-50-050	NEW-P	87-22-058	220-20-050	NEW-P	87-17-069
192-12-141	AMD-P	87-08-049	204-50-050	NEW	88-01-020	220-20-050	NEW	87-21-018
192-12-141	AMD	87-12-021	204-50-060	NEW-P	87-22-058	220-20-055	NEW-P	87-13-010
192-12-158	NEW	87-03-006	204-50-060	NEW	88-01-020	220-20-055	NEW-P	87-17-069
192-16-061	NEW-E	88-01-052	204-50-070	NEW-P	87-22-058	220-20-055	NEW	87-21-018
192-16-061	NEW-P	88-01-053	204-50-070	NEW	88-01-020	220-22-030	AMD-P	87-09-082
192-23	AMD-P	87-08-049	204-50-080	NEW-P	87-22-058	220-22-030	AMD-C	87-12-086
192-23	AMD	87-12-021	204-50-080	NEW	88-01-020	220-22-030	AMD	87-15-059
192-23-011	AMD-P	87-08-049	204-50-090	NEW-P	87-22-058	220-24-02000A	NEW-E	87-18-045
192-23-011	AMD	87-12-021	204-50-090	NEW	88-01-020	220-24-02000S	NEW-E	87-10-003
192-23-012	AMD-P	87-08-049	204-50-110	NEW-P	87-22-058	220-24-02000S	REP-E	87-11-006
192-23-012	AMD	87-12-021	204-50-110	NEW	88-01-020	220-24-02000T	NEW-E	87-11-006
192-23-014	AMD-P	87-08-049	204-50-120	NEW-P	87-22-058	220-24-02000T	REP-E	87-11-023
192-23-014	AMD	87-12-021	204-50-120	NEW	88-01-020	220-24-02000U	NEW-E	87-11-023
192-23-015	AMD-W	87-08-049	204-50-130	NEW-P	87-22-058	220-24-02000U	REP-E	87-15-060
192-23-016	AMD-P	87-08-049	204-50-130	NEW	88-01-020	220-24-02000V	NEW-E	87-15-060
192-23-016	AMD	87-12-021	204-65-010	NEW	87-04-065	220-24-02000V	REP-E	87-15-097
192-23-018	NEW-P	87-08-049	204-65-020	NEW	87-04-065	220-24-02000W	NEW-E	87-15-097
192-23-018	NEW	87-12-021	204-65-030	NEW	87-04-065	220-24-02000W	REP-E	87-16-017
192-23-051	AMD-P	87-08-049	204-65-040	NEW	87-04-065	220-24-02000X	NEW-E	87-16-017
192-23-051	AMD	87-12-021	204-65-050	NEW	87-04-065	220-24-02000X	REP-E	87-16-049
192-23-800	AMD-P	87-08-049	204-65-060	NEW	87-04-065	220-24-02000Y	NEW-E	87-16-049
192-23-800	AMD	87-12-021	204-76-99001	AMD-P	87-15-078	220-24-02000Y	REP-E	87-17-005
192-23-810	AMD-P	87-08-049	204-76-99001	AMD	88-01-018	220-24-02000Z	NEW-E	87-17-005
192-23-810	AMD	87-12-021	204-76-99002	AMD-P	87-15-078	220-24-02000Z	REP-E	87-18-045
196-08-085	REP-P	87-08-052	204-76-99002	AMD	88-01-018	220-28-01000B	NEW-E	87-20-032
196-08-085	REP	87-13-005	204-76-99005	NEW-P	87-15-078	220-28-01000B	REP-E	87-22-039
196-12-010	AMD-P	87-08-052	204-76-99005	NEW	88-01-018	220-28-01000C	NEW-E	87-21-060
196-12-010	AMD	87-13-005	204-90-030	AMD-P	87-15-077	220-28-01000C	REP-E	87-22-039
196-12-020	AMD-P	87-08-052	204-90-030	AMD	88-01-017	220-28-01000D	NEW-E	87-22-039
196-12-020	AMD	87-13-005	204-91-050	AMD-P	87-13-048	220-28-624	REP-E	87-03-008
196-16-007	AMD-P	87-08-052	204-91-050	AMD	87-16-033	220-28-625	NEW-E	87-03-008
196-16-007	AMD	87-13-005	204-91-060	AMD-P	87-13-048	220-28-625	REP-E	87-05-002
196-16-010	AMD-P	87-08-052	204-91-060	AMD	87-16-033	220-28-700	NEW-E	87-20-018
196-16-010	AMD	87-13-005	212-32-015	AMD-P	87-14-075	220-28-700	REP-E	87-21-059
196-20-020	AMD-P	87-08-052	212-32-015	AMD	87-18-067	220-28-701	NEW-E	87-21-059
196-20-020	AMD	87-13-005	212-51-001	NEW-P	87-03-053	220-28-701	REP-E	87-21-067
196-20-030	AMD-P	87-08-052	212-51-001	NEW	87-06-044	220-28-702	NEW-E	87-21-067
196-20-030	AMD	87-13-005	212-51-005	NEW-P	87-03-053	220-28-702	REP-E	87-22-038
196-24-050	AMD-P	87-08-052	212-51-005	NEW	87-06-044	220-28-703	NEW-E	87-22-038
196-24-050	AMD	87-13-005	212-51-010	NEW-P	87-03-053	220-32-02000C	NEW-E	87-14-005
196-24-070	REP-P	87-08-052	212-51-010	NEW	87-06-044	220-32-02200S	NEW-E	87-04-013
196-24-070	REP	87-13-005	212-51-015	NEW-P	87-03-053	220-32-03000E	NEW-E	87-05-037
196-24-085	AMD-P	87-08-052	212-51-015	NEW	87-06-044	220-32-03000E	REP-E	87-06-037
196-24-085	AMD	87-13-005	212-51-020	NEW-P	87-03-053	220-32-03000F	NEW-E	87-14-005
196-24-100	NEW-P	87-08-052	212-51-020	NEW	87-06-044	220-32-03000F	REP-E	87-14-018
196-24-100	NEW	87-13-005	212-51-025	NEW-P	87-03-053	220-32-03000G	NEW-E	87-14-018
196-24-105	NEW-P	87-08-052	212-51-025	NEW	87-06-044	220-32-03000G	REP-E	87-14-033
196-24-105	NEW	87-13-005	212-51-030	NEW-P	87-03-053	220-32-03000H	NEW-E	87-14-033
196-24-110	NEW-P	87-08-052	212-51-030	NEW	87-06-044	220-32-03000H	REP-E	87-17-011
196-24-110	NEW	87-13-005	212-51-035	NEW-P	87-03-053	220-32-03000I	NEW-E	87-17-011
196-26-010	REP-P	87-07-046	212-51-035	NEW	87-06-044	220-32-03000I	REP-E	87-19-040
196-26-010	REP-P	87-13-057	212-51-040	NEW-P	87-03-053	220-32-03000J	NEW-E	87-19-040
196-26-010	REP-E	87-14-088	212-51-040	NEW	87-06-044	220-32-03000J	REP-E	87-19-116
196-26-010	REP	87-18-031	212-51-045	NEW-P	87-03-053	220-32-03000K	NEW-E	87-19-116

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-32-03000K	REP-E	87-21-020	220-40-02100C	REP-E	87-21-042	220-47-414	AMD-C	87-12-086
220-32-03000L	NEW-E	87-21-020	220-40-02100D	NEW-E	87-21-042	220-47-414	AMD	87-15-059
220-32-03000L	REP-E	87-21-061	220-40-02100D	REP-E	87-22-008	220-47-50101	REP-P	87-09-082
220-32-03000M	NEW-E	87-21-061	220-40-02100E	NEW-E	87-22-040	220-47-50101	REP-C	87-12-086
220-32-04100J	NEW-E	87-11-059	220-40-02100E	REP-E	87-22-062	220-47-50101	REP	87-15-059
220-32-05100H	NEW-E	87-05-037	220-40-02100U	NEW-E	87-15-005	220-47-50201	REP-P	87-09-082
220-32-05100I	NEW-E	87-14-008	220-40-02100U	REP-E	87-17-007	220-47-50201	REP-C	87-12-086
220-32-05100I	REP-E	87-14-025	220-40-02100U	NEW-E	87-19-039	220-47-50201	REP	87-15-059
220-32-05100J	NEW-E	87-14-025	220-40-02100U	REP-E	87-19-114	220-47-503	REP-P	87-09-082
220-32-05100J	REP-E	87-14-033	220-40-02100V	NEW-E	87-17-007	220-47-503	REP-C	87-12-086
220-32-05100K	NEW-E	87-14-033	220-40-02100V	REP-E	87-17-029	220-47-503	REP	87-15-059
220-32-05100K	REP-E	87-15-007	220-40-02100W	NEW-E	87-17-029	220-47-800	NEW-E	87-16-006
220-32-05100L	NEW-E	87-15-007	220-40-02100W	REP-E	87-19-114	220-47-800	REP-E	87-16-056
220-32-05100L	REP-E	87-15-071	220-40-02100Y	NEW-E	87-19-114	220-47-801	NEW-E	87-16-056
220-32-05100M	NEW-E	87-15-071	220-40-02100Y	REP-E	87-19-136	220-47-801	REP-E	87-17-010
220-32-05100M	REP-E	87-17-011	220-40-02100Z	NEW-E	87-19-136	220-47-801	NEW-E	87-17-010
220-32-05100N	NEW-E	87-17-011	220-40-02100Z	REP-E	87-20-006	220-47-802	REP-E	87-17-038
220-32-05100N	REP-E	87-17-030	220-40-022	AMD-P	87-15-131	220-47-803	NEW-E	87-17-038
220-32-05100P	NEW-E	87-17-030	220-40-022	AMD	87-21-041	220-47-803	REP-E	87-18-008
220-32-05100P	REP-E	87-19-004	220-40-024	AMD-P	87-15-131	220-47-804	NEW-E	87-18-008
220-32-05100Q	NEW-E	87-19-004	220-40-024	AMD	87-21-041	220-47-804	REP-E	87-18-044
220-32-05100Q	REP-E	87-19-040	220-44-050	AMD-P	87-04-070	220-47-805	NEW-E	87-18-044
220-32-05100R	NEW-E	87-19-040	220-44-050	AMD	87-07-042	220-47-805	REP-E	87-18-058
220-32-05100R	REP-E	87-19-061	220-44-05000D	NEW-E	87-09-016	220-47-806	NEW-E	87-18-058
220-32-05100S	NEW-E	87-19-061	220-44-05000D	REP-E	87-09-030	220-47-806	REP-E	87-19-006
220-32-05100S	REP-E	87-21-019	220-44-05000E	NEW-E	87-09-030	220-47-807	NEW-E	87-19-006
220-32-05100T	NEW-E	87-19-119	220-44-05000E	REP-E	87-09-083	220-47-807	REP-E	87-19-016
220-32-05100T	REP-E	87-20-017	220-44-05000F	NEW-E	87-09-083	220-47-808	NEW-E	87-19-016
220-32-05100U	NEW-E	87-20-017	220-44-05000F	REP-E	87-15-096	220-47-808	REP-E	87-19-028
220-32-05100U	REP-E	87-21-019	220-44-05000G	NEW-E	87-15-096	220-47-809	NEW-E	87-19-028
220-32-05100V	NEW-E	87-20-059	220-44-05000G	REP-E	87-20-010	220-47-809	REP-E	87-19-038
220-32-05100V	REP-E	87-22-008	220-44-05000H	NEW-E	87-20-010	220-47-810	NEW-E	87-19-038
220-32-05100W	NEW-E	87-21-019	220-44-05000H	REP-E	87-21-043	220-47-810	REP-E	87-19-115
220-32-05100W	REP-E	87-21-030	220-44-05000I	NEW-E	87-21-043	220-47-811	NEW-E	87-19-115
220-32-05100X	NEW-E	87-21-021	220-44-05000I	REP-E	87-22-061	220-47-811	REP-E	87-19-137
220-32-05100Y	NEW-E	87-21-030	220-44-05000J	NEW-E	87-22-061	220-47-812	NEW-E	87-19-137
220-32-05500T	NEW-E	87-11-033	220-44-05000J	REP-E	87-24-033	220-47-812	REP-E	87-20-007
220-32-05900K	NEW-E	87-09-065	220-44-05000K	NEW-E	87-24-033	220-47-813	NEW-E	87-20-007
220-32-05900L	NEW-E	87-09-084	220-44-05000K	REP-E	88-02-041	220-47-813	REP-E	87-20-058
220-32-05900M	NEW-E	87-13-011	220-44-05000L	NEW-E	88-02-041	220-47-814	NEW-E	87-20-058
220-32-05900N	NEW-E	87-15-071	220-44-060	REP	87-04-003	220-47-814	REP-E	87-20-073
220-36-021	AMD-P	87-15-131	220-44-070	REP	87-04-003	220-47-815	NEW-E	87-20-073
220-36-021	AMD	87-21-041	220-44-09000A	NEW-E	87-14-048	220-47-815	REP-E	87-21-003
220-36-02100J	NEW-E	87-15-005	220-44-09000B	NEW-E	87-15-046	220-47-816	NEW-E	87-21-003
220-36-02100J	REP-E	87-15-062	220-44-09000B	REP-E	87-20-030	220-47-816	REP-E	87-21-024
220-36-02100K	NEW-E	87-15-062	220-44-09000C	NEW-E	87-20-030	220-47-817	NEW-E	87-21-024
220-36-02100K	REP-E	87-15-130	220-47-301	AMD-P	87-09-082	220-47-817	REP-E	87-21-045
220-36-02100L	NEW-E	87-15-130	220-47-301	AMD-C	87-12-086	220-47-818	NEW-E	87-21-045
220-36-02100L	REP-E	87-16-051	220-47-301	AMD	87-15-059	220-47-818	REP-E	87-21-058
220-36-02100M	NEW-E	87-16-051	220-47-311	AMD-P	87-09-082	220-47-819	NEW-E	87-21-058
220-36-02100M	REP-E	87-17-007	220-47-311	AMD-C	87-12-086	220-47-819	REP-E	87-22-007
220-36-02100N	NEW-E	87-17-007	220-47-311	AMD	87-15-059	220-47-820	NEW-E	87-22-007
220-36-02100N	REP-E	87-21-025	220-47-312	AMD-P	87-09-082	220-47-820	REP-E	87-22-037
220-36-02100P	NEW-E	87-21-025	220-47-312	AMD-C	87-12-086	220-47-821	NEW-E	87-22-037
220-36-02100P	REP-E	87-21-033	220-47-312	AMD	87-15-059	220-47-821	REP-E	87-23-009
220-36-02100Q	NEW-E	87-21-033	220-47-313	AMD-P	87-09-082	220-47-822	NEW-E	87-23-009
220-36-02100Q	REP-E	87-22-008	220-47-313	AMD-C	87-12-086	220-47-822	REP-E	87-23-021
220-36-02100R	NEW-E	87-22-008	220-47-313	AMD	87-15-059	220-47-823	NEW-E	87-23-021
220-36-02100R	REP-E	87-22-051	220-47-401	AMD-P	87-09-082	220-47-823	REP-E	87-23-035
220-36-02100S	NEW-E	87-22-051	220-47-401	AMD-C	87-12-086	220-47-824	NEW-E	87-23-035
220-36-022	AMD-P	87-15-131	220-47-401	AMD	87-15-059	220-47-824	REP-E	87-23-047
220-36-022	AMD	87-21-041	220-47-402	AMD-P	87-09-082	220-47-825	NEW-E	87-23-047
220-36-024	AMD-P	87-15-131	220-47-402	AMD-C	87-12-086	220-47-825	REP-E	87-24-012
220-36-024	AMD	87-21-041	220-47-402	AMD	87-15-059	220-47-826	NEW-E	87-24-012
220-36-02500A	NEW-E	87-13-035	220-47-403	AMD-P	87-09-082	220-47-826	REP-E	87-24-043
220-36-02500B	NEW-E	87-24-003	220-47-403	AMD-C	87-12-086	220-47-827	NEW-E	87-24-043
220-36-02500Y	NEW-E	87-10-031	220-47-403	AMD	87-15-059	220-47-827	REP-E	87-24-102
220-36-02500Y	REP-E	87-12-004	220-47-411	AMD-P	87-09-082	220-47-828	NEW-E	87-24-102
220-36-02500Z	NEW-E	87-12-004	220-47-411	AMD-C	87-12-086	220-47-828	REP-E	88-01-009
220-36-02500Z	REP-E	87-12-062	220-47-411	AMD	87-15-059	220-47-829	NEW-E	88-01-009
220-40-021	AMD-P	87-15-131	220-47-412	AMD-P	87-09-082	220-47-829	REP-E	88-02-019
220-40-021	AMD	87-21-041	220-47-412	AMD-C	87-12-086	220-47-830	NEW-E	88-02-019
220-40-02100A	NEW-E	87-20-006	220-47-412	AMD	87-15-059	220-48-011	AMD	87-04-003
220-40-02100A	REP-E	87-20-011	220-47-413	AMD-P	87-09-082	220-48-015	AMD	87-04-003
220-40-02100B	NEW-E	87-20-011	220-47-413	AMD-C	87-12-086	220-48-01500W	NEW-E	87-04-028
220-40-02100B	REP-E	87-20-034	220-47-413	AMD	87-15-059	220-48-01500X	NEW-E	87-05-002
220-40-02100C	NEW-E	87-20-034	220-47-414	AMD-P	87-09-082	220-48-01500X	REP-E	87-07-007

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220-48-01500Y	NEW-E	87-07-007	220-55-095	AMD-P	87-21-098	220-56-350	AMD-P	87-03-056
220-48-01500Y	REP-E	87-08-010	220-55-105	AMD-P	87-21-098	220-56-350	AMD	87-09-066
220-48-01500Z	NEW-E	87-08-010	220-55-110	AMD-P	87-21-098	220-56-35000C	NEW-E	87-08-048
220-48-017	AMD	87-04-003	220-55-115	AMD-P	87-21-098	220-56-35000D	NEW-E	87-12-030
220-48-01700A	NEW-E	87-20-047	220-55-120	AMD-P	87-21-098	220-56-360	AMD-P	87-03-056
220-48-025	AMD	87-04-003	220-55-125	AMD-P	87-21-098	220-56-360	AMD	87-09-066
220-48-026	AMD	87-04-003	220-55-130	AMD-P	87-21-098	220-56-36000N	NEW-E	87-06-034
220-48-027	AMD	87-04-003	220-55-135	AMD-P	87-21-098	220-56-372	AMD-P	87-03-056
220-48-032	AMD	87-04-003	220-56-115	AMD-P	87-03-056	220-56-372	AMD	87-09-066
220-48-046	REP	87-04-003	220-56-115	AMD	87-09-066	220-56-37200A	NEW-E	87-08-048
220-48-056	REP	87-04-003	220-56-11500A	NEW-E	87-20-004	220-56-380	AMD-P	87-03-056
220-48-06200B	NEW-E	87-09-050	220-56-11500E	NEW-E	87-08-048	220-56-380	AMD	87-09-066
220-49-02000A	NEW-E	87-09-055	220-56-120	AMD-P	87-03-056	220-57-130	AMD-P	87-03-056
220-49-02000A	REP-E	87-10-004	220-56-120	AMD	87-09-066	220-57-130	AMD	87-09-066
220-49-02000U	NEW-E	87-10-004	220-56-175	AMD-P	87-21-098	220-57-13000K	NEW-E	87-15-061
220-49-02000U	REP-E	87-11-002	220-56-180	AMD-P	87-03-056	220-57-13000K	REP-E	87-18-043
220-49-02000V	NEW-E	87-11-002	220-56-180	AMD-C	87-08-005	220-57-13000L	NEW-E	87-18-043
220-49-02000V	REP-E	87-13-028	220-56-180	AMD	87-08-006	220-57-13000L	REP-E	87-22-041
220-49-02000W	NEW-E	87-13-028	220-56-18000T	NEW-E	87-06-035	220-57-13000M	NEW-E	87-22-041
220-52-03000D	NEW-E	87-08-047	220-56-18000T	REP-E	87-07-020	220-57-13000M	REP-E	87-24-004
220-52-035	NEW-P	87-17-070	220-56-18000U	NEW-E	87-07-020	220-57-13000N	NEW-E	87-24-004
220-52-035	NEW	87-23-006	220-56-190	AMD-P	87-03-056	220-57-135	AMD-P	87-03-056
220-52-046	AMD	87-05-038	220-56-190	AMD	87-09-066	220-57-135	AMD	87-09-066
220-52-04600R	NEW-E	87-23-048	220-56-19000G	NEW-E	87-11-021	220-57-13500I	NEW-E	87-15-061
220-52-050	AMD-P	87-17-070	220-56-19000G	REP-E	87-14-003	220-57-13500I	REP-E	87-18-043
220-52-050	AMD	87-23-006	220-56-19000H	NEW-E	87-14-003	220-57-13500J	NEW-E	87-18-043
220-52-051	NEW-P	87-17-070	220-56-19000H	REP-E	87-15-006	220-57-13500J	REP-E	87-22-041
220-52-051	NEW	87-23-006	220-56-19000I	NEW-E	87-15-006	220-57-13500K	NEW-E	87-22-041
220-52-053	REP-P	87-17-070	220-56-19000I	REP-E	87-15-014	220-57-13500K	REP-E	87-24-004
220-52-053	REP	87-23-006	220-56-19000J	NEW-E	87-15-014	220-57-13500L	NEW-E	87-24-004
220-52-05300R	NEW-E	87-08-047	220-56-19000J	REP-E	87-15-023	220-57-138	AMD-P	87-03-056
220-52-05300S	NEW-E	87-11-022	220-56-19000K	NEW-E	87-15-023	220-57-14000F	NEW-E	87-20-028
220-52-05300T	NEW-E	87-11-031	220-56-19000K	REP-E	87-15-047	220-57-155	AMD-P	87-03-056
220-52-05300U	NEW-E	87-17-027	220-56-19000L	NEW-E	87-15-047	220-57-155	AMD	87-09-066
220-52-05300V	NEW-E	87-17-046	220-56-19000L	REP-E	87-15-075	220-57-15500G	NEW-E	87-21-034
220-52-054	REP-P	87-17-070	220-56-19000M	NEW-E	87-15-075	220-57-160	AMD-P	87-03-056
220-52-054	REP	87-23-006	220-56-19000M	REP-E	87-16-005	220-57-160	AMD	87-09-066
220-52-060	AMD-P	87-17-070	220-56-19000N	NEW-E	87-16-005	220-57-16000F	NEW-E	87-07-011
220-52-060	AMD	87-23-006	220-56-19000N	REP-E	87-16-050	220-57-16000G	NEW-E	87-17-028
220-52-063	AMD-P	87-12-063	220-56-19000P	NEW-E	87-16-050	220-57-16000G	REP-E	87-18-043
220-52-063	AMD	87-15-022	220-56-19000P	REP-E	87-16-055	220-57-16000H	NEW-E	87-18-043
220-52-069	AMD-P	87-12-063	220-56-19000Q	NEW-E	87-16-055	220-57-16000H	REP-E	87-18-070
220-52-069	AMD	87-15-022	220-56-19000Q	REP-E	87-17-006	220-57-16000I	NEW-E	87-18-070
220-52-071	AMD-P	87-12-063	220-56-19000R	NEW-E	87-17-006	220-57-16000I	REP-E	87-19-005
220-52-071	AMD	87-15-022	220-56-19000R	REP-E	87-17-072	220-57-16000J	NEW-E	87-19-005
220-52-071	AMD-P	87-17-070	220-56-19000S	NEW-E	87-17-072	220-57-16000J	REP-E	87-21-023
220-52-071	AMD	87-23-006	220-56-19000S	REP-E	87-19-037	220-57-16000K	NEW-E	87-21-023
220-52-07100B	NEW-E	87-08-047	220-56-19000T	NEW-E	87-19-037	220-57-16000K	REP-E	87-21-032
220-52-07100B	REP-E	87-09-025	220-56-19000T	REP-E	87-19-062	220-57-16000L	NEW-E	87-21-032
220-52-07100C	NEW-E	87-09-025	220-56-19000U	NEW-E	87-19-062	220-57-16000M	NEW-E	87-21-053
220-52-072	REP-P	87-17-070	220-56-19000U	REP-E	87-19-087	220-57-175	AMD-P	87-03-056
220-52-072	REP	87-23-006	220-56-19000V	NEW-E	87-19-087	220-57-175	AMD	87-09-066
220-52-07200A	NEW-E	87-04-004	220-56-19000V	REP-E	87-20-033	220-57-17500Q	NEW-E	87-21-023
220-52-073	AMD-P	87-12-063	220-56-19000W	NEW-E	87-20-033	220-57-17500Q	REP-E	87-21-032
220-52-073	AMD	87-15-022	220-56-195	AMD-P	87-03-056	220-57-17500R	NEW-E	87-21-032
220-52-073	AMD-P	87-17-070	220-56-195	AMD	87-09-066	220-57-17500R	REP-E	87-21-099
220-52-073	AMD	87-23-006	220-56-19500F	NEW-E	87-15-058	220-57-17500S	NEW-E	87-21-099
220-52-07300D	NEW-E	87-20-029	220-56-19500F	REP-E	87-19-037	220-57-20000C	NEW-E	87-18-043
220-52-074	REP-P	87-17-070	220-56-19500G	NEW-E	87-17-071	220-57-20000C	REP-E	87-22-041
220-52-074	REP	87-23-006	220-56-19900A	NEW-E	87-15-013	220-57-20000D	NEW-E	87-22-041
220-52-075	AMD-P	87-12-063	220-56-205	AMD-P	87-03-056	220-57-20000D	REP-E	87-24-004
220-52-075	AMD	87-15-022	220-56-24500A	NEW-E	87-07-006	220-57-20000E	NEW-E	87-24-004
220-52-35000B	NEW-E	87-08-047	220-56-24500B	NEW-E	87-13-007	220-57-215	AMD-P	87-03-056
220-55-025	AMD-P	87-03-056	220-56-24500C	NEW-E	87-19-015	220-57-215	AMD	87-09-066
220-55-025	AMD	87-09-066	220-56-25500A	NEW-E	88-01-036	220-57-21500G	NEW-E	87-24-034
220-55-02500A	NEW-E	87-08-048	220-56-295	AMD-P	87-03-056	220-57-220	AMD-P	87-03-056
220-55-040	AMD-P	87-21-098	220-56-295	AMD	87-09-066	220-57-220	AMD	87-09-066
220-55-060	AMD-P	87-21-098	220-56-29500C	NEW-E	87-08-048	220-57-22000B	NEW-E	87-20-005
220-55-065	AMD-P	87-03-056	220-56-310	AMD-P	87-03-056	220-57-23000C	NEW-E	87-20-028
220-55-065	AMD	87-09-066	220-56-310	AMD	87-09-066	220-57-235	AMD-P	87-03-056
220-55-065	AMD-P	87-21-098	220-56-31000H	NEW-E	87-08-048	220-57-235	AMD	87-09-066
220-55-070	AMD-P	87-21-098	220-56-320	AMD-P	87-03-056	220-57-23500B	NEW-E	87-21-023
220-55-075	AMD-P	87-21-098	220-56-320	AMD	87-09-066	220-57-23500C	REP-E	87-21-032
220-55-076	NEW-P	87-21-098	220-56-32000A	NEW-E	87-08-048	220-57-23500C	NEW-E	87-21-032
220-55-080	REP-P	87-21-098	220-56-32500H	NEW-E	87-11-022	220-57-240	AMD-P	87-03-056
220-55-085	AMD-P	87-21-098	220-56-32500I	NEW-E	87-17-027	220-57-240	AMD	87-09-066
220-55-090	AMD-P	87-21-098	220-56-32500J	NEW-E	87-11-031	220-57-24000D	NEW-E	87-20-031

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220-57-24200B	NEW-E	87-13-011	220-57-46000Q	NEW-E	87-13-006	220-110-090	AMD-P	87-08-062
220-57-250	AMD-P	87-03-056	220-57-46000Q	REP-E	87-13-024	220-110-090	AMD	87-15-086
220-57-250	AMD	87-09-066	220-57-46000R	NEW-E	87-13-024	220-110-100	AMD-P	87-08-062
220-57-270	AMD-P	87-03-056	220-57-46000R	REP-E	87-14-033	220-110-100	AMD	87-15-086
220-57-270	AMD	87-09-066	220-57-46000S	NEW-E	87-14-033	220-110-110	AMD-P	87-08-062
220-57-27000R	NEW-E	87-18-043	220-57-46000S	REP-E	87-18-043	220-110-110	AMD	87-15-086
220-57-280	AMD-P	87-03-056	220-57-46000T	NEW-E	87-18-043	220-110-120	AMD-P	87-08-062
220-57-280	AMD	87-09-066	220-57-46000T	REP-E	87-22-041	220-110-120	AMD	87-15-086
220-57-28500H	NEW-E	87-20-028	220-57-46000U	NEW-E	87-22-041	220-110-140	AMD-P	87-08-062
220-57-28500H	REP-E	87-21-044	220-57-46000U	REP-E	87-24-004	220-110-140	AMD	87-15-086
220-57-28500I	NEW-E	87-21-044	220-57-46000V	NEW-E	87-24-004	220-110-190	AMD-P	87-08-062
220-57-28500I	REP-E	87-21-050	220-57-473	AMD-P	87-03-056	220-110-190	AMD	87-15-086
220-57-28500J	NEW-E	87-21-050	220-57-473	AMD	87-09-066	220-110-200	AMD-P	87-08-062
220-57-28500J	REP-E	87-24-044	220-57-495	AMD-P	87-03-056	220-110-200	AMD	87-15-086
220-57-28500K	NEW-E	87-24-044	220-57-495	AMD	87-09-066	220-110-210	AMD-P	87-08-062
220-57-290	AMD-P	87-03-056	220-57-49500E	NEW-E	87-08-048	220-110-210	AMD	87-15-086
220-57-290	AMD	87-09-066	220-57-49500F	NEW-E	87-19-125	220-110-220	AMD-P	87-08-062
220-57-29000I	NEW-E	87-10-016	220-57-49500G	REP-E	87-21-022	220-110-220	AMD	87-15-086
220-57-300	AMD-P	87-03-056	220-57-49500G	NEW-E	87-21-022	220-110-320	AMD-P	87-08-062
220-57-300	AMD	87-09-066	220-57-49500H	NEW-E	87-21-023	220-110-320	AMD	87-15-086
220-57-310	AMD-P	87-03-056	220-57-49500H	REP-E	87-21-032	220-110-340	AMD-P	87-08-062
220-57-310	AMD	87-09-066	220-57-49500I	NEW-E	87-21-032	220-110-340	AMD	87-15-086
220-57-31000F	NEW-E	87-08-048	220-57-49500I	REP-E	87-21-099	220-110-350	AMD-P	87-08-062
220-57-31000G	NEW-E	87-21-023	220-57-49500J	NEW-E	87-21-099	220-110-350	AMD	87-15-086
220-57-31000G	REP-E	87-21-032	220-57-505	AMD-P	87-03-056	222	AMD-C	87-15-063
220-57-31000H	NEW-E	87-21-032	220-57-505	AMD	87-09-066	222	AMD-C	87-19-002
220-57-31000H	REP-E	87-21-099	220-57-50500L	NEW-E	87-08-048	222-08-035	NEW-P	87-10-018
220-57-31000I	NEW-E	87-21-099	220-57-50500M	NEW-E	87-09-024	222-08-035	NEW	87-23-036
220-57-315	AMD-P	87-03-056	220-57-510	AMD-P	87-03-056	222-08-040	AMD-P	87-10-018
220-57-315	AMD	87-09-066	220-57-510	AMD	87-09-066	222-08-040	AMD	87-23-036
220-57-31500F	NEW-E	87-09-014	220-57-51000D	NEW-E	87-21-044	222-12-030	AMD-P	87-10-018
220-57-31500F	REP-E	87-09-024	220-57-51000D	REP-E	87-21-050	222-12-030	AMD	87-23-036
220-57-31500G	NEW-E	87-09-024	220-57-51000E	NEW-E	87-21-050	222-12-040	AMD-P	87-10-018
220-57-31900C	NEW-E	87-21-023	220-57-51000E	REP-E	87-23-034	222-12-040	AMD	87-23-036
220-57-31900C	REP-E	87-21-032	220-57-51000E	NEW-E	87-09-024	222-12-045	NEW-P	87-10-018
220-57-31900D	NEW-E	87-21-032	220-57-520	AMD-P	87-03-056	222-12-045	NEW	87-23-036
220-57-335	AMD-P	87-03-056	220-57-520	AMD	87-09-066	222-12-090	AMD-P	87-10-018
220-57-335	AMD	87-09-066	220-57-525	AMD-P	87-03-056	222-12-090	AMD	87-23-036
220-57-33500B	NEW-E	87-19-029	220-57-525	AMD	87-09-066	222-16-010	AMD-P	87-10-018
220-57-33500B	REP-E	87-23-034	220-57A-175	AMD-P	87-03-056	222-16-010	AMD	87-23-036
220-57-37000C	NEW-E	87-17-071	220-57A-175	AMD	87-09-066	222-16-030	AMD-P	87-10-018
220-57-37700A	NEW-E	87-21-034	220-57A-180	AMD-P	87-03-056	222-16-030	AMD	87-23-036
220-57-380	AMD-P	87-03-056	220-57A-180	AMD	87-09-066	222-16-040	REP-P	87-10-018
220-57-380	AMD	87-09-066	220-69-238	NEW-P	87-21-098	222-16-040	REP	87-23-036
220-57-385	AMD-P	87-03-056	220-69-245	AMD-P	87-21-098	222-16-050	AMD-P	87-10-018
220-57-385	AMD	87-09-066	220-69-247	AMD-P	87-21-098	222-16-050	AMD	87-23-036
220-57-38500L	NEW-E	87-13-024	220-76-030	REP-P	87-04-071	222-20-010	AMD-P	87-10-018
220-57-38500L	REP-E	87-15-061	220-77-010	NEW-P	87-04-071	222-20-010	AMD	87-23-036
220-57-38500M	NEW-E	87-15-061	220-77-010	NEW	87-08-033	222-20-020	AMD-P	87-10-018
220-57-38500M	REP-E	87-18-043	220-77-020	NEW-P	87-04-071	222-20-020	AMD	87-23-036
220-57-38500N	NEW-E	87-18-043	220-77-020	NEW	87-08-033	222-20-040	AMD-P	87-10-018
220-57-38500N	REP-E	87-22-041	220-77-030	NEW-P	87-04-071	222-20-040	AMD	87-23-036
220-57-38500P	NEW-E	87-22-041	220-77-030	NEW	87-08-033	222-20-060	AMD-P	87-10-018
220-57-38500P	REP-E	87-24-004	220-77-040	NEW-P	87-04-071	222-20-060	AMD	87-23-036
220-57-38500Q	NEW-E	87-24-004	220-77-040	NEW	87-08-033	222-20-090	AMD-P	87-10-018
220-57-40500F	NEW-E	87-21-044	220-77-050	NEW-P	87-04-071	222-20-090	AMD	87-23-036
220-57-40500F	REP-E	87-21-050	220-77-050	NEW	87-08-033	222-20-100	AMD-P	87-10-018
220-57-40500G	NEW-E	87-21-050	220-77-060	NEW-P	87-04-071	222-20-120	NEW-P	87-10-018
220-57-410	AMD-P	87-03-056	220-77-060	NEW	87-08-033	222-20-120	NEW	87-23-036
220-57-410	AMD	87-09-066	220-77-070	NEW-P	87-04-071	222-24-010	AMD-P	87-10-018
220-57-41000B	NEW-E	87-21-044	220-77-070	NEW	87-08-033	222-24-010	AMD	87-23-036
220-57-41000B	REP-E	87-21-050	220-87-010	NEW	87-04-003	222-24-010	AMD	87-10-018
220-57-41000C	NEW-E	87-21-050	220-87-020	NEW	87-04-003	222-24-020	AMD-P	87-10-018
220-57-415	AMD-P	87-03-056	220-110-010	AMD-P	87-08-062	222-24-020	AMD	87-23-036
220-57-415	AMD	87-09-066	220-110-010	AMD	87-15-086	222-24-025	AMD-P	87-10-018
220-57-42500J	NEW-E	87-14-003	220-110-020	AMD-P	87-08-062	222-24-025	AMD	87-23-036
220-57-42500J	REP-E	87-18-059	220-110-020	AMD	87-15-086	222-24-030	AMD-P	87-10-018
220-57-42500K	NEW-E	87-18-059	220-110-030	AMD-P	87-08-062	222-24-030	AMD	87-23-036
220-57-42500K	REP-E	87-19-037	220-110-030	AMD	87-15-086	222-24-035	AMD-P	87-10-018
220-57-42500L	NEW-E	87-19-037	220-110-040	AMD-P	87-08-062	222-24-035	AMD	87-23-036
220-57-42500L	REP-E	87-23-049	220-110-040	AMD	87-15-086	222-24-040	AMD-P	87-10-018
220-57-42500M	NEW-E	87-23-049	220-110-050	AMD-P	87-08-062	222-24-040	AMD	87-23-036
220-57-445	AMD-P	87-03-056	220-110-050	AMD	87-15-086	222-24-050	AMD-P	87-10-018
220-57-445	AMD	87-09-066	220-110-060	AMD-P	87-08-062	222-24-050	AMD	87-23-036
220-57-45000F	NEW-E	87-17-071	220-110-060	AMD	87-15-086	222-24-060	AMD-P	87-10-018
220-57-460	AMD-P	87-03-056	220-110-080	AMD-P	87-08-062	222-24-060	AMD	87-23-036
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222-30-030	AMD-P	87-10-018	230-30-060	AMD	87-03-023	232-28-616	REP-P	87-18-078
222-30-030	AMD	87-23-036	230-30-070	AMD	87-03-023	232-28-61601	NEW-E	87-02-046
222-30-040	AMD-P	87-10-018	230-30-070	AMD-P	87-11-011	232-28-61602	NEW-E	87-06-028
222-30-040	AMD	87-23-036	230-30-070	AMD-P	87-13-047	232-28-61603	NEW-E	87-08-039
222-30-050	AMD-P	87-10-018	230-30-070	AMD	87-17-052	232-28-61604	NEW-E	87-13-049
222-30-050	AMD	87-23-036	230-30-075	AMD-P	87-11-011	232-28-61605	NEW-E	87-16-062
222-30-060	AMD-P	87-10-018	230-30-075	AMD-P	87-13-047	232-28-61605	REP-E	87-20-012
222-30-060	AMD	87-23-036	230-30-075	AMD-C	87-17-053	232-28-61606	NEW-E	87-18-049
222-30-070	AMD-P	87-10-018	230-30-103	AMD-P	87-11-011	232-28-61607	NEW-E	87-18-048
222-30-070	AMD	87-23-036	230-30-103	AMD	87-15-052	232-28-61608	NEW-E	87-17-014
222-30-090	AMD-P	87-10-018	230-30-106	AMD-P	87-11-011	232-28-61609	NEW-E	87-18-018
222-30-090	AMD	87-23-036	230-30-106	AMD-P	87-11-017	232-28-61610	NEW-P	87-18-078
222-30-100	AMD-P	87-10-018	230-30-106	AMD-C	87-15-051	232-28-61610	NEW	87-21-027
222-30-100	AMD	87-23-036	230-30-106	AMD-P	87-19-055	232-28-61610	NEW-E	87-21-029
222-34-010	AMD-P	87-10-018	230-30-106	AMD	87-24-016	232-28-61611	NEW-E	87-19-032
222-34-010	AMD	87-23-036	230-30-999	REP-P	87-11-011	232-28-61612	NEW-E	87-19-109
222-34-020	AMD-P	87-10-018	230-30-999	REP	87-15-052	232-28-61612	REP-E	87-19-124
222-34-020	AMD	87-23-036	230-40-401	NEW-P	87-13-046	232-28-61613	NEW-E	87-20-012
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	87-23-036	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	87-23-036	232-12-024	AMD-W	87-12-072	232-28-61616	REP-E	88-01-006
222-38-020	AMD-P	87-10-018	232-12-067	NEW-P	87-14-083	232-28-61617	NEW-E	88-02-020
222-38-020	AMD	87-23-036	232-12-067	NEW	87-18-017	232-28-617	NEW-P	87-18-078
230-02-240	NEW-P	87-06-013	232-12-131	AMD-P	87-08-067	232-28-708	REP	87-06-027
230-02-245	NEW-P	87-06-013	232-12-131	AMD	87-12-034	232-28-709	NEW	87-06-027
230-02-350	AMD-P	87-03-024	232-12-136	NEW-P	87-08-068	232-28-709	REP-P	87-24-094
230-02-350	AMD	87-07-038	232-12-136	NEW-W	87-12-073	232-28-710	NEW-P	87-24-094
230-04-020	AMD-P	87-06-008	232-12-141	AMD-P	87-12-074	232-28-70901	NEW-E	87-06-029
230-04-020	AMD	87-09-043	232-12-141	AMD	87-15-082	232-28-808	REP-P	87-05-031
230-04-020	AMD	87-10-017	232-12-154	AMD-P	87-18-078	232-28-808	REP	87-12-080
230-04-020	AMD-P	87-15-050	232-12-169	NEW-P	87-05-030	232-28-809	NEW-P	87-05-031
230-04-020	AMD-E	87-15-053	232-12-169	NEW	87-09-026	232-28-809	NEW	87-12-080
230-04-020	AMD	87-21-015	232-12-181	AMD-P	87-12-075	240-10-030	AMD-P	87-13-052
230-04-123	AMD-P	87-06-008	232-12-181	AMD-W	87-15-080	240-10-030	AMD	87-18-003
230-04-123	AMD	87-09-043	232-12-182	NEW-P	87-18-075	240-10-040	AMD-P	87-13-052
230-04-140	AMD-P	87-06-008	232-12-182	NEW	87-21-028	240-10-040	AMD	87-18-003
230-04-140	AMD	87-09-043	232-12-274	REP-P	87-14-081	240-10-057	NEW-P	87-13-052
230-04-145	AMD-P	87-03-024	232-12-274	REP-P	87-24-093	240-10-057	NEW	87-18-003
230-04-145	AMD-P	87-06-008	232-12-275	NEW-P	87-14-084	248-14-080	AMD	87-03-018
230-04-145	AMD	87-07-038	232-12-275	NEW-W	87-17-032	248-14-090	AMD	87-03-018
230-04-145	AMD	87-09-043	232-12-276	NEW-P	87-14-081	248-15-020	AMD-P	87-16-085
230-04-145	AMD-P	87-11-016	232-12-276	NEW-W	87-17-031	248-15-020	AMD	87-19-025
230-04-145	AMD	87-15-052	232-12-276	NEW-P	87-24-093	248-15-025	NEW-P	87-16-085
230-04-190	AMD-P	87-15-050	232-14-010	AMD-P	87-08-070	248-15-025	NEW	87-19-025
230-04-190	AMD-E	87-15-053	232-14-010	AMD	87-15-085	248-18-031	AMD	87-03-020
230-04-190	AMD	87-21-015	232-28-109	REP-P	87-12-076	248-18-300	AMD-P	87-20-078
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230-04-201	AMD-C	87-07-037	232-28-110	NEW-P	87-12-076	248-18-312	NEW	87-03-030
230-04-201	AMD-P	87-15-050	232-28-110	NEW	87-15-083	248-18-320	REP	87-03-030
230-04-201	AMD-E	87-15-053	232-28-212	REP-P	87-08-069	248-18-321	NEW	87-03-030
230-04-201	AMD	87-21-015	232-28-212	REP	87-14-031	248-18-660	AMD-P	87-20-078
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230-08-010	AMD-P	87-13-047	232-28-21301	NEW-E	87-17-033	248-18-663	NEW	87-03-030
230-08-010	AMD	87-17-052	232-28-21301	NEW-P	87-18-077	248-18-99902	AMD	87-04-061
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230-08-170	AMD-P	87-13-047	232-28-21302	NEW-E	87-17-034	248-18-99910	NEW	87-24-038
230-08-170	AMD	87-17-052	232-28-21303	NEW-E	87-21-097	248-19-230	AMD-P	87-06-048
230-12-200	AMD-P	87-15-050	232-28-214	NEW-P	87-12-077	248-19-230	AMD	87-10-023
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230-12-305	NEW	87-09-043	232-28-214	NEW	87-15-081	248-19-270	AMD	87-10-023
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230-20-064	AMD-C	87-07-037	232-28-215	NEW-W	87-14-079	248-19-327	AMD	87-10-023
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230-20-380	AMD-P	87-11-011	232-28-410	REP	87-18-024	248-54-015	AMD-P	87-24-037
230-20-380	AMD-C	87-15-051	232-28-411	NEW-P	87-14-082	248-54-025	AMD-P	87-24-037
230-20-380	AMD-C	87-21-035	232-28-411	NEW	87-18-024	248-54-035	AMD-P	87-24-037
230-20-380	AMD-C	87-24-017	232-28-509	REP-P	87-12-079	248-54-045	AMD-P	87-24-037
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248-54-095	REP-P	87-24-037	248-100-041	NEW	87-11-047	248-100-215	REP-P	87-07-039
248-54-096	NEW-P	87-24-037	248-100-045	REP-P	87-07-039	248-100-215	REP	87-11-047
248-54-097	NEW-P	87-24-037	248-100-045	REP	87-11-047	248-100-216	NEW-P	87-07-039
248-54-105	AMD-P	87-24-037	248-100-046	NEW-P	87-07-039	248-100-216	NEW	87-11-047
248-54-115	REP-P	87-24-037	248-100-046	NEW	87-11-047	248-100-220	REP-P	87-07-039
248-54-125	AMD-P	87-24-037	248-100-050	AMD-P	87-07-039	248-100-220	REP	87-11-047
248-54-131	NEW-P	87-24-037	248-100-050	AMD	87-11-047	248-100-221	NEW-P	87-07-039
248-54-135	AMD-P	87-24-037	248-100-055	REP-P	87-07-039	248-100-221	NEW	87-11-047
248-54-145	AMD-P	87-24-037	248-100-055	REP	87-11-047	248-100-225	REP-P	87-07-039
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

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-100-365	REP	87-11-047	248-100-560	REP-P	87-07-039	248-148-120	REP-E	87-19-068
248-100-370	REP-P	87-07-039	248-100-560	REP	87-11-047	248-148-120	REP	87-22-010
248-100-370	REP	87-11-047	248-100-565	REP-P	87-07-039	248-148-121	NEW-P	87-16-086
248-100-375	REP-P	87-07-039	248-100-565	REP	87-11-047	248-148-121	NEW-E	87-19-068
248-100-375	REP	87-11-047	248-102-010	REP-E	87-07-033	248-148-121	NEW	87-22-010
248-100-380	REP-P	87-07-039	248-102-010	REP-P	87-07-040	248-148-123	NEW-P	87-16-086
248-100-380	REP	87-11-047	248-102-010	REP	87-11-040	248-148-123	NEW-E	87-19-068
248-100-385	REP-P	87-07-039	248-102-020	REP-E	87-07-033	248-148-123	NEW	87-22-010
248-100-385	REP	87-11-047	248-102-020	REP-P	87-07-040	248-148-130	REP-P	87-16-086
248-100-390	REP-P	87-07-039	248-102-020	REP	87-11-040	248-148-130	REP-E	87-19-068
248-100-390	REP	87-11-047	248-102-040	REP-E	87-07-033	248-148-130	REP	87-22-010
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	248-148-131	NEW	87-22-010
248-100-405	REP-P	87-07-039	248-102-070	REP	87-11-040	248-148-140	REP-P	87-16-086
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	248-103-001	NEW-E	87-07-033	248-168-010	NEW-E	87-18-039
248-100-415	REP-P	87-07-039	248-103-001	NEW-P	87-07-040	248-168-010	NEW	87-22-012
248-100-415	REP	87-11-047	248-103-001	NEW	87-11-040	248-168-020	NEW-P	87-18-037
248-100-420	REP-P	87-07-039	248-103-010	NEW-E	87-07-033	248-168-020	NEW-E	87-18-039
248-100-420	REP	87-11-047	248-103-010	NEW-P	87-07-040	248-168-020	NEW	87-22-012
248-100-425	REP-P	87-07-039	248-103-010	NEW	87-11-040	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	248-172-101	NEW-P	88-01-124
248-100-460	REP	87-11-047	248-148-021	NEW	87-22-010	248-172-101	NEW-E	88-01-127
248-100-465	REP-P	87-07-039	248-148-030	REP-P	87-16-086	248-172-201	NEW-P	88-01-124
248-100-465	REP	87-11-047	248-148-030	REP-E	87-19-068	248-172-201	NEW-E	88-01-127
248-100-470	REP-P	87-07-039	248-148-030	REP	87-22-010	248-172-202	NEW-P	88-01-124
248-100-470	REP	87-11-047	248-148-031	NEW-P	87-16-086	248-172-202	NEW-E	88-01-127
248-100-475	REP-P	87-07-039	248-148-031	NEW-E	87-19-068	248-172-203	NEW-P	88-01-124
248-100-475	REP	87-11-047	248-148-031	NEW	87-22-010	248-172-203	NEW-E	88-01-127
248-100-480	REP-P	87-07-039	248-148-035	NEW-P	87-16-086	248-172-204	NEW-P	88-01-124
248-100-480	REP	87-11-047	248-148-035	NEW-E	87-19-068	248-172-204	NEW-E	88-01-127
248-100-485	REP-P	87-07-039	248-148-035	NEW	87-22-010	248-172-205	NEW-P	88-01-124
248-100-485	REP	87-11-047	248-148-040	REP-P	87-16-086	248-172-205	NEW-E	88-01-127
248-100-490	REP-P	87-07-039	248-148-040	REP-E	87-19-068	248-172-206	NEW-P	88-01-124
248-100-490	REP	87-11-047	248-148-040	REP	87-22-010	248-172-206	NEW-E	88-01-127
248-100-495	REP-P	87-07-039	248-148-050	REP-P	87-16-086	248-172-301	NEW-P	88-01-124
248-100-495	REP	87-11-047	248-148-050	REP-E	87-19-068	248-172-301	NEW-E	88-01-127
248-100-500	REP-P	87-07-039	248-148-050	REP	87-22-010	248-172-302	NEW-P	88-01-124
248-100-500	REP	87-11-047	248-148-060	REP-P	87-16-086	248-172-302	NEW-E	88-01-127
248-100-505	REP-P	87-07-039	248-148-060	REP-E	87-19-068	248-172-303	NEW-P	88-01-124
248-100-505	REP	87-11-047	248-148-060	REP	87-22-010	248-172-303	NEW-E	88-01-127
248-100-510	REP-P	87-07-039	248-148-070	REP-P	87-16-086	248-172-304	NEW-P	88-01-124
248-100-510	REP	87-11-047	248-148-070	REP-E	87-19-068	248-172-304	NEW-E	88-01-127
248-100-515	REP-P	87-07-039	248-148-070	REP	87-22-010	248-172-401	NEW-P	88-01-124
248-100-515	REP	87-11-047	248-148-080	REP-P	87-16-086	248-172-401	NEW-E	88-01-127
248-100-520	REP-P	87-07-039	248-148-080	REP-E	87-19-068	248-172-402	NEW-P	88-01-124
248-100-520	REP	87-11-047	248-148-080	REP	87-22-010	248-172-402	NEW-E	88-01-127
248-100-525	REP-P	87-07-039	248-148-090	REP-P	87-16-086	250-18-020	AMD-P	87-12-060
248-100-525	REP	87-11-047	248-148-090	REP-E	87-19-068	250-18-020	AMD	87-16-048
248-100-530	REP-P	87-07-039	248-148-090	REP	87-22-010	250-18-020	AMD-P	87-18-054
248-100-530	REP	87-11-047	248-148-091	NEW-P	87-16-086	250-18-020	AMD	87-21-079
248-100-532	REP-P	87-07-039	248-148-091	NEW-E	87-19-068	250-18-060	AMD-P	87-12-060
248-100-532	REP	87-11-047	248-148-091	NEW	87-22-010	250-18-060	AMD	87-16-048
248-100-535	REP-P	87-07-039	248-148-100	REP-P	87-16-086	250-18-060	AMD-P	87-18-054
248-100-535	REP	87-11-047	248-148-100	REP-E	87-19-068	250-18-060	AMD	87-21-079
248-100-540	REP-P	87-07-039	248-148-100	REP	87-22-010	250-20-011	AMD-P	87-12-046
248-100-540	REP	87-11-047	248-148-101	NEW-P	87-16-086	250-20-011	AMD	87-16-046
248-100-545	REP-P	87-07-039	248-148-101	NEW-E	87-19-068	250-20-015	AMD-P	87-12-046
248-100-545	REP	87-11-047	248-148-101	NEW	87-22-010	250-20-015	AMD	87-16-046
248-100-550	REP-P	87-07-039	248-148-110	REP-P	87-16-086	250-20-021	AMD-P	87-04-076
248-100-550	REP	87-11-047	248-148-110	REP-E	87-19-068	250-20-021	AMD-P	87-12-046
248-100-555	REP-P	87-07-039	248-148-110	REP	87-22-010	250-20-021	AMD	87-16-046
248-100-555	REP	87-11-047	248-148-120	REP-P	87-16-086	250-20-031	AMD-P	87-12-046

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
250-20-031	AMD	87-16-046	251-01-072	NEW	87-20-024	251-10-030	AMD	88-02-017
250-20-041	AMD-P	87-12-046	251-01-077	NEW-P	87-12-085	251-10-035	AMD-P	87-21-091
250-20-041	AMD	87-16-046	251-01-110	AMD-P	87-16-093	251-10-035	AMD	88-02-017
250-20-051	AMD-P	87-12-046	251-01-110	AMD-P	87-18-069	251-10-055	AMD	87-02-036
250-20-051	AMD	87-16-046	251-01-110	AMD	87-21-089	251-10-055	AMD-P	87-21-091
250-20-061	AMD-P	87-12-046	251-01-172	NEW	87-14-051	251-10-055	AMD	88-02-017
250-20-061	AMD	87-16-046	251-01-175	AMD-P	87-21-091	251-10-108	NEW-P	87-02-054
250-20-071	AMD-P	87-12-046	251-01-175	AMD	88-02-017	251-10-108	NEW-P	87-04-057
250-20-071	AMD	87-16-046	251-01-190	AMD	87-02-036	251-10-108	NEW-P	87-06-054
250-20-081	AMD-P	87-12-046	251-01-208	NEW-P	87-10-053	251-10-108	NEW	87-08-056
250-20-081	AMD	87-16-046	251-01-300	AMD	87-02-036	251-10-115	NEW-W	87-02-055
250-40-030	AMD-P	87-12-047	251-01-335	AMD-P	87-21-091	251-10-120	AMD-P	87-04-057
250-40-030	AMD	87-16-047	251-01-335	AMD	88-02-017	251-10-120	AMD	87-08-056
250-40-040	AMD-P	87-12-047	251-01-382	NEW-E	87-14-052	251-10-140	AMD-P	87-04-057
250-40-040	AMD	87-16-047	251-01-382	NEW-P	87-16-092	251-10-140	AMD	87-08-056
250-40-050	AMD-P	87-04-077	251-01-382	NEW-E	87-19-147	251-10-195	AMD	87-02-036
250-40-050	AMD-P	87-12-047	251-01-382	NEW	87-20-024	251-10-195	AMD-P	87-21-091
250-40-050	AMD	87-16-047	251-01-392	NEW-E	87-14-052	251-10-195	AMD	88-02-017
250-40-060	AMD-P	87-12-047	251-01-392	NEW-P	87-16-092	251-12-072	AMD-P	87-21-091
250-40-060	AMD	87-16-047	251-01-392	NEW-E	87-19-147	251-12-072	AMD	88-02-017
250-40-070	AMD-P	87-12-047	251-01-392	NEW	87-20-024	251-12-076	NEW-P	87-16-094
250-40-070	AMD	87-16-047	251-01-400	AMD	87-02-036	251-12-076	NEW	87-20-025
250-44-010	AMD-P	87-12-066	251-01-415	AMD-P	87-21-091	251-12-085	AMD-P	87-16-094
250-44-010	AMD	87-16-061	251-01-415	AMD	88-02-017	251-12-085	AMD	87-20-025
250-44-020	AMD-P	87-12-066	251-01-435	AMD-P	87-21-091	251-12-096	NEW-P	87-12-084
250-44-020	AMD	87-16-061	251-01-435	AMD	88-02-017	251-12-096	NEW	87-16-045
250-44-030	AMD-P	87-12-066	251-04-040	AMD	87-02-036	251-12-097	NEW-P	87-12-084
250-44-030	AMD	87-16-061	251-04-040	AMD-P	87-21-091	251-12-097	NEW	87-16-045
250-44-040	AMD-P	87-12-066	251-04-040	AMD	88-02-017	251-12-240	AMD	87-02-036
250-44-040	AMD	87-16-061	251-05-060	AMD	87-02-036	251-12-240	AMD-P	87-21-091
250-44-050	AMD-P	87-12-066	251-06-080	AMD-P	87-21-091	251-12-240	AMD	88-02-017
250-44-050	AMD	87-16-061	251-06-080	AMD	88-02-017	251-12-500	AMD-P	87-21-091
250-44-060	AMD-P	87-12-066	251-07-010	NEW-P	87-04-055	251-12-500	AMD	88-02-017
250-44-060	AMD	87-16-061	251-07-010	NEW	87-08-056	251-14-030	AMD-P	87-12-084
250-44-080	AMD-P	87-12-066	251-07-020	NEW-P	87-04-055	251-14-030	AMD-P	87-12-085
250-44-080	AMD	87-16-061	251-07-020	NEW	87-08-056	251-14-030	AMD	87-16-045
250-44-090	AMD-P	87-12-066	251-07-030	NEW-P	87-04-055	251-14-035	AMD-P	87-12-085
250-44-090	AMD	87-16-061	251-07-030	NEW	87-08-056	251-14-035	AMD-C	87-19-146
250-44-100	AMD-P	87-12-066	251-07-040	NEW-P	87-04-055	251-14-050	AMD	87-02-036
250-44-100	AMD	87-16-061	251-07-040	NEW	87-08-056	251-14-070	AMD-P	87-16-093
250-44-110	AMD-P	87-12-066	251-07-050	NEW-P	87-04-055	251-14-070	AMD	87-21-089
250-44-110	AMD	87-16-061	251-07-050	NEW	87-08-056	251-14-070	AMD-P	87-23-040
250-44-120	AMD-P	87-12-066	251-07-060	NEW-P	87-04-055	251-14-070	AMD	88-02-027
250-44-120	AMD	87-16-061	251-07-060	NEW	87-08-056	251-14-100	AMD-P	87-16-093
250-44-130	AMD-P	87-12-066	251-08-005	AMD-P	87-04-056	251-14-100	AMD	87-20-023
250-44-130	AMD	87-16-061	251-08-005	AMD	87-08-056	251-14-110	AMD-P	87-16-093
250-44-140	AMD-P	87-12-066	251-08-021	AMD-P	87-04-056	251-14-110	AMD	87-20-023
250-44-140	AMD	87-16-061	251-08-021	AMD	87-08-056	251-17-010	NEW-P	87-21-090
250-44-150	AMD-P	87-12-066	251-08-040	AMD-P	87-04-056	251-17-010	NEW	88-02-018
250-44-150	AMD	87-16-061	251-08-040	AMD	87-08-056	251-17-020	NEW-P	87-21-090
250-44-160	AMD-P	87-12-066	251-08-100	AMD-P	87-04-056	251-17-020	NEW	88-02-018
250-44-160	AMD	87-16-061	251-08-100	AMD-P	87-10-051	251-17-030	NEW-P	87-21-090
250-44-170	AMD-P	87-12-066	251-08-100	AMD	87-14-051	251-17-030	NEW	88-02-018
250-44-170	AMD	87-16-061	251-08-100	AMD-P	87-21-091	251-17-040	NEW-P	87-21-091
250-44-180	AMD-P	87-12-066	251-08-100	AMD	88-02-017	251-17-040	NEW	88-02-018
250-44-180	AMD	87-16-061	251-08-110	AMD-E	87-14-052	251-17-050	NEW-P	87-21-090
250-44-190	AMD-P	87-12-066	251-08-110	AMD-P	87-16-092	251-17-050	NEW	88-02-018
250-44-190	AMD	87-16-061	251-08-110	AMD-E	87-19-147	251-17-060	NEW-P	87-21-090
250-44-200	AMD-P	87-12-066	251-08-110	AMD	87-20-024	251-17-060	NEW	88-02-018
250-44-200	AMD	87-16-061	251-08-112	AMD-E	87-14-052	251-17-070	NEW-P	87-21-090
250-44-210	AMD-P	87-12-066	251-08-112	AMD-P	87-16-092	251-17-070	NEW	88-02-018
250-44-210	AMD	87-16-061	251-08-112	AMD-E	87-19-147	251-17-080	NEW-P	87-21-090
250-65-010	NEW-P	87-20-093	251-08-112	AMD	87-20-024	251-17-080	NEW	88-02-018
250-65-020	NEW-P	87-20-093	251-08-112	AMD-P	87-21-092	251-17-090	NEW-P	87-21-090
250-65-030	NEW-P	87-20-093	251-08-150	AMD	88-02-027	251-17-090	NEW	88-02-018
250-65-040	NEW-P	87-20-093	251-08-150	AMD-P	87-21-091	251-17-100	NEW-P	87-21-090
250-65-050	NEW-P	87-20-093	251-08-150	AMD	88-02-017	251-17-100	NEW	88-02-018
250-65-060	NEW-P	87-20-093	251-09-020	AMD-P	87-18-069	251-17-110	NEW-P	87-21-090
251-01-040	AMD-P	87-06-053	251-09-030	AMD-P	87-18-069	251-17-110	NEW	88-02-018
251-01-040	AMD-P	87-10-050	251-09-090	AMD-P	87-04-056	251-17-120	NEW-P	87-21-090
251-01-040	AMD-P	87-12-081	251-10-020	AMD-P	87-08-054	251-17-120	NEW	88-02-018
251-01-040	AMD	87-16-045	251-10-020	AMD-P	87-08-055	251-17-130	NEW-P	87-21-090
251-01-057	NEW-P	87-10-053	251-10-020	AMD-P	87-12-082	251-17-130	NEW	88-02-018
251-01-057	NEW	87-14-051	251-10-020	AMD-P	87-12-083	251-17-140	NEW-P	87-21-090
251-01-072	NEW-E	87-14-052	251-10-020	AMD	87-16-045	251-17-140	NEW	88-02-018
251-01-072	NEW-P	87-16-092	251-10-030	AMD	87-02-036	251-17-150	NEW-P	87-21-090
251-01-072	NEW-E	87-19-147	251-10-030	AMD-P	87-21-091	251-17-150	NEW	88-02-018

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
251-17-160	NEW-P	87-21-090	251-18-346	REP-P	87-21-090	251-22-200	AMD	87-20-025
251-17-160	NEW	88-02-018	251-18-346	REP	88-02-018	251-23-015	NEW-P	87-06-053
251-17-170	NEW-P	87-21-090	251-18-347	AMD-P	87-16-093	251-23-015	NEW-C	87-10-049
251-17-170	NEW	88-02-018	251-18-347	AMD	87-20-023	251-23-015	NEW-C	87-14-006
251-17-180	NEW-P	87-21-090	251-18-347	REP-P	87-21-090	251-23-015	NEW	87-16-045
251-17-180	NEW	88-02-018	251-18-347	REP	88-02-018	251-23-040	AMD	87-02-036
251-17-190	NEW-P	87-21-090	251-18-350	AMD	87-02-036	251-23-050	AMD	87-02-036
251-17-190	NEW	88-02-018	251-18-350	REP-P	87-21-090	251-23-060	AMD	87-02-036
251-17-200	NEW-P	87-21-090	251-18-350	REP	88-02-018	251-24-050	AMD-P	87-21-091
251-17-200	NEW	88-02-018	251-18-381	REP-P	87-21-090	251-24-050	AMD	88-02-017
251-18	AMD-P	87-21-090	251-18-381	REP	88-02-018	254-20-090	AMD	87-03-039
251-18	AMD	88-02-018	251-18-400	REP-P	87-21-090	260-16-090	NEW-P	88-01-077
251-18-010	REP-P	87-21-090	251-18-400	REP	88-02-018	260-20-170	AMD-P	88-01-077
251-18-010	REP	88-02-018	251-18-410	REP-P	87-21-090	260-24-280	AMD-P	87-08-029
251-18-011	REP-P	87-21-090	251-18-410	REP	88-02-018	260-24-280	AMD-E	87-09-031
251-18-011	REP	88-02-018	251-18-420	REP-P	87-21-090	260-24-280	AMD	87-15-019
251-18-012	REP-P	87-21-090	251-18-420	REP	88-02-018	260-36-040	AMD-P	87-08-029
251-18-012	REP	88-02-018	251-19-010	NEW-P	87-21-090	260-36-040	AMD-E	87-09-031
251-18-015	REP-P	87-21-090	251-19-010	NEW	88-02-018	260-36-040	AMD	87-15-019
251-18-015	REP	88-02-018	251-19-020	NEW-P	87-21-090	260-40-100	AMD-P	87-08-029
251-18-020	REP-P	87-21-090	251-19-020	NEW	88-02-018	260-44-080	AMD-P	87-08-029
251-18-020	REP	88-02-018	251-19-030	NEW-P	87-21-090	260-44-080	AMD-E	87-09-031
251-18-035	REP-P	87-21-090	251-19-030	NEW	88-02-018	260-44-080	AMD	87-15-019
251-18-035	REP	88-02-018	251-19-040	NEW-P	87-21-090	260-70-010	AMD-P	87-08-029
251-18-041	REP-P	87-21-090	251-19-040	NEW	88-02-018	260-70-010	AMD-W	87-09-076
251-18-041	REP	88-02-018	251-19-050	NEW-P	87-21-090	260-70-010	AMD-P	87-09-077
251-18-050	REP-P	87-21-090	251-19-050	NEW	88-02-018	260-70-010	AMD	87-15-020
251-18-050	REP	88-02-018	251-19-060	NEW-P	87-21-090	260-70-021	AMD-P	87-08-029
251-18-060	REP-P	87-21-090	251-19-060	NEW	88-02-018	260-70-021	AMD-W	87-09-076
251-18-060	REP	88-02-018	251-19-070	NEW-P	87-21-090	260-70-021	AMD-P	87-09-077
251-18-070	REP-P	87-21-090	251-19-070	NEW	88-02-018	260-70-021	AMD	87-15-020
251-18-070	REP	88-02-018	251-19-080	NEW-P	87-21-090	260-70-025	AMD-P	87-08-029
251-18-075	REP-P	87-21-090	251-19-080	NEW	88-02-018	260-70-025	AMD-W	87-09-076
251-18-075	REP	88-02-018	251-19-090	NEW-P	87-21-090	260-70-025	AMD-P	87-09-077
251-18-095	REP-P	87-21-090	251-19-090	NEW	88-02-018	260-70-025	AMD	87-15-020
251-18-095	REP	88-02-018	251-19-100	NEW-P	87-21-090	260-70-026	AMD-P	87-08-029
251-18-110	REP-P	87-21-090	251-19-100	NEW	88-02-018	260-70-026	AMD-W	87-09-076
251-18-110	REP	88-02-018	251-19-110	NEW-P	87-21-090	260-70-026	AMD-P	87-09-077
251-18-110	REP	88-02-018	251-19-110	NEW	88-02-018	260-70-026	AMD	87-15-020
251-18-120	REP-P	87-21-090	251-19-120	NEW-P	87-21-090	260-70-050	AMD-P	87-08-029
251-18-120	REP	88-02-018	251-19-120	NEW	88-02-018	260-70-050	AMD-W	87-09-076
251-18-130	REP-P	87-21-090	251-19-130	NEW-P	87-21-090	260-70-050	AMD-P	87-09-077
251-18-130	REP	88-02-018	251-19-130	NEW	88-02-018	260-70-050	AMD	87-15-020
251-18-140	REP-P	87-21-090	251-19-140	NEW-P	87-21-090	260-70-090	AMD-P	87-08-029
251-18-140	REP	88-02-018	251-19-140	NEW	88-02-018	260-70-090	AMD-W	87-09-076
251-18-145	REP-P	87-21-090	251-19-150	NEW-P	87-21-090	260-70-090	AMD-P	87-09-077
251-18-145	REP	88-02-018	251-19-150	NEW	88-02-018	260-70-090	AMD	87-15-020
251-18-160	REP-P	87-21-090	251-19-160	NEW-P	87-21-090	260-70-100	AMD-P	87-08-029
251-18-160	REP	88-02-018	251-19-160	NEW	88-02-018	260-70-100	AMD-W	87-09-076
251-18-165	REP-P	87-21-090	251-22-040	AMD	87-02-036	260-70-100	AMD-P	87-09-077
251-18-165	REP	88-02-018	251-22-045	AMD	87-02-036	260-70-120	AMD-P	87-08-029
251-18-176	AMD	87-02-036	251-22-060	AMD-P	87-21-091	260-70-120	AMD-W	87-09-076
251-18-176	REP-P	87-21-090	251-22-060	AMD	88-02-017	260-70-120	AMD-P	87-09-077
251-18-176	REP	88-02-018	251-22-070	AMD-P	87-10-052	260-70-120	AMD	87-15-020
251-18-180	AMD-P	87-21-090	251-22-070	AMD	87-14-051	260-70-170	AMD-P	87-08-029
251-18-180	AMD	88-02-018	251-22-110	AMD-P	87-10-052	260-70-170	AMD-W	87-09-077
251-18-200	AMD-P	87-21-090	251-22-110	AMD	87-10-053	260-70-170	AMD	87-15-020
251-18-200	AMD	88-02-018	251-22-112	AMD-P	87-10-053	261-06	AMD-C	87-16-012
251-18-255	AMD-P	87-21-090	251-22-112	AMD	87-14-051	261-06-070	AMD-P	87-13-073
251-18-255	AMD	88-02-018	251-22-115	REP-P	87-16-094	261-06-070	AMD	87-22-005
251-18-290	REP-P	87-21-090	251-22-117	NEW-P	87-10-052	261-06-080	AMD-P	87-13-073
251-18-290	REP	88-02-018	251-22-117	NEW-P	87-10-053	261-06-080	AMD	87-22-005
251-18-291	REP-P	87-21-090	251-22-117	NEW	87-14-051	261-06-090	AMD-P	87-13-073
251-18-291	REP	88-02-018	251-22-167	NEW-P	87-16-094	261-06-090	AMD	87-22-005
251-18-300	REP-P	87-21-090	251-22-167	NEW-P	87-16-095	261-06-110	AMD-P	87-13-073
251-18-300	REP	88-02-018	251-22-167	NEW-P	87-16-096	261-06-110	AMD	87-22-005
251-18-310	REP-P	87-21-090	251-22-170	AMD-P	87-20-025	261-40-150	AMD-P	87-16-076
251-18-310	REP	88-02-018	251-22-170	AMD	87-16-093	261-40-150	AMD-C	87-19-030
251-18-320	REP-P	87-21-090	251-22-170	AMD	87-20-025	261-40-150	AMD-P	87-20-048
251-18-320	REP	88-02-018	251-22-195	NEW-P	87-16-094	261-40-150	AMD-P	87-20-100
251-18-330	REP-P	87-21-090	251-22-195	NEW-P	87-16-095	261-40-150	AMD-C	87-22-004
251-18-330	REP	88-02-018	251-22-195	NEW-P	87-16-096	261-40-150	AMD-E	87-24-010
251-18-335	REP-P	87-21-090	251-22-200	AMD-P	87-10-053	261-40-150	AMD	87-24-011
251-18-335	REP	88-02-018	251-22-200	AMD	87-14-051	261-50-030	AMD	87-04-008
251-18-340	REP-P	87-21-090	251-22-200	AMD-P	87-16-094	261-50-030	AMD-P	87-05-007
251-18-340	REP	88-02-018				261-50-030	AMD	87-08-037
251-18-345	REP-P	87-21-090						
251-18-345	REP	88-02-018						

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
261-50-035	NEW-P	87-05-007	275-19-680	NEW-E	87-16-027
261-50-040	AMD	87-04-008	275-19-680	NEW	87-19-072
261-50-040	AMD-P	87-05-007	275-19-940	AMD-P	87-15-134
261-50-045	REP	87-04-008	275-19-940	AMD-E	87-16-027
261-50-050	AMD	87-04-008	275-19-940	AMD	87-19-072
261-50-050	AMD-P	87-05-007	275-19-950	AMD-P	87-15-134
261-50-060	AMD	87-04-008	275-19-950	AMD-E	87-16-027
261-50-060	AMD-P	87-05-007	275-19-950	AMD	87-19-072
261-50-070	NEW-P	87-05-007	275-19-960	AMD-P	87-15-134
261-50-075	NEW	87-08-037	275-19-960	AMD-E	87-16-027
261-50-090	AMD	87-04-008	275-19-960	AMD	87-19-072
261-50-090	AMD-P	87-05-007	275-19-970	AMD-P	87-15-134
261-50-090	AMD	87-08-037	275-19-970	AMD-E	87-16-027
275-16-030	AMD-E	87-15-132	275-19-970	AMD	87-19-072
275-16-030	AMD-P	87-15-133	275-19-980	AMD-P	87-15-134
275-16-030	AMD	87-19-026	275-19-980	AMD-E	87-16-027
275-19-020	AMD-P	87-15-134	275-19-980	AMD	87-19-072
275-19-020	AMD-E	87-16-027	275-19-985	AMD-P	87-15-134
275-19-020	AMD	87-19-072	275-19-985	AMD-E	87-16-027
275-19-030	AMD-P	87-05-021	275-19-985	AMD	87-19-072
275-19-030	AMD	87-09-035	275-19-990	AMD-P	87-15-134
275-19-030	AMD-P	87-15-134	275-19-990	AMD-E	87-16-027
275-19-030	AMD-E	87-16-027	275-19-990	AMD	87-19-072
275-19-030	AMD	87-19-072	275-27-220	AMD-E	88-01-027
275-19-040	AMD-P	87-05-021	275-27-220	AMD-P	88-01-028
275-19-040	AMD	87-09-035	275-27-223	NEW-E	88-01-027
275-19-050	AMD-P	87-05-021	275-27-223	NEW-P	88-01-028
275-19-050	AMD	87-09-035	275-27-400	AMD-E	88-01-027
275-19-075	AMD	87-03-016	275-27-400	AMD-P	88-01-028
275-19-110	AMD-P	87-05-021	275-30-010	NEW-P	87-04-023
275-19-110	AMD	87-09-035	275-30-020	NEW-P	87-04-023
275-19-110	AMD-P	87-15-134	275-30-030	NEW-P	87-04-023
275-19-110	AMD-E	87-16-027	275-30-040	NEW-P	87-04-023
275-19-110	AMD	87-19-072	275-30-050	NEW-P	87-04-023
275-19-140	AMD-P	87-15-134	275-30-060	NEW-P	87-04-023
275-19-140	AMD-E	87-16-027	275-30-070	NEW-P	87-04-023
275-19-140	AMD	87-19-072	275-54-170	AMD-P	87-15-135
275-19-170	AMD-P	87-15-134	275-54-170	AMD	87-19-070
275-19-170	AMD-E	87-16-027	275-54-180	AMD-P	87-15-135
275-19-170	AMD	87-19-072	275-54-180	AMD	87-19-070
275-19-185	AMD-P	87-15-134	275-54-190	AMD-P	87-15-135
275-19-185	AMD-E	87-16-027	275-54-190	AMD	87-19-070
275-19-185	AMD	87-19-072	275-54-200	AMD-P	87-15-135
275-19-400	AMD-P	87-15-134	275-54-200	AMD	87-19-070
275-19-400	AMD-E	87-16-027	275-55-021	REP-P	87-15-136
275-19-400	AMD	87-19-072	275-55-021	REP	87-19-071
275-19-450	NEW-P	87-15-134	275-55-050	REP-P	87-15-136
275-19-450	NEW-E	87-16-027	275-55-050	REP	87-19-071
275-19-450	NEW	87-19-072	275-55-060	REP-P	87-15-136
275-19-455	NEW-P	87-15-134	275-55-060	REP	87-19-071
275-19-455	NEW-E	87-16-027	275-55-071	REP-P	87-15-136
275-19-455	NEW	87-19-072	275-55-071	REP	87-19-071
275-19-550	AMD-P	87-15-134	275-55-121	REP-P	87-15-136
275-19-550	AMD-E	87-16-027	275-55-121	REP	87-19-071
275-19-550	AMD	87-19-072	275-55-263	AMD-P	87-15-136
275-19-580	NEW-P	87-15-134	275-55-263	AMD	87-19-071
275-19-580	NEW-E	87-16-027	275-55-271	AMD-P	87-15-136
275-19-580	NEW	87-19-072	275-55-271	AMD	87-19-071
275-19-585	NEW-P	87-15-134	275-55-281	AMD-P	87-15-136
275-19-585	NEW-E	87-16-027	275-55-281	AMD	87-19-071
275-19-585	NEW	87-19-072	275-55-291	AMD-P	87-15-136
275-19-590	NEW-P	87-15-134	275-55-291	AMD	87-19-071
275-19-590	NEW-E	87-16-027	275-55-331	REP-P	87-15-136
275-19-590	NEW	87-19-072	275-55-331	REP	87-19-071
275-19-595	NEW-P	87-15-134	275-56-135	AMD	87-06-026
275-19-595	NEW-E	87-16-027	284-07-010	NEW-P	87-02-065
275-19-595	NEW	87-19-072	284-07-010	NEW	87-05-011
275-19-650	AMD-P	87-15-134	284-07-014	NEW-P	87-02-065
275-19-650	AMD-E	87-16-027	284-07-014	NEW	87-05-011
275-19-650	AMD	87-19-072	284-07-024	NEW-P	87-02-065
275-19-660	AMD-P	87-15-134	284-07-024	NEW	87-05-011
275-19-660	AMD-E	87-16-027	284-12-080	NEW	87-03-055
275-19-660	AMD	87-19-072	284-13-110	NEW-P	87-06-049
275-19-675	NEW-P	87-15-134	284-13-110	NEW	87-09-056
275-19-675	NEW-E	87-16-027	284-13-120	NEW-P	87-06-049
275-19-675	NEW	87-19-072	284-13-120	NEW	87-09-056
275-19-680	NEW-P	87-15-134	284-13-130	NEW-P	87-06-049
284-13-130	NEW	87-09-056	284-13-140	NEW-P	87-06-049
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284-13-150	NEW-P	87-06-049	284-13-150	NEW-P	87-09-056
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284-17-200	AMD-P	87-22-055	284-17-210	AMD-P	87-22-055
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284-17-275	NEW	88-01-074	284-17-280	AMD-P	87-22-055
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284-54-680	NEW-P	87-11-056	296-17-527	AMD-P	87-07-047	296-17-689	AMD-P	87-07-047
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296-18A-450	AMD-P	87-02-057	296-21-045	AMD-E	87-12-044	296-22-087	AMD	87-16-004
296-18A-450	AMD	87-08-004	296-21-045	AMD	87-16-004	296-22-091	AMD-P	87-11-050
296-18A-460	AMD-P	87-05-060	296-21-046	AMD-E	87-12-044	296-22-091	AMD-E	87-12-044
296-18A-460	AMD	87-10-070	296-21-046	AMD	87-16-004	296-22-091	AMD	87-16-004
296-18A-465	NEW-P	87-05-056	296-21-046	AMD	87-16-004	296-22-097	NEW-P	87-11-050
296-18A-465	NEW	87-10-071	296-21-057	AMD-P	87-11-050	296-22-097	NEW-E	87-12-044
296-18A-470	AMD-P	87-05-060	296-21-057	AMD-E	87-12-044	296-22-097	NEW	87-16-004
296-18A-470	AMD-W	87-12-031	296-21-057	AMD	87-16-004	296-22-100	AMD-P	87-11-050
296-18A-480	AMD-P	87-02-057	296-21-066	AMD-P	87-11-050	296-22-100	AMD-E	87-12-044
296-18A-480	AMD	87-08-004	296-21-066	AMD-E	87-12-044	296-22-100	AMD	87-16-004
296-18A-490	AMD-P	87-05-057	296-21-066	AMD	87-16-004	296-22-115	AMD-P	87-11-050
296-18A-490	AMD-E	87-08-044	296-21-075	AMD-P	87-11-050	296-22-115	AMD-E	87-12-044
296-18A-490	AMD	87-10-072	296-21-075	AMD-E	87-12-044	296-22-115	AMD	87-16-004
296-18A-510	AMD-P	87-05-059	296-21-075	AMD	87-16-004	296-22-116	AMD-P	87-11-050
296-18A-510	AMD	87-10-073	296-21-128	AMD-P	87-23-052	296-22-116	AMD-E	87-12-044
296-20-010	AMD-P	87-18-071	296-21-128	AMD-C	88-01-111	296-22-116	AMD	87-16-004
296-20-010	AMD	87-24-050	296-22-010	AMD-E	87-02-042	296-22-120	AMD-P	87-11-050
296-20-01002	AMD-P	87-18-071	296-22-010	AMD	87-03-005	296-22-120	AMD-E	87-12-044
296-20-01002	AMD	87-24-050	296-22-021	AMD-P	87-11-050	296-22-120	AMD	87-16-004
296-20-022	NEW	87-03-004	296-22-021	AMD-E	87-12-044	296-22-125	AMD-P	87-11-050
296-20-022	AMD-P	87-18-071	296-22-021	AMD	87-16-004	296-22-125	AMD-E	87-12-044
296-20-022	AMD	87-24-050	296-22-022	AMD-P	87-11-050	296-22-125	AMD	87-16-004
296-20-024	NEW-P	87-18-071	296-22-022	AMD-E	87-12-044	296-22-130	AMD-P	87-11-050
296-20-024	NEW	87-24-050	296-22-022	AMD	87-16-004	296-22-130	AMD-E	87-12-044
296-20-03001	AMD-P	87-18-071	296-22-023	AMD-P	87-11-050	296-22-130	AMD	87-16-004
296-20-03001	AMD-C	87-24-048	296-22-023	AMD-E	87-12-044	296-22-135	AMD-P	87-11-050
296-20-035	AMD-P	87-02-057	296-22-023	AMD	87-16-004	296-22-135	AMD-E	87-12-044
296-20-035	AMD	87-08-004	296-22-024	AMD-P	87-11-050	296-22-135	AMD	87-16-004
296-20-045	AMD-P	87-23-052	296-22-024	AMD-E	87-12-044	296-22-140	AMD-P	87-11-050
296-20-045	AMD-C	88-01-111	296-22-024	AMD	87-16-004	296-22-140	AMD-E	87-12-044
296-20-075	AMD-P	87-18-071	296-22-025	AMD-P	87-11-050	296-22-140	AMD	87-16-004
296-20-075	AMD	87-24-050	296-22-025	AMD-E	87-12-044	296-22-141	AMD-P	87-11-050
296-20-1102	AMD-P	87-18-072	296-22-025	AMD	87-16-004	296-22-141	AMD-E	87-12-044
296-20-1102	AMD	87-22-052	296-22-031	AMD-P	87-11-050	296-22-141	AMD	87-16-004
296-20-12050	NEW-P	87-18-071	296-22-031	AMD-E	87-12-044	296-22-146	AMD-P	87-11-050
296-20-12050	NEW	87-24-050	296-22-031	AMD	87-16-004	296-22-146	AMD-E	87-12-044
296-20-125	AMD-P	87-11-050	296-22-036	AMD-P	87-11-050	296-22-146	AMD	87-16-004
296-20-125	AMD-E	87-12-044	296-22-036	AMD-E	87-12-044	296-22-147	AMD-P	87-11-050
296-20-125	AMD	87-16-004	296-22-036	AMD	87-16-004	296-22-147	AMD-E	87-12-044
296-20-135	AMD	87-03-004	296-22-038	AMD-P	87-11-050	296-22-147	AMD	87-16-004
296-20-140	AMD	87-03-004	296-22-038	AMD-E	87-12-044	296-22-150	AMD-P	87-11-050
			296-22-038	AMD	87-16-004	296-22-150	AMD-E	87-12-044
			296-22-039	AMD-P	87-11-050	296-22-150	AMD	87-16-004

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296-22-160	AMD-E	87-12-044	296-22-405	AMD-P	87-11-050	296-23-080	AMD-P	87-11-050
296-22-160	AMD	87-16-004	296-22-405	AMD-E	87-12-044	296-23-080	AMD-E	87-12-044
296-22-165	AMD-P	87-11-050	296-22-405	AMD	87-16-004	296-23-080	AMD	87-16-004
296-22-165	AMD-E	87-12-044	296-22-410	AMD-P	87-11-050	296-23-115	REP-P	87-11-050
296-22-165	AMD	87-16-004	296-22-410	AMD-E	87-12-044	296-23-115	REP-E	87-12-044
296-22-180	AMD-P	87-11-050	296-22-410	AMD	87-16-004	296-23-115	REP	87-16-004
296-22-180	AMD-E	87-12-044	296-22-425	AMD-P	87-11-050	296-23-125	AMD-P	87-11-050
296-22-180	AMD	87-16-004	296-22-425	AMD-E	87-12-044	296-23-125	AMD-E	87-12-044
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296-22-190	AMD-E	87-12-044	296-22-427	AMD-P	87-11-050	296-23-20102	AMD-E	87-02-042
296-22-190	AMD	87-16-004	296-22-427	AMD-E	87-12-044	296-23-20102	AMD	87-03-005
296-22-195	AMD-P	87-11-050	296-22-427	AMD	87-16-004	296-23-204	AMD-P	87-11-050
296-22-195	AMD-E	87-12-044	296-22-430	AMD-P	87-11-050	296-23-204	AMD-E	87-12-044
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296-22-210	AMD-P	87-11-050	296-22-430	AMD	87-16-004	296-23-212	AMD-E	87-02-042
296-22-210	AMD-E	87-12-044	296-22-445	AMD-P	87-11-050	296-23-212	AMD	87-03-005
296-22-210	AMD	87-16-004	296-22-445	AMD-E	87-12-044	296-23-212	AMD-P	87-11-050
296-22-215	AMD-P	87-11-050	296-22-445	AMD	87-16-004	296-23-212	AMD-E	87-12-044
296-22-215	AMD-E	87-12-044	296-22-475	AMD-P	87-11-050	296-23-212	AMD	87-16-004
296-22-215	AMD	87-16-004	296-22-475	AMD-E	87-12-044	296-23-216	AMD-P	87-11-050
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296-22-220	AMD-E	87-12-044	296-23-01006	AMD-E	87-02-042	296-23-216	AMD	87-16-004
296-22-220	AMD	87-16-004	296-23-01006	AMD	87-03-005	296-23-221	AMD-P	87-11-050
296-22-225	AMD-P	87-11-050	296-23-015	AMD-P	87-11-050	296-23-221	AMD-E	87-12-044
296-22-225	AMD-E	87-12-044	296-23-015	AMD-E	87-12-044	296-23-221	AMD	87-16-004
296-22-225	AMD	87-16-004	296-23-015	AMD	87-16-004	296-23-224	AMD-P	87-11-050
296-22-230	AMD-P	87-11-050	296-23-020	AMD-P	87-11-050	296-23-224	AMD-E	87-12-044
296-22-230	AMD-E	87-12-044	296-23-020	AMD-E	87-12-044	296-23-224	AMD	87-16-004
296-22-230	AMD	87-16-004	296-23-020	AMD	87-16-004	296-23-228	AMD-P	87-11-050
296-22-235	AMD-P	87-11-050	296-23-025	AMD-P	87-11-050	296-23-228	AMD-E	87-12-044
296-22-235	AMD-E	87-12-044	296-23-025	AMD-E	87-12-044	296-23-228	AMD	87-16-004
296-22-235	AMD	87-16-004	296-23-025	AMD	87-16-004	296-23-232	AMD-P	87-11-050
296-22-245	AMD-P	87-11-050	296-23-030	AMD-P	87-11-050	296-23-232	AMD-E	87-12-044
296-22-245	AMD-E	87-12-044	296-23-030	AMD-E	87-12-044	296-23-232	AMD	87-16-004
296-22-245	AMD	87-16-004	296-23-030	AMD	87-16-004	296-23-300	REP-E	87-02-042
296-22-250	AMD-P	87-11-050	296-23-035	AMD-P	87-11-050	296-23-300	REP	87-03-005
296-22-250	AMD-E	87-12-044	296-23-035	AMD-E	87-12-044	296-23-301	REP-E	87-02-042
296-22-250	AMD	87-16-004	296-23-035	AMD	87-16-004	296-23-301	REP	87-03-005
296-22-255	AMD-P	87-11-050	296-23-040	AMD-P	87-11-050	296-23-305	REP-E	87-02-042
296-22-255	AMD-E	87-12-044	296-23-040	AMD-E	87-12-044	296-23-305	REP	87-03-005
296-22-255	AMD	87-16-004	296-23-040	AMD	87-16-004	296-23-310	REP-E	87-02-042
296-22-260	AMD-P	87-11-050	296-23-045	AMD-P	87-11-050	296-23-310	REP	87-03-005
296-22-260	AMD-E	87-12-044	296-23-045	AMD-E	87-12-044	296-23-315	REP-E	87-02-042
296-22-260	AMD	87-16-004	296-23-045	AMD	87-16-004	296-23-315	REP	87-03-005
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296-22-265	AMD-E	87-12-044	296-23-050	AMD-E	87-12-044	296-23-330	REP	87-03-005
296-22-265	AMD	87-16-004	296-23-050	AMD	87-16-004	296-23-335	REP-E	87-02-042
296-22-310	AMD-P	87-11-050	296-23-055	AMD-P	87-11-050	296-23-335	REP	87-03-005
296-22-310	AMD-E	87-12-044	296-23-055	AMD-E	87-12-044	296-23-340	REP-E	87-02-042
296-22-310	AMD	87-16-004	296-23-055	AMD	87-16-004	296-23-340	REP	87-03-005
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296-22-315	AMD-E	87-12-044	296-23-065	AMD-E	87-12-044	296-23-356	REP	87-03-005
296-22-315	AMD	87-16-004	296-23-065	AMD	87-16-004	296-23-357	REP-E	87-02-042
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296-22-330	AMD	87-16-004	296-23-079	AMD	87-16-004	296-23-500	AMD	87-22-052
296-22-337	AMD-P	87-11-050	296-23-07902	AMD-P	87-11-050	296-23-50014	AMD-P	87-18-072
296-22-337	AMD-E	87-12-044	296-23-07902	AMD-E	87-12-044	296-23-50014	AMD	87-22-052
296-22-337	AMD	87-16-004	296-23-07902	AMD	87-16-004	296-23-615	AMD-P	87-11-050
296-22-340	AMD-P	87-11-050	296-23-07903	AMD-P	87-11-050	296-23-615	AMD-E	87-11-051
296-22-340	AMD-E	87-12-044	296-23-07903	AMD-E	87-12-044	296-23-615	AMD	87-16-004
296-22-340	AMD	87-16-004	296-23-07903	AMD	87-16-004	296-23-615	AMD-E	87-16-007
296-22-350	AMD-P	87-11-050	296-23-07904	AMD-P	87-11-050	296-23-620	REP-P	87-23-052
296-22-350	AMD-E	87-12-044	296-23-07904	AMD-E	87-12-044	296-23-620	REP-C	88-01-111
296-22-350	AMD	87-16-004	296-23-07904	AMD	87-16-004	296-23-715	AMD-P	87-11-050
296-22-355	AMD-P	87-11-050	296-23-07905	AMD-P	87-11-050	296-23-715	AMD-E	87-12-044
296-22-355	AMD-E	87-12-044	296-23-07905	AMD-E	87-12-044	296-23-715	AMD	87-16-004
296-22-355	AMD	87-16-004	296-23-07905	AMD	87-16-004	296-23-720	AMD-P	87-11-050
296-22-365	AMD-P	87-11-050	296-23-07906	AMD-P	87-11-050	296-23-720	AMD-E	87-12-044
296-22-365	AMD-E	87-12-044	296-23-07906	AMD-E	87-12-044	296-23-725	AMD-P	87-02-057
296-22-365	AMD	87-16-004	296-23-07906	AMD	87-16-004	296-23-725	AMD	87-08-004
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296-22-370	AMD-E	87-12-044	296-23-07907	AMD-E	87-12-044	296-23-811	AMD-E	87-11-051
296-22-370	AMD	87-16-004	296-23-07907	AMD	87-16-004	296-23-811	AMD	87-16-004
296-22-375	AMD-P	87-11-050	296-23-07908	AMD-P	87-11-050	296-23-811	AMD-E	87-16-007
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296-23A-100	NEW-E	87-02-042	296-23A-248	NEW	87-03-005	296-23A-355	AMD-E	87-12-044
296-23A-100	NEW	87-03-005	296-23A-250	NEW-E	87-02-042	296-23A-355	AMD	87-16-004
296-23A-100	AMD-P	87-11-050	296-23A-250	NEW	87-03-005	296-23A-360	NEW-E	87-02-042
296-23A-100	AMD-E	87-12-044	296-23A-252	NEW-E	87-02-042	296-23A-360	NEW	87-03-005
296-23A-100	AMD	87-16-004	296-23A-252	NEW	87-03-005	296-23A-360	AMD-P	87-11-050
296-23A-105	NEW-E	87-02-042	296-23A-252	AMD-P	87-11-050	296-23A-360	AMD	87-16-004
296-23A-105	NEW	87-03-005	296-23A-252	AMD-E	87-12-044	296-23A-360	AMD-E	87-12-044
296-23A-105	AMD-P	87-18-071	296-23A-252	AMD	87-16-004	296-23A-400	NEW-E	87-02-042
296-23A-105	AMD	87-24-050	296-23A-254	NEW-E	87-02-042	296-23A-400	NEW	87-03-005
296-23A-110	NEW-E	87-02-042	296-23A-254	NEW	87-03-005	296-23A-410	NEW-E	87-02-042
296-23A-110	NEW	87-03-005	296-23A-254	AMD-P	87-11-050	296-23A-410	NEW	87-03-005
296-23A-115	NEW-E	87-02-042	296-23A-254	AMD-E	87-12-044	296-23A-415	NEW-E	87-02-042
296-23A-115	NEW	87-03-005	296-23A-254	AMD	87-16-004	296-23A-415	NEW	87-03-005
296-23A-120	NEW-E	87-02-042	296-23A-256	NEW-E	87-02-042	296-23A-420	NEW-E	87-02-042
296-23A-120	NEW	87-03-005	296-23A-256	NEW	87-03-005	296-23A-420	NEW	87-03-005
296-23A-125	NEW-E	87-02-042	296-23A-256	AMD-P	87-11-050	296-23A-425	NEW-E	87-02-042
296-23A-125	NEW	87-03-005	296-23A-256	AMD-E	87-12-044	296-23A-425	NEW	87-03-005
296-23A-130	NEW-E	87-02-042	296-23A-256	AMD	87-16-004	296-23A-425	AMD-P	87-11-050
296-23A-130	NEW	87-03-005	296-23A-258	NEW-E	87-02-042	296-23A-425	AMD-E	87-11-050
296-23A-135	NEW-E	87-02-042	296-23A-258	NEW	87-03-005	296-23A-425	AMD	87-16-004
296-23A-135	NEW	87-03-005	296-23A-258	AMD-P	87-11-050	296-23A-425	AMD-E	87-16-007
296-23A-140	NEW-E	87-02-042	296-23A-258	AMD-E	87-12-044	296-24-12007	AMD-P	87-19-135
296-23A-140	NEW	87-03-005	296-23A-258	AMD	87-16-004	296-24-12007	AMD	87-24-051
296-23A-145	NEW-E	87-02-042	296-23A-260	NEW-E	87-02-042	296-24-14011	AMD-P	87-02-058
296-23A-145	NEW	87-03-005	296-23A-260	NEW	87-03-005	296-24-14011	AMD	87-07-022
296-23A-150	NEW-E	87-02-042	296-23A-260	AMD-P	87-11-050	296-24-58503	AMD-P	87-19-135
296-23A-150	NEW	87-03-005	296-23A-260	AMD-E	87-12-044	296-24-58503	AMD	87-24-051
296-23A-150	AMD-P	87-11-050	296-23A-260	AMD	87-16-004	296-24-58513	AMD-P	87-19-135
296-23A-150	AMD-E	87-12-044	296-23A-262	NEW-E	87-02-042	296-24-58513	AMD	87-24-051
296-23A-150	AMD	87-16-004	296-23A-262	NEW	87-03-005	296-24-59001	REP-P	87-19-135
296-23A-155	NEW-P	87-18-071	296-23A-262	AMD-P	87-11-050	296-24-59001	REP	87-24-051
296-23A-155	NEW	87-24-050	296-23A-262	AMD-E	87-12-044	296-24-59003	REP-P	87-19-135
296-23A-160	NEW-P	87-18-071	296-23A-262	AMD	87-16-004	296-24-59003	REP	87-24-051
296-23A-160	NEW	87-24-050	296-23A-264	NEW-E	87-02-042	296-24-59005	REP-P	87-19-135
296-23A-165	NEW-P	87-18-071	296-23A-264	NEW	87-03-005	296-24-59005	REP	87-24-051
296-23A-165	NEW	87-24-050	296-23A-266	NEW-E	87-02-042	296-24-59007	REP-P	87-19-135
296-23A-170	NEW-P	87-18-071	296-23A-266	NEW	87-03-005	296-24-59007	REP	87-24-051
296-23A-170	NEW	87-24-050	296-23A-266	AMD-P	87-11-050	296-24-59211	AMD-P	87-19-135
296-23A-175	NEW-P	87-18-071	296-23A-266	AMD-E	87-12-044	296-24-59211	AMD	87-24-051
296-23A-175	NEW	87-24-050	296-23A-266	AMD	87-16-004	296-24-600	REP-P	87-19-135
296-23A-180	NEW-P	87-18-071	296-23A-268	NEW-E	87-02-042	296-24-600	REP	87-24-051
296-23A-180	NEW	87-24-050	296-23A-268	NEW	87-03-005	296-24-60001	REP-P	87-19-135
296-23A-185	NEW-P	87-18-071	296-23A-300	NEW-E	87-02-042	296-24-60001	REP	87-24-051
296-23A-185	NEW	87-24-050	296-23A-300	NEW	87-03-005	296-24-60003	REP-P	87-19-135
296-23A-190	NEW-P	87-18-071	296-23A-310	NEW-E	87-02-042	296-24-60003	REP	87-24-051
296-23A-190	NEW	87-24-050	296-23A-310	NEW	87-03-005	296-24-60005	REP-P	87-19-135
296-23A-200	NEW-E	87-02-042	296-23A-315	NEW-E	87-02-042	296-24-60005	REP	87-24-051
296-23A-200	NEW	87-03-005	296-23A-315	NEW	87-03-005	296-24-60007	REP-P	87-19-135
296-23A-205	NEW-E	87-02-042	296-23A-320	NEW-E	87-02-042	296-24-60007	REP	87-24-051
296-23A-205	NEW	87-03-005	296-23A-320	NEW	87-03-005	296-24-60501	REP-P	87-19-135
296-23A-210	NEW-E	87-02-042	296-23A-325	NEW-E	87-02-042	296-24-60501	REP	87-24-051
296-23A-210	NEW	87-03-005	296-23A-325	NEW	87-03-005	296-24-60503	REP-P	87-19-135
296-23A-215	NEW-E	87-02-042	296-23A-325	AMD-P	87-11-050	296-24-60503	REP	87-24-051
296-23A-215	NEW	87-03-005	296-23A-325	AMD-E	87-12-044	296-24-60505	REP-P	87-19-135
296-23A-220	NEW-E	87-02-042	296-23A-325	AMD	87-16-004	296-24-60505	REP	87-24-051
296-23A-220	NEW	87-03-005	296-23A-330	NEW-E	87-02-042	296-24-60507	REP-P	87-19-135
296-23A-225	NEW-E	87-02-042	296-23A-330	NEW	87-03-005	296-24-60507	REP	87-24-051
296-23A-225	NEW	87-03-005	296-23A-335	NEW-E	87-02-042	296-24-60509	REP-P	87-19-135
296-23A-230	NEW-E	87-02-042	296-23A-335	NEW	87-03-005	296-24-60509	REP	87-24-051
296-23A-230	NEW	87-03-005	296-23A-335	AMD-P	87-11-050	296-24-615	REP-P	87-19-135
296-23A-235	NEW-E	87-02-042	296-23A-335	AMD-E	87-12-044	296-24-615	REP	87-24-051
296-23A-235	NEW	87-03-005	296-23A-335	AMD	87-16-004	296-24-61501	REP-P	87-19-135
296-23A-240	NEW-E	87-02-042	296-23A-340	NEW-E	87-02-042	296-24-61501	REP	87-24-051
296-23A-240	NEW	87-03-005	296-23A-340	NEW	87-03-005	296-24-61503	REP-P	87-19-135
296-23A-242	NEW-E	87-02-042	296-23A-340	AMD-P	87-11-050	296-24-61503	REP	87-24-051
296-23A-242	NEW	87-03-005	296-23A-340	AMD-E	87-12-044	296-24-61505	REP-P	87-19-135
296-23A-244	NEW-E	87-02-042	296-23A-340	AMD	87-16-004	296-24-61505	REP	87-24-051
296-23A-244	NEW	87-03-005	296-23A-345	NEW-E	87-02-042	296-24-620	REP-P	87-19-135
296-23A-244	AMD-P	87-11-050	296-23A-345	NEW	87-03-005	296-24-620	REP	87-24-051
296-23A-244	AMD-E	87-12-044	296-23A-345	AMD-P	87-11-050	296-24-62001	REP-P	87-19-135
296-23A-244	AMD	87-16-004	296-23A-345	AMD-E	87-12-044	296-24-62001	REP	87-24-051
296-23A-246	NEW-E	87-02-042	296-23A-345	AMD	87-16-004	296-24-62003	REP-P	87-19-135
296-23A-246	NEW	87-03-005	296-23A-350	NEW-E	87-02-042	296-24-62003	REP	87-24-051
296-23A-246	AMD-P	87-11-050	296-23A-350	NEW	87-03-005	296-24-625	REP-P	87-19-135
296-23A-246	AMD-E	87-12-044	296-23A-355	NEW-E	87-02-042	296-24-625	REP	87-24-051
296-23A-246	AMD	87-16-004	296-23A-355	NEW	87-03-005	296-24-63399	AMD-P	87-19-135

Table of WAC Sections Affected as of 12/31/87

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-24-63399	AMD	87-24-051	296-62-05403	AMD-P	87-19-135	296-62-07707	NEW	87-10-008
296-24-63599	AMD-P	87-19-135	296-62-05403	AMD	87-24-051	296-62-07707	AMD-P	87-19-135
296-24-63599	AMD	87-24-051	296-62-05405	AMD-P	87-05-055	296-62-07707	AMD	87-24-051
296-24-95601	AMD-P	87-19-135	296-62-05405	AMD	87-10-008	296-62-07709	NEW-P	87-05-055
296-24-95601	AMD	87-24-051	296-62-05405	AMD-P	87-19-135	296-62-07709	NEW	87-10-008
296-24-95603	AMD-P	87-19-135	296-62-05405	AMD	87-24-051	296-62-07709	AMD-P	87-19-135
296-24-95603	AMD	87-24-051	296-62-05427	AMD-P	87-05-055	296-62-07709	AMD	87-24-051
296-24-95605	AMD-P	87-19-135	296-62-05427	AMD	87-10-008	296-62-07711	NEW-P	87-05-055
296-24-95605	AMD	87-24-051	296-62-073	AMD-P	87-19-135	296-62-07711	NEW	87-10-008
296-24-95607	AMD-P	87-19-135	296-62-073	AMD	87-24-051	296-62-07711	AMD-P	87-19-135
296-24-95607	AMD	87-24-051	296-62-07304	AMD-P	87-19-135	296-62-07711	AMD	87-24-051
296-24-95609	AMD-P	87-19-135	296-62-07304	AMD	87-24-051	296-62-07712	NEW-P	87-19-135
296-24-95611	AMD	87-24-051	296-62-07310	AMD-P	87-19-135	296-62-07712	NEW	87-24-051
296-24-95611	AMD-P	87-19-135	296-62-07310	AMD	87-24-051	296-62-07713	NEW-P	87-05-055
296-24-95611	AMD	87-24-051	296-62-07353	AMD-P	87-02-058	296-62-07713	NEW	87-10-008
296-24-95613	AMD-P	87-19-135	296-62-07353	AMD	87-07-022	296-62-07713	AMD-P	87-19-135
296-24-95613	AMD	87-24-051	296-62-07353	REP-P	87-19-135	296-62-07713	AMD	87-24-051
296-27-160	AMD	87-03-011	296-62-07353	REP	87-24-051	296-62-07715	NEW-P	87-05-055
296-27-16001	AMD	87-03-011	296-62-07355	NEW-P	87-19-135	296-62-07715	NEW	87-10-008
296-27-16002	NEW	87-03-011	296-62-07355	NEW	87-24-051	296-62-07715	AMD-P	87-19-135
296-27-16003	AMD	87-03-011	296-62-07357	NEW-P	87-19-135	296-62-07715	AMD	87-24-051
296-27-16004	NEW	87-03-011	296-62-07357	NEW	87-24-051	296-62-07717	NEW-P	87-05-055
296-27-16005	REP	87-03-011	296-62-07359	NEW-P	87-19-135	296-62-07717	NEW	87-10-008
296-27-16007	AMD	87-03-011	296-62-07359	NEW	87-24-051	296-62-07717	AMD-P	87-19-135
296-27-16009	REP	87-03-011	296-62-07361	NEW-P	87-19-135	296-62-07717	AMD	87-24-051
296-27-16011	AMD	87-03-011	296-62-07361	NEW	87-24-051	296-62-07719	NEW-P	87-05-055
296-27-16013	REP	87-03-011	296-62-07363	NEW-P	87-19-135	296-62-07719	NEW	87-10-008
296-27-16015	REP	87-03-011	296-62-07563	NEW	87-24-051	296-62-07719	AMD-P	87-19-135
296-27-16017	REP	87-03-011	296-62-07365	NEW-P	87-19-135	296-62-07719	AMD	87-24-051
296-27-16018	NEW	87-03-011	296-62-07365	NEW	87-24-051	296-62-07721	NEW-P	87-05-055
296-27-16019	REP	87-03-011	296-62-07367	NEW-P	87-19-135	296-62-07721	NEW	87-10-008
296-27-16020	NEW	87-03-011	296-62-07367	NEW	87-24-051	296-62-07721	AMD-P	87-19-135
296-27-16021	REP	87-03-011	296-62-07369	NEW-P	87-19-135	296-62-07721	AMD	87-24-051
296-27-16022	NEW	87-03-011	296-62-07369	NEW	87-24-051	296-62-07723	NEW-P	87-05-055
296-27-16023	REP	87-03-011	296-62-07371	NEW-P	87-19-135	296-62-07723	NEW	87-10-008
296-27-16026	NEW	87-03-011	296-62-07371	NEW	87-24-051	296-62-07723	AMD-P	87-19-135
296-46-110	AMD-P	87-06-047	296-62-07373	NEW-P	87-19-135	296-62-07723	AMD	87-24-051
296-46-110	AMD	87-10-030	296-62-07373	NEW	87-24-051	296-62-07725	NEW-P	87-05-055
296-46-130	AMD-P	87-06-047	296-62-07375	NEW-P	87-19-135	296-62-07725	NEW	87-10-008
296-46-130	AMD	87-10-030	296-62-07375	NEW	87-24-051	296-62-07725	AMD-P	87-19-135
296-46-140	AMD-P	87-06-047	296-62-07377	NEW-P	87-19-135	296-62-07725	AMD	87-24-051
296-46-140	AMD	87-10-030	296-62-07377	NEW	87-24-051	296-62-07727	NEW-P	87-05-055
296-46-150	AMD-P	87-06-047	296-62-07379	NEW-P	87-19-135	296-62-07727	NEW	87-10-008
296-46-150	AMD	87-10-030	296-62-07379	NEW	87-24-051	296-62-07727	AMD-P	87-19-135
296-46-160	AMD-P	87-06-047	296-62-07381	NEW-P	87-19-135	296-62-07727	AMD	87-24-051
296-46-160	AMD	87-10-030	296-62-07381	NEW	87-24-051	296-62-07729	NEW-P	87-05-055
296-46-180	AMD-P	87-06-047	296-62-07383	NEW-P	87-19-135	296-62-07729	NEW	87-10-008
296-46-180	AMD	87-10-030	296-62-07383	NEW	87-24-051	296-62-07729	REP-P	87-19-135
296-46-200	AMD-P	87-06-047	296-62-07385	NEW-P	87-19-135	296-62-07729	REP	87-24-051
296-46-200	AMD	87-10-030	296-62-07385	NEW	87-24-051	296-62-07731	NEW-P	87-05-055
296-46-220	AMD-P	87-06-047	296-62-07387	NEW-P	87-19-135	296-62-07731	NEW	87-10-008
296-46-220	AMD	87-10-030	296-62-07387	NEW	87-24-051	296-62-07731	AMD-P	87-19-135
296-46-240	AMD-P	87-06-047	296-62-07389	NEW-P	87-19-135	296-62-07731	AMD	87-24-051
296-46-240	AMD	87-10-030	296-62-07389	NEW	87-24-051	296-62-07733	NEW-P	87-05-055
296-46-316	NEW-P	87-06-047	296-62-07515	AMD-P	87-19-135	296-62-07733	NEW	87-10-008
296-46-316	NEW	87-10-030	296-62-07515	AMD	87-24-051	296-62-07733	AMD-P	87-19-135
296-46-350	AMD-P	87-06-047	296-62-07517	AMD-P	87-05-055	296-62-07733	AMD	87-24-051
296-46-350	AMD	87-10-030	296-62-07517	AMD	87-10-008	296-62-07735	NEW-P	87-05-055
296-46-370	AMD-P	87-06-047	296-62-07517	AMD-P	87-19-135	296-62-07735	NEW	87-10-008
296-46-370	AMD	87-10-030	296-62-07517	AMD	87-24-051	296-62-07735	AMD-P	87-19-135
296-46-420	AMD-P	87-06-047	296-62-077	NEW-P	87-05-055	296-62-07735	AMD	87-24-051
296-46-420	AMD	87-10-030	296-62-077	NEW	87-10-008	296-62-07737	NEW-P	87-05-055
296-46-422	NEW-P	87-06-047	296-62-07701	NEW-P	87-05-055	296-62-07737	NEW	87-10-008
296-46-422	NEW	87-10-030	296-62-07701	NEW	87-10-008	296-62-07737	AMD-P	87-19-135
296-46-495	AMD-P	87-06-047	296-62-07701	AMD-P	87-19-135	296-62-07737	AMD	87-24-051
296-46-495	AMD	87-10-030	296-62-07701	AMD	87-24-051	296-62-07739	NEW-P	87-05-055
296-46-514	NEW-P	87-06-047	296-62-07703	NEW-P	87-05-055	296-62-07739	NEW	87-10-008
296-46-514	NEW	87-10-030	296-62-07703	NEW	87-10-008	296-62-07739	AMD-P	87-19-135
296-46-680	AMD-P	87-06-047	296-62-07703	AMD-P	87-19-135	296-62-07739	AMD	87-24-051
296-46-680	AMD	87-10-030	296-62-07703	AMD	87-24-051	296-62-07741	NEW-P	87-05-055
296-46-910	AMD-P	87-06-047	296-62-07705	NEW-P	87-05-055	296-62-07741	NEW	87-10-008
296-46-910	AMD	87-10-030	296-62-07705	NEW	87-10-008	296-62-07741	AMD-P	87-19-135
296-46-920	AMD-P	87-06-047	296-62-07705	AMD-P	87-19-135	296-62-07741	AMD	87-24-051
296-46-920	AMD	87-10-030	296-62-07705	AMD	87-24-051	296-62-07743	NEW-P	87-05-055
296-46-940	AMD-P	87-06-047	296-62-07706	NEW-P	87-19-135	296-62-07743	NEW	87-10-008
296-54-505	AMD-P	87-19-135	296-62-07706	NEW	87-24-051	296-62-07743	AMD-P	87-19-135
296-54-505	AMD	87-24-051	296-62-07707	NEW-P	87-05-055	296-62-07743	AMD	87-24-051

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-62-07745	NEW-P	87-05-055	296-116-080	AMD-C	88-01-097	296-155-17535	REP	87-24-051
296-62-07745	NEW	87-10-008	296-116-082	AMD-E	87-23-032	296-155-17540	NEW-P	87-05-055
296-62-07745	AMD-P	87-19-135	296-116-082	AMD-P	87-24-084	296-155-17540	NEW	87-10-008
296-62-07745	AMD	87-24-051	296-116-120	AMD-P	87-24-085	296-155-17540	REP-P	87-19-135
296-62-07747	NEW-P	87-05-055	296-116-120	AMD-C	88-01-098	296-155-17540	REP	87-24-051
296-62-07747	NEW	87-10-008	296-116-175	NEW-P	87-16-083	296-155-17545	NEW-P	87-05-055
296-62-07747	AMD-P	87-19-135	296-116-175	NEW-E	87-19-099	296-155-17545	NEW	87-10-008
296-62-07747	AMD	87-24-051	296-116-175	NEW	87-19-100	296-155-17545	REP-P	87-19-135
296-62-07749	NEW-P	87-05-055	296-116-185	AMD-P	87-22-079	296-155-17545	REP	87-24-051
296-62-07749	NEW	87-10-008	296-116-300	AMD-P	87-22-060	296-155-17550	NEW-P	87-05-055
296-62-07749	AMD-P	87-19-135	296-116-360	NEW-P	87-24-086	296-155-17550	NEW	87-10-008
296-62-07749	AMD	87-24-051	296-116-360	NEW-C	88-01-099	296-155-17550	REP-P	87-19-135
296-62-07751	NEW-P	87-19-135	296-116-400	NEW-P	87-24-087	296-155-17550	REP	87-24-051
296-62-07751	NEW	87-24-051	296-116-400	NEW-C	88-01-100	296-155-17555	NEW-P	87-05-055
296-62-07753	NEW-P	87-19-135	296-116-410	NEW-P	87-24-088	296-155-17555	NEW	87-10-008
296-62-07753	NEW	87-24-051	296-116-410	NEW-C	88-01-101	296-155-17555	REP-P	87-19-135
296-62-07761	NEW-P	87-19-135	296-150B-030	AMD-P	87-15-031	296-155-17555	REP	87-24-051
296-62-07761	NEW	87-24-051	296-150B-035	AMD-P	87-15-031	296-155-17560	NEW-P	87-05-055
296-62-14531	REP-P	87-19-135	296-150B-035	AMD	87-21-040	296-155-17560	NEW	87-10-008
296-62-14531	REP	87-24-051	296-150B-050	AMD-P	87-15-031	296-155-17560	REP-P	87-19-135
296-62-14533	AMD-P	87-19-135	296-150B-050	AMD	87-21-040	296-155-17560	REP	87-24-051
296-62-14533	AMD	87-24-051	296-150B-060	AMD-P	87-15-031	296-155-17565	NEW-P	87-05-055
296-62-14537	NEW-P	87-19-135	296-150B-060	AMD	87-21-040	296-155-17565	NEW	87-10-008
296-62-14537	NEW	87-24-051	296-150B-122	NEW-P	87-15-031	296-155-17565	REP-P	87-19-135
296-62-14539	NEW-P	87-19-135	296-150B-122	NEW	87-21-040	296-155-17565	REP	87-24-051
296-62-14539	NEW	87-24-051	296-150B-125	AMD-P	87-15-031	296-155-17570	NEW-P	87-05-055
296-62-14541	NEW-P	87-19-135	296-150B-125	AMD	87-21-040	296-155-17570	NEW	87-10-008
296-62-14541	NEW	87-24-051	296-150B-185	AMD-P	87-15-031	296-155-17570	REP-P	87-19-135
296-62-146	REP-P	87-19-135	296-150B-185	AMD	87-21-040	296-155-17570	REP	87-24-051
296-62-146	REP	87-24-051	296-150B-200	AMD-P	87-15-031	296-155-17575	NEW-P	87-05-055
296-62-14603	REP-P	87-19-135	296-150B-200	AMD	87-21-040	296-155-17575	NEW	87-10-008
296-62-14603	REP	87-24-051	296-150B-320	NEW-E	87-11-060	296-155-17575	REP-P	87-19-135
296-65-003	AMD-P	87-19-135	296-150B-320	NEW-P	87-15-017	296-155-17575	REP	87-24-051
296-65-003	AMD	87-24-051	296-150B-320	NEW-E	87-17-064	296-155-177	NEW-P	87-05-055
296-65-005	AMD-P	87-05-055	296-150B-513	AMD-P	87-15-031	296-155-177	NEW	87-10-008
296-65-005	AMD	87-10-008	296-150B-513	AMD	87-21-040	296-155-177	REP-P	87-19-135
296-65-005	AMD-P	87-19-135	296-150B-515	NEW-P	87-15-031	296-155-177	REP	87-24-051
296-65-005	AMD	87-24-051	296-150B-515	NEW	87-21-040	296-155-179	NEW-P	87-05-055
296-65-015	AMD-P	87-05-055	296-155-160	AMD-P	87-05-055	296-155-179	NEW	87-10-008
296-65-015	AMD	87-10-008	296-155-160	AMD	87-10-008	296-155-179	REP-P	87-19-135
296-65-015	AMD-P	87-19-135	296-155-160	AMD-P	87-19-135	296-155-179	REP	87-24-051
296-65-015	AMD	87-24-051	296-155-160	AMD	87-24-051	296-155-181	NEW-P	87-05-055
296-65-020	AMD-P	87-05-055	296-155-175	NEW-P	87-05-055	296-155-181	NEW	87-10-008
296-65-020	AMD	87-10-008	296-155-175	NEW	87-10-008	296-155-181	REP-P	87-19-135
296-65-020	AMD-P	87-19-135	296-155-175	REP-P	87-19-135	296-155-181	REP	87-24-051
296-65-020	AMD	87-24-051	296-155-175	REP	87-24-051	296-155-183	NEW-P	87-05-055
296-65-025	AMD-P	87-19-135	296-155-17505	NEW-P	87-05-055	296-155-183	NEW	87-10-008
296-65-025	AMD	87-24-051	296-155-17505	NEW	87-10-008	296-155-183	REP-P	87-19-135
296-65-030	AMD-P	87-05-055	296-155-17505	REP-P	87-19-135	296-155-183	REP	87-24-051
296-65-030	AMD	87-10-008	296-155-17505	REP	87-24-051	296-155-185	NEW-P	87-05-055
296-65-040	AMD-P	87-05-055	296-155-17510	NEW-P	87-05-055	296-155-185	NEW	87-10-008
296-65-040	AMD	87-10-008	296-155-17510	NEW	87-10-008	296-155-185	REP-P	87-19-135
296-65-040	REP-P	87-19-135	296-155-17510	REP-P	87-19-135	296-155-185	REP	87-24-051
296-65-040	REP	87-24-051	296-155-17510	REP	87-24-051	296-155-187	NEW-P	87-05-055
296-65-045	REP-P	87-19-135	296-155-17515	NEW-P	87-05-055	296-155-187	NEW	87-10-008
296-65-045	REP	87-24-051	296-155-17515	NEW	87-10-008	296-155-187	REP-P	87-19-135
296-81-007	AMD-P	87-14-077	296-155-17515	REP-P	87-19-135	296-155-187	REP	87-24-051
296-81-007	AMD	87-23-007	296-155-17515	REP	87-24-051	296-155-189	NEW-P	87-05-055
296-81-008	AMD-P	87-14-077	296-155-17520	NEW-P	87-05-055	296-155-189	NEW	87-10-008
296-81-008	AMD	87-23-007	296-155-17520	NEW	87-10-008	296-155-189	REP-P	87-19-135
296-104-010	AMD-P	87-20-097	296-155-17520	REP-P	87-19-135	296-155-189	REP	87-24-051
296-104-010	AMD	88-01-064	296-155-17520	REP	87-24-051	296-155-191	NEW-P	87-05-055
296-104-220	AMD-P	87-20-097	296-155-17525	NEW-P	87-05-055	296-155-191	NEW	87-10-008
296-104-220	AMD	88-01-064	296-155-17525	NEW	87-10-008	296-155-191	REP-P	87-19-135
296-104-265	AMD-P	87-20-097	296-155-17525	REP-P	87-19-135	296-155-191	REP	87-24-051
296-104-265	AMD	88-01-064	296-155-17525	REP	87-24-051	296-155-193	NEW-P	87-05-055
296-104-701	NEW-P	87-07-023	296-155-17530	NEW-P	87-05-055	296-155-193	NEW	87-10-008
296-104-701	NEW-E	87-07-024	296-155-17530	NEW	87-10-008	296-155-193	REP-P	87-19-135
296-104-701	NEW	87-12-003	296-155-17530	REP-P	87-19-135	296-155-193	REP	87-24-051
296-104-800	NEW-P	87-20-097	296-155-17530	REP	87-24-051	296-155-265	AMD-P	87-02-058
296-104-800	NEW	88-01-064	296-155-17532	NEW-P	87-05-055	296-155-265	AMD-C	87-07-021
296-116-020	AMD-P	87-24-081	296-155-17532	NEW	87-10-008	296-155-265	AMD-W	87-13-008
296-116-020	AMD-C	88-01-095	296-155-17532	REP-P	87-19-135	296-155-270	AMD-P	87-02-058
296-116-030	AMD-P	87-24-082	296-155-17532	REP	87-24-051	296-155-270	AMD-C	87-07-021
296-116-030	AMD-C	88-01-096	296-155-17535	NEW-P	87-05-055	296-155-270	AMD-W	87-13-008
296-116-080	AMD-P	87-02-053	296-155-17535	NEW	87-10-008	296-155-405	AMD-P	87-02-058
296-116-080	AMD-P	87-24-083	296-155-17535	REP-P	87-19-135	296-155-405	AMD-C	87-07-021

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296-155-405	AMD-W	87-13-008	296-306-006	NEW-C	87-02-056	308-20-040	AMD-E	87-16-019
296-155-425	REP-P	87-02-058	296-306-006	NEW-C	87-05-023	308-20-040	AMD-P	87-17-056
296-155-425	REP-C	87-07-021	296-306-006	NEW	87-09-079	308-20-040	AMD	87-21-010
296-155-425	REP-W	87-13-008	296-306-009	NEW-C	87-02-056	308-20-060	AMD-E	87-16-019
296-155-426	NEW-P	87-02-058	296-306-009	NEW-C	87-05-023	308-20-060	AMD-P	87-17-056
296-155-426	NEW-C	87-07-021	296-306-009	NEW	87-09-079	308-20-060	AMD	87-21-010
296-155-426	NEW-W	87-13-008	296-306-012	NEW-C	87-02-056	308-20-200	REP-P	87-07-046
296-155-428	NEW-P	87-02-058	296-306-012	NEW-C	87-05-023	308-20-200	REP	87-10-028
296-155-428	NEW-C	87-07-021	296-306-012	NEW	87-09-079	308-20-210	NEW-P	87-07-046
296-155-428	NEW-W	87-13-008	296-306-025	AMD-C	87-02-056	308-20-210	NEW	87-10-028
296-155-429	NEW-P	87-02-058	296-306-025	AMD-C	87-05-023	308-25-065	AMD-P	87-07-046
296-155-429	NEW-C	87-07-021	296-306-025	AMD	87-09-079	308-25-065	AMD	87-10-028
296-155-429	NEW-W	87-13-008	296-306-057	NEW-C	87-02-056	308-26-025	NEW-P	87-13-042
296-155-430	REP-P	87-02-058	296-306-057	NEW-C	87-05-023	308-26-025	NEW-E	87-15-018
296-155-430	REP-C	87-07-021	296-306-057	NEW	87-09-079	308-26-025	NEW-E	87-21-065
296-155-430	REP-W	87-13-008	296-306-27095	AMD-P	87-19-135	308-26-025	NEW	87-22-019
296-155-432	NEW-P	87-02-058	296-306-27095	AMD	87-24-051	308-26-040	REP-P	87-07-046
296-155-432	NEW-C	87-07-021	296-306-300	NEW-C	87-02-056	308-26-040	REP	87-10-028
296-155-432	NEW-W	87-13-008	296-306-300	NEW-C	87-05-023	308-26-045	NEW-P	87-07-046
296-155-434	NEW-P	87-02-058	296-306-300	NEW	87-09-079	308-26-045	NEW	87-10-028
296-155-434	NEW-C	87-07-021	296-306-310	NEW-C	87-02-056	308-29-030	AMD-P	87-07-025
296-155-434	NEW-W	87-13-008	296-306-310	NEW-C	87-05-023	308-29-030	AMD	87-11-064
296-155-435	REP-P	87-02-058	296-306-310	NEW	87-09-079	308-29-045	AMD-P	87-07-046
296-155-435	REP-C	87-07-021	296-306-320	NEW-C	87-02-056	308-29-045	AMD	87-10-028
296-155-435	REP-W	87-13-008	296-306-320	NEW-C	87-05-023	308-29-060	AMD-P	87-07-025
296-155-437	NEW-P	87-02-058	296-306-320	NEW	87-09-079	308-29-060	AMD	87-11-064
296-155-437	NEW-C	87-07-021	296-350-500	AMD-P	87-19-135	308-29-070	AMD-P	87-07-025
296-155-437	NEW-W	87-13-008	296-350-500	AMD	87-24-051	308-29-070	AMD	87-11-064
296-155-440	REP-P	87-02-058	296-350-990	AMD-P	87-19-135	308-29-080	AMD-P	87-07-025
296-155-440	REP-C	87-07-021	296-350-990	AMD	87-24-051	308-29-080	AMD	87-11-064
296-155-440	REP-W	87-13-008	296-400-045	AMD-P	88-01-046	308-31-015	AMD	87-04-050
296-155-441	NEW-P	87-02-058	300-12-010	AMD-P	87-16-100	308-31-025	NEW	87-04-050
296-155-441	NEW-C	87-07-021	300-12-010	AMD	87-20-071	308-31-025	AMD-P	87-04-054
296-155-441	NEW-W	87-13-008	300-12-015	AMD-P	87-16-100	308-31-025	AMD	87-09-045
296-155-444	NEW-P	87-02-058	300-12-015	AMD	87-20-071	308-31-055	AMD-P	87-07-046
296-155-444	NEW-C	87-07-021	300-12-020	AMD-P	87-16-100	308-31-055	AMD-P	87-13-057
296-155-444	NEW-W	87-13-008	300-12-020	AMD	87-20-071	308-31-055	AMD-E	87-14-088
296-155-447	NEW-P	87-02-058	304-12-030	NEW-P	87-16-099	308-31-055	AMD	87-18-031
296-155-447	NEW-C	87-07-021	304-12-030	NEW	87-20-070	308-31-100	AMD	87-04-050
296-155-447	NEW-W	87-13-008	304-12-035	NEW-P	87-16-099	308-31-120	AMD	87-04-050
296-155-449	NEW-P	87-02-058	304-12-035	NEW	87-20-070	308-31-500	AMD	87-04-050
296-155-449	NEW-C	87-07-021	304-12-140	AMD-P	87-04-066	308-31-500	AMD-P	87-04-054
296-155-449	NEW-W	87-13-008	304-12-140	AMD	87-07-029	308-31-500	AMD	87-09-045
296-155-450	REP-P	87-02-058	308-04-020	NEW-P	87-13-041	308-32-080	AMD-P	87-16-106
296-155-450	REP-C	87-07-021	308-04-020	NEW-W	87-14-085	308-32-080	AMD	87-21-011
296-155-450	REP-W	87-13-008	308-04-020	NEW-P	87-18-064	308-32-090	REP-P	87-07-046
296-155-452	NEW-P	87-02-058	308-04-020	NEW	87-21-014	308-32-100	NEW-P	87-07-046
296-155-452	NEW-C	87-07-021	308-11-030	AMD-P	87-07-046	308-33-011	AMD-P	87-11-061
296-155-452	NEW-W	87-13-008	308-11-030	AMD	87-10-028	308-33-011	AMD	87-21-088
296-155-455	REP-P	87-02-058	308-11-035	AMD-P	87-23-051	308-33-020	AMD-P	87-11-061
296-155-455	REP-C	87-07-021	308-11-035	AMD	88-01-122	308-33-020	AMD	87-21-088
296-155-455	REP-W	87-13-008	308-11-100	AMD-P	87-16-106	308-33-030	AMD-P	87-11-061
296-155-456	NEW-P	87-02-058	308-11-100	AMD	87-21-011	308-33-030	AMD	87-21-088
296-155-456	NEW-C	87-07-021	308-12-031	AMD-P	87-21-087	308-33-040	REP-P	87-11-061
296-155-456	NEW-W	87-13-008	308-12-031	AMD	88-01-035	308-33-040	REP	87-21-088
296-155-459	NEW-P	87-02-058	308-12-083	NEW-P	87-14-016	308-33-050	REP-P	87-11-061
296-155-459	NEW-C	87-07-021	308-12-083	NEW	87-19-095	308-33-050	REP	87-21-088
296-155-459	NEW-W	87-13-008	308-12-085	AMD-P	87-14-016	308-33-060	AMD-P	87-11-061
296-155-462	NEW-P	87-02-058	308-12-085	AMD	87-19-095	308-33-060	AMD	87-21-088
296-155-462	NEW-C	87-07-021	308-12-115	AMD-P	87-14-016	308-33-080	AMD-P	87-11-061
296-155-462	NEW-W	87-13-008	308-12-115	AMD	87-19-095	308-33-080	AMD	87-21-088
296-155-745	AMD-P	87-02-058	308-12-150	AMD-P	87-14-016	308-33-095	AMD-P	87-11-061
296-155-745	AMD-C	87-07-021	308-12-150	AMD	87-19-095	308-33-095	AMD	87-21-088
296-155-745	AMD-W	87-13-008	308-12-312	AMD-E	87-04-049	308-33-105	AMD-P	87-07-046
296-155-775	AMD-P	87-05-055	308-12-312	REP-P	87-07-046	308-33-105	AMD	87-10-028
296-155-775	AMD	87-10-008	308-12-312	REP	87-10-028	308-34-080	AMD-P	87-16-106
296-155-775	AMD-P	87-19-135	308-12-326	NEW-P	87-07-046	308-34-080	AMD	87-21-011
296-155-775	AMD	87-24-051	308-12-326	NEW	87-10-028	308-34-090	NEW-P	87-07-046
296-200-340	AMD	87-07-003	308-13-150	AMD-E	87-03-031	308-34-090	NEW-P	87-13-057
296-200-350	AMD	87-07-003	308-13-150	AMD-P	87-07-046	308-34-090	NEW-E	87-14-088
296-200-370	AMD	87-07-003	308-13-150	AMD-P	87-10-024	308-34-090	NEW	87-18-031
296-306-003	NEW-C	87-02-056	308-13-150	AMD-E	87-10-026	308-37-130	AMD-P	87-20-090
296-306-003	NEW-C	87-05-023	308-13-150	AMD-P	87-24-061	308-37-190	AMD-P	87-07-045
296-306-003	NEW	87-09-079	308-13-160	NEW-P	87-10-025	308-37-190	AMD-W	87-09-095
296-306-005	REP-C	87-02-056	308-13-160	NEW-E	87-10-027	308-37-190	AMD-P	87-09-096
296-306-005	REP-C	87-05-023	308-13-160	NEW	88-01-022	308-37-190	AMD-W	87-11-026
296-306-005	REP	87-09-079	308-13-160	NEW-E	88-01-023	308-37-190	REP-P	87-18-063

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308-37-190	REP-C	87-21-086	308-51-210	NEW-P	87-13-057	308-61-210	AMD-E	87-22-030
308-40-102	AMD-P	87-06-051	308-51-210	NEW-E	87-14-088	308-61-210	AMD-C	88-01-032
308-40-102	AMD	87-09-097	308-51-210	NEW	87-18-031	308-61-240	AMD-E	87-16-053
308-40-105	AMD-P	87-06-051	308-52-138	AMD-P	87-24-097	308-61-240	AMD-P	87-22-029
308-40-105	AMD	87-09-097	308-52-139	AMD-P	87-13-054	308-61-240	AMD-E	87-22-030
308-40-125	AMD-P	87-07-046	308-52-139	AMD-P	87-24-097	308-61-240	AMD-C	88-01-032
308-40-125	AMD-P	87-13-057	308-52-140	AMD-P	87-13-054	308-61-260	AMD-E	87-16-053
308-40-125	AMD-E	87-14-088	308-52-140	AMD-P	87-24-097	308-61-260	AMD-P	87-22-029
308-40-125	AMD	87-18-031	308-52-1401	NEW-P	87-24-097	308-61-260	AMD-E	87-22-030
308-41-025	REP-P	87-07-046	308-52-1402	NEW-P	87-24-097	308-61-260	AMD-C	88-01-032
308-42-040	AMD-P	87-05-061	308-52-141	AMD-P	87-13-054	308-61-330	AMD-E	87-16-053
308-42-040	AMD	87-08-065	308-52-147	NEW-P	87-13-054	308-61-330	AMD-P	87-22-029
308-42-075	AMD-P	87-07-046	308-52-147	NEW-P	87-24-097	308-61-330	AMD-E	87-22-030
308-42-075	AMD	87-10-028	308-52-148	NEW-P	87-13-054	308-61-330	AMD-C	88-01-032
308-42-210	NEW-P	87-14-086	308-52-315	REP-P	87-07-046	308-61-430	AMD-E	87-16-053
308-42-210	NEW	87-18-040	308-52-315	REP	87-10-028	308-61-430	AMD-P	87-22-029
308-42-220	NEW-P	87-14-086	308-52-590	NEW-P	87-07-046	308-61-430	AMD-E	87-22-030
308-42-220	NEW	87-18-040	308-52-590	NEW	87-10-028	308-61-430	AMD-C	88-01-032
308-42-230	NEW-P	87-14-086	308-52-590	AMD-P	87-16-107	308-79-050	REP-P	87-13-083
308-42-230	NEW	87-18-040	308-52-590	AMD	87-19-130	308-79-050	REP	87-16-058
308-42-240	NEW-P	87-14-086	308-53-020	AMD-P	87-07-046	308-90-010	REP-E	87-14-072
308-42-240	NEW	87-18-040	308-53-020	AMD	87-10-028	308-90-010	REP-E	87-21-009
308-42-250	NEW-P	87-14-086	308-53-084	AMD-C	87-02-060	308-90-010	REP-P	87-23-023
308-42-250	NEW	87-18-040	308-53-084	AMD	87-09-046	308-90-020	REP-E	87-14-072
308-42-260	NEW-P	87-14-086	308-53-085	AMD-C	87-02-060	308-90-020	REP-E	87-21-009
308-42-260	NEW	87-18-040	308-53-085	AMD	87-09-046	308-90-020	REP-P	87-23-023
308-42-270	NEW-P	87-14-086	308-53-320	NEW-P	87-09-074	308-90-030	AMD-E	87-14-072
308-42-270	NEW	87-18-040	308-53-320	NEW	87-17-020	308-90-030	AMD-E	87-21-009
308-42-280	NEW-P	87-14-086	308-53-330	NEW-P	87-09-075	308-90-030	AMD-P	87-23-023
308-42-280	NEW	87-18-040	308-54-315	AMD-P	87-07-046	308-90-040	AMD-E	87-14-072
308-48-030	AMD-P	88-01-132	308-54-315	AMD-P	87-13-057	308-90-040	AMD-E	87-21-009
308-48-031	NEW-P	88-01-132	308-54-315	AMD-E	87-14-088	308-90-040	AMD-P	87-23-023
308-48-075	NEW-P	87-08-051	308-54-315	AMD	87-18-031	308-90-050	REP-E	87-14-072
308-48-075	NEW	87-11-063	308-55-025	AMD-P	87-07-046	308-90-050	REP-E	87-21-009
308-48-085	AMD-P	88-01-132	308-55-025	AMD-P	87-13-057	308-90-050	REP-P	87-23-023
308-48-200	AMD-P	87-21-063	308-55-025	AMD-E	87-14-088	308-90-060	AMD-E	87-14-072
308-48-200	AMD	88-01-024	308-55-025	AMD	87-18-031	308-90-060	AMD-E	87-21-009
308-48-210	NEW-P	87-08-051	308-56A-006	NEW-P	87-04-069	308-90-060	AMD-P	87-23-023
308-48-210	NEW	87-11-063	308-56A-021	NEW-P	87-17-050	308-90-070	AMD-E	87-14-072
308-48-250	REP-P	87-07-046	308-56A-021	NEW	87-21-012	308-90-070	AMD-E	87-21-009
308-48-250	REP	87-10-028	308-56A-022	NEW-P	87-17-050	308-90-070	AMD-P	87-23-023
308-48-550	AMD-P	87-21-063	308-56A-022	NEW	87-21-012	308-90-080	AMD-E	87-14-072
308-48-550	AMD	88-01-024	308-56A-023	NEW-P	87-17-050	308-90-080	AMD-E	87-21-009
308-48-590	AMD-P	87-21-063	308-56A-023	NEW	87-21-012	308-90-080	AMD-P	87-23-023
308-48-590	AMD	88-01-024	308-56A-115	AMD-P	87-04-069	308-90-090	AMD-E	87-14-072
308-48-800	NEW-P	87-07-046	308-56A-125	AMD-P	87-04-069	308-90-090	AMD-E	87-21-009
308-48-800	NEW	87-10-028	308-56A-155	NEW-P	87-04-069	308-90-090	AMD-P	87-23-023
308-49-140	AMD-P	87-15-105	308-56A-156	NEW-P	87-04-069	308-90-110	AMD-E	87-14-072
308-49-140	AMD	87-18-053	308-56A-160	NEW-P	87-04-069	308-90-110	AMD-E	87-21-009
308-49-140	AMD-P	88-01-132	308-56A-195	AMD-P	87-04-069	308-90-110	AMD-P	87-23-023
308-49-170	AMD-P	87-15-105	308-56A-300	AMD-P	87-17-050	308-90-120	NEW-E	87-14-072
308-49-170	AMD	87-18-053	308-56A-300	AMD	87-21-012	308-90-120	NEW-E	87-21-009
308-49-170	AMD-P	88-01-132	308-61-026	AMD-E	87-16-053	308-90-120	NEW-P	87-23-023
308-49-180	REP-P	87-15-105	308-61-026	AMD-P	87-22-029	308-90-130	NEW-E	87-14-072
308-49-180	REP	87-18-053	308-61-026	AMD-E	87-22-030	308-90-130	NEW-E	87-21-009
308-50-010	AMD-P	87-10-066	308-61-026	AMD-C	88-01-032	308-90-130	NEW-P	87-23-023
308-50-010	AMD	87-14-030	308-61-050	AMD-E	87-16-053	308-90-140	NEW-E	87-14-072
308-50-020	AMD-P	87-10-066	308-61-050	REP-P	87-22-029	308-90-140	NEW-E	87-21-009
308-50-020	AMD	87-14-030	308-61-050	REP-E	87-22-030	308-90-140	NEW-P	87-23-023
308-50-035	NEW-P	87-10-066	308-61-108	AMD-E	87-16-053	308-90-150	NEW-E	87-14-072
308-50-035	NEW	87-14-030	308-61-108	AMD-P	87-22-029	308-90-150	NEW-E	87-21-009
308-50-375	REP-P	87-07-046	308-61-108	AMD-E	87-22-030	308-90-150	NEW-P	87-23-023
308-50-375	REP-P	87-13-057	308-61-108	AMD-C	88-01-032	308-90-160	NEW-E	87-14-072
308-50-375	REP-E	87-14-088	308-61-135	AMD-E	87-16-053	308-90-160	NEW-E	87-21-009
308-50-375	REP	87-18-031	308-61-135	AMD-P	87-22-029	308-90-160	NEW-P	87-23-023
308-50-440	NEW-P	87-07-046	308-61-135	AMD-E	87-22-030	308-93-010	AMD-P	87-04-068
308-50-440	NEW-P	87-13-057	308-61-135	AMD-C	88-01-032	308-93-010	AMD	87-09-073
308-50-440	NEW-E	87-14-088	308-61-158	AMD-E	87-16-053	308-93-074	AMD-P	87-04-068
308-50-440	NEW	87-18-031	308-61-158	AMD-P	87-22-029	308-93-074	AMD	87-09-073
308-51-125	NEW-P	87-18-052	308-61-158	AMD-E	87-22-030	308-93-295	NEW-P	87-21-048
308-51-125	NEW-E	87-19-001	308-61-158	AMD-C	88-01-032	308-93-295	NEW	88-01-011
308-51-125	NEW	87-21-049	308-61-175	AMD-E	87-16-053	308-94	AMD	87-03-041
308-51-200	REP-P	87-07-046	308-61-175	AMD-P	87-22-029	308-94-010	AMD	87-03-041
308-51-200	REP-P	87-13-057	308-61-175	AMD-E	87-22-030	308-94-020	REP	87-03-041
308-51-200	REP-E	87-14-088	308-61-175	AMD-C	88-01-032	308-94-030	AMD	87-03-041
308-51-200	REP	87-18-031	308-61-210	AMD-E	87-16-053	308-94-035	NEW-P	87-20-092
308-51-210	NEW-P	87-07-046	308-61-210	AMD-P	87-22-029	308-94-035	NEW	87-24-032

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-94-040	AMD	87-03-041	308-99-021	AMD-P	87-14-087	308-124A-030	AMD	87-20-091
308-94-050	AMD	87-03-041	308-99-021	AMD-E	87-16-022	308-124A-040	AMD-P	87-17-068
308-94-060	REP	87-03-041	308-99-021	AMD	87-21-013	308-124A-040	AMD	87-20-091
308-94-070	AMD	87-03-041	308-99-025	AMD-P	87-14-087	308-124A-110	AMD-P	87-17-068
308-94-080	AMD	87-03-041	308-99-025	AMD-E	87-16-022	308-124A-110	AMD	87-20-091
308-94-100	AMD	87-03-041	308-99-025	AMD	87-21-013	308-124A-115	NEW-P	87-14-054
308-94-110	AMD	87-03-041	308-99-040	AMD-P	87-14-087	308-124A-115	NEW-E	87-16-020
308-94-160	AMD	87-03-041	308-99-040	AMD-E	87-16-022	308-124A-115	NEW	87-17-051
308-94-170	AMD	87-03-041	308-99-040	AMD	87-21-013	308-124A-120	AMD-P	87-17-068
308-94-180	REP	87-03-041	308-100-010	AMD-E	87-12-024	308-124A-120	AMD	87-20-091
308-94-181	NEW	87-03-041	308-100-010	AMD-P	87-15-139	308-124A-130	AMD-P	87-17-068
308-94-190	REP	87-03-041	308-100-010	AMD	87-19-129	308-124A-130	AMD	87-20-091
308-94-191	NEW	87-03-041	308-104-004	NEW-P	87-15-139	308-124A-200	AMD-P	87-14-054
308-94-200	AMD	87-03-041	308-104-004	NEW	87-19-129	308-124A-200	AMD-E	87-16-020
308-94-210	AMD	87-03-041	308-104-006	NEW-P	87-15-139	308-124A-200	AMD	87-17-051
308-94-220	AMD	87-03-041	308-104-006	NEW	87-19-129	308-124A-205	NEW-P	87-17-068
308-94-230	REP	87-03-041	308-104-008	NEW-P	87-15-139	308-124A-205	NEW	87-20-091
308-94-240	AMD	87-03-041	308-104-008	NEW	87-19-129	308-124A-210	REP-P	87-17-068
308-94-250	AMD	87-03-041	308-104-050	AMD-P	87-15-139	308-124A-210	REP	87-20-091
308-94-260	REP	87-03-041	308-104-050	AMD	87-19-129	308-124A-410	AMD-P	87-17-068
308-94-261	NEW	87-03-041	308-115-140	AMD-P	87-16-106	308-124A-410	AMD	87-20-091
308-94-265	NEW	87-03-041	308-115-140	AMD	87-21-011	308-124A-420	AMD-P	87-17-068
308-94-270	NEW	87-03-041	308-115-405	AMD-P	87-07-046	308-124A-420	AMD	87-20-091
308-96A-005	AMD-P	87-04-067	308-115-405	AMD-P	87-13-057	308-124A-450	AMD-P	87-17-068
308-96A-005	AMD	87-12-023	308-115-405	AMD-E	87-14-088	308-124A-450	AMD	87-20-091
308-96A-021	NEW-P	87-04-067	308-115-405	AMD	87-18-031	308-124A-460	NEW-P	87-14-054
308-96A-021	NEW	87-12-023	308-116-325	REP-P	87-07-046	308-124A-460	NEW	87-17-051
308-96A-046	AMD-P	87-21-064	308-116-325	REP	87-10-028	308-124A-470	NEW-E	87-16-020
308-96A-046	AMD	88-01-010	308-117-080	AMD-P	88-01-121	308-124B-040	REP-P	87-17-068
308-96A-056	NEW-P	87-21-064	308-117-130	AMD-P	87-10-067	308-124B-040	REP	87-20-091
308-96A-056	NEW	88-01-010	308-117-130	AMD	87-17-021	308-124B-100	AMD-P	87-17-068
308-96A-061	NEW-P	87-21-064	308-117-200	AMD-P	87-10-067	308-124B-100	AMD	87-20-091
308-96A-061	NEW	88-01-010	308-117-200	AMD	87-17-021	308-124B-120	AMD-P	87-17-068
308-96A-062	NEW-P	87-21-064	308-117-300	AMD-P	87-10-067	308-124B-120	AMD	87-20-091
308-96A-062	NEW	88-01-010	308-117-300	AMD	87-17-021	308-124B-130	AMD-P	87-17-068
308-96A-065	AMD-P	87-04-067	308-117-500	NEW-P	87-07-046	308-124B-130	AMD	87-20-091
308-96A-065	AMD	87-12-023	308-117-500	NEW	87-10-028	308-124B-150	NEW-E	87-20-064
308-96A-100	AMD-P	87-04-067	308-120-162	AMD-P	87-15-103	308-124C-010	AMD-P	87-17-068
308-96A-100	AMD	87-12-023	308-120-162	AMD	87-23-050	308-124C-010	AMD	87-20-091
308-96A-136	NEW-P	87-04-067	308-120-165	AMD-P	87-15-103	308-124C-030	AMD-P	87-17-068
308-96A-136	NEW	87-12-023	308-120-165	AMD	87-23-050	308-124C-030	AMD	87-20-091
308-96A-175	NEW-P	87-21-064	308-120-186	AMD-P	87-15-103	308-124C-040	AMD-P	87-17-068
308-96A-175	NEW	88-01-010	308-120-186	AMD-P	88-01-103	308-124C-040	AMD	87-20-091
308-96A-205	AMD-P	87-04-067	308-120-275	AMD-P	87-07-046	308-124D-040	AMD	87-05-065
308-96A-205	AMD	87-12-023	308-120-275	AMD	87-10-028	308-124D-050	NEW-P	87-17-068
308-96A-220	AMD-P	87-04-067	308-120-335	AMD-P	88-01-102	308-124D-050	NEW	87-20-091
308-96A-220	AMD	87-12-023	308-120-511	AMD-P	87-15-103	308-124E-011	AMD-P	87-17-068
308-96A-295	NEW	88-01-011	308-120-511	AMD	87-23-050	308-124E-011	AMD	87-20-091
308-96A-300	AMD-P	87-04-067	308-120-700	NEW-P	87-15-103	308-124E-011	REP-E	88-02-038
308-96A-300	AMD	87-12-023	308-120-700	NEW	87-23-050	308-124E-012	NEW-E	88-02-038
308-96A-306	NEW-P	87-04-067	308-120-710	NEW-P	87-15-103	308-124E-013	NEW-E	88-02-038
308-96A-306	NEW	87-12-023	308-120-710	NEW	87-23-050	308-124E-014	NEW-E	88-02-038
308-96A-310	AMD-P	87-04-067	308-120-720	NEW-P	87-15-103	308-124F-010	AMD-P	87-17-068
308-96A-310	AMD-P	87-21-064	308-120-720	NEW	87-23-050	308-124F-010	AMD	87-20-091
308-96A-310	AMD	88-01-010	308-120-730	NEW-P	87-15-103	308-124H-010	AMD-P	87-17-068
308-96A-325	AMD-P	87-04-067	308-120-730	NEW	87-23-050	308-124H-010	AMD	87-20-091
308-96A-325	AMD	87-12-023	308-120-740	NEW-P	87-15-103	308-124H-030	AMD-P	87-17-068
308-96A-325	AMD-P	87-21-064	308-120-740	NEW	87-23-050	308-124H-030	AMD	87-20-091
308-96A-325	AMD	88-01-010	308-122-200	AMD-P	87-15-104	308-124H-038	NEW-P	87-17-068
308-96A-330	AMD-P	87-04-067	308-122-200	AMD	87-19-096	308-124H-038	NEW	87-20-091
308-96A-330	AMD	87-12-023	308-122-275	AMD-P	87-07-046	308-124H-040	AMD-P	87-17-068
308-96A-335	AMD-P	87-04-067	308-122-275	AMD	87-10-028	308-124H-040	AMD	87-20-091
308-96A-335	AMD	87-12-023	308-124-001	AMD-P	87-17-068	308-124H-070	AMD-P	87-17-068
308-96A-400	AMD-P	87-04-067	308-124-001	AMD	87-20-091	308-124H-070	AMD	87-20-091
308-96A-400	AMD	87-12-023	308-124-005	AMD-P	87-17-068	308-127-150	REP-P	87-19-153
308-96A-410	NEW-P	87-04-067	308-124-005	AMD	87-20-091	308-127-150	REP-E	87-20-001
308-96A-410	NEW	87-12-023	308-124-007	AMD-P	87-17-068	308-127-155	NEW-P	87-19-153
308-96A-415	NEW-P	87-04-067	308-124-021	AMD	87-20-091	308-127-155	NEW-E	87-20-001
308-96A-415	NEW	87-12-023	308-124-021	AMD-P	87-17-068	308-128B-080	NEW-P	87-13-056
308-96A-420	NEW-P	87-04-067	308-124-021	AMD	87-20-091	308-128B-080	NEW	87-18-032
308-96A-420	NEW	87-12-023	308-124A-010	AMD-P	87-17-068	308-138-080	AMD-P	87-07-046
308-99-010	AMD-P	87-14-087	308-124A-010	AMD	87-20-091	308-138-080	AMD	87-10-028
308-99-010	AMD-E	87-16-022	308-124A-020	AMD-P	87-17-068	308-138-321	NEW-P	87-04-048
308-99-010	AMD	87-21-013	308-124A-020	AMD	87-20-091	308-138-321	NEW	87-11-062
308-99-020	AMD-P	87-14-087	308-124A-025	AMD-P	87-17-068	308-138-322	NEW-P	87-04-048
308-99-020	AMD-E	87-16-022	308-124A-025	AMD	87-20-091	308-138-322	NEW	87-11-062
308-99-020	AMD	87-21-013	308-124A-030	AMD-P	87-17-068	308-138-323	NEW-P	87-04-048

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-138-323	NEW	87-11-062	308-180-100	REP-P	87-07-046	314-16-155	REP	87-21-037
308-138-324	NEW-P	87-04-048	308-180-100	REP-P	87-13-057	314-16-160	AMD-C	87-03-025
308-138-324	NEW	87-11-062	308-180-100	REP-E	87-14-088	314-16-160	AMD	87-04-017
308-138-325	NEW-P	87-04-048	308-180-100	REP	87-18-031	314-16-205	AMD-P	87-13-012
308-138-325	NEW-P	87-14-017	308-180-130	NEW-E	87-03-013	314-16-205	AMD	87-15-110
308-138-325	NEW-P	87-20-098	308-180-130	NEW	87-06-050	314-16-240	NEW-P	87-12-027
308-138-325	NEW	88-01-104	308-180-140	NEW-E	87-03-013	314-16-240	NEW-E	87-15-112
308-138-326	NEW-P	87-04-048	308-180-140	NEW	87-06-050	314-16-240	NEW	87-15-113
308-138-326	NEW	87-11-062	308-180-150	NEW-E	87-03-013	314-20-020	AMD-P	87-05-045
308-138-327	NEW-P	87-04-048	308-180-150	NEW	87-06-050	314-20-020	AMD	87-08-015
308-138-327	NEW	87-11-062	308-180-160	NEW-E	87-03-013	314-20-020	AMD-P	87-18-047
308-138-328	NEW-P	87-04-048	308-180-160	NEW	87-06-050	314-20-020	AMD	87-21-036
308-138-328	NEW-P	87-14-017	308-180-170	NEW-E	87-03-013	314-20-050	AMD-P	87-17-062
308-138-328	NEW-P	87-20-098	308-180-170	NEW	87-06-050	314-20-050	AMD	87-20-013
308-138-328	NEW	88-01-104	308-180-190	NEW-E	87-03-013	314-24-090	AMD-P	87-05-044
308-138-330	AMD-P	87-04-048	308-180-190	NEW	87-06-050	314-24-090	AMD	87-08-016
308-138-330	AMD	87-11-062	308-180-200	NEW-E	87-03-013	314-24-090	AMD-P	87-18-047
308-138A-020	AMD-P	87-04-048	308-180-200	NEW	87-06-050	314-24-090	AMD	87-21-036
308-138A-020	AMD	87-13-004	308-180-210	NEW-E	87-03-013	314-24-095	NEW-E	87-12-020
308-138A-020	AMD-P	87-14-046	308-180-210	NEW	87-06-050	314-24-095	NEW-P	87-12-028
308-138A-020	AMD	87-20-099	308-180-220	NEW-E	87-03-013	314-24-095	NEW	87-15-016
308-138A-025	AMD-P	87-14-046	308-180-220	NEW	87-06-050	314-24-110	AMD-P	87-13-013
308-138A-025	AMD	87-20-099	308-180-230	NEW-E	87-03-013	314-24-110	AMD	87-15-111
308-152-015	REP-P	87-07-046	308-180-230	NEW	87-06-050	314-24-150	AMD-P	87-17-062
308-152-015	REP	87-10-028	308-180-240	NEW-E	87-03-013	314-24-150	AMD	87-20-013
308-152-030	NEW-P	87-07-046	308-180-240	NEW	87-06-050	314-24-190	AMD-P	87-13-013
308-152-030	NEW	87-10-028	308-180-250	NEW-E	87-03-013	314-24-190	AMD	87-15-111
308-171-001	AMD-P	87-05-062	308-180-250	NEW	87-06-050	314-24-200	AMD-P	87-13-013
308-171-001	AMD	87-09-044	308-180-260	NEW-P	87-07-046	314-24-200	AMD	87-15-111
308-171-002	AMD-P	87-05-062	308-180-260	NEW-P	87-13-057	314-24-210	AMD-P	87-13-059
308-171-002	AMD	87-09-044	308-180-260	NEW-E	87-14-088	314-24-210	AMD	87-16-003
308-171-003	NEW-P	87-05-062	308-180-260	NEW	87-18-031	314-27	REVIEW	87-03-034
308-171-003	NEW	87-09-044	308-185-010	NEW-P	87-24-062	314-27-010	REVIEW	87-03-034
308-171-010	AMD-P	87-05-062	308-190-010	NEW-P	87-13-053	314-28	REVIEW	88-02-023
308-171-010	AMD	87-09-044	308-190-010	NEW	87-18-033	314-32	REVIEW	88-02-023
308-171-020	AMD-P	87-05-062	308-190-020	NEW-P	87-16-106	314-36	REVIEW	88-02-023
308-171-020	AMD	87-09-044	308-190-020	NEW	87-21-011	314-36-020	AMD-P	87-04-063
308-171-030	AMD	87-04-015	308-195-010	NEW-P	87-24-062	314-36-020	AMD	87-07-008
308-171-030	REP-P	87-07-046	308-400-095	NEW-P	87-13-055	314-36-100	AMD-P	87-04-063
308-171-030	REP	87-10-028	308-400-095	NEW-E	87-16-021	314-36-100	AMD	87-07-008
308-171-040	AMD	87-04-015	308-400-095	NEW-E	87-16-057	314-36-110	AMD-P	87-04-063
308-171-310	NEW-P	87-07-046	308-400-095	NEW	87-16-059	314-36-110	AMD	87-07-008
308-171-310	NEW	87-10-028	308-400-100	NEW-P	87-13-055	314-36-150	AMD-P	87-04-063
308-175-040	AMD-P	87-17-067	308-400-100	NEW-E	87-16-021	314-36-150	AMD	87-07-008
308-175-040	AMD	87-23-022	308-400-100	NEW-E	87-16-057	314-40-040	AMD-P	87-22-072
308-175-050	AMD-P	87-17-067	308-400-100	NEW	87-16-059	314-40-040	AMD	88-01-016
308-175-050	AMD	87-23-022	308-400-110	NEW-P	87-13-055	314-52-114	AMD	87-04-026
308-175-065	NEW-P	87-17-067	308-400-110	NEW-E	87-16-021	315-02-020	AMD	87-05-005
308-175-065	NEW	87-23-022	308-400-110	NEW-E	87-16-057	315-04-070	AMD-P	87-07-051
308-175-075	NEW-P	87-17-067	308-400-110	NEW	87-16-059	315-04-070	AMD	87-10-043
308-175-075	NEW	87-23-022	308-410-010	NEW-P	87-24-098	315-04-090	AMD-P	87-07-051
308-175-085	NEW-P	87-17-067	308-410-020	NEW-P	87-24-098	315-04-090	AMD	87-10-043
308-175-085	NEW	87-23-022	308-410-030	NEW-P	87-24-098	315-04-190	AMD	87-05-005
308-175-090	AMD-P	87-17-067	308-410-040	NEW-P	87-24-098	315-04-190	AMD-P	87-14-057
308-175-090	AMD	87-23-022	308-410-050	NEW-P	87-24-098	315-04-190	AMD	87-17-012
308-175-095	NEW-P	87-17-067	308-410-060	NEW-P	87-24-098	315-06-020	AMD-P	87-14-057
308-175-095	NEW	87-23-022	308-410-070	NEW-P	87-24-098	315-06-020	AMD	87-17-012
308-175-100	NEW-P	87-17-067	314-12-025	NEW-P	87-13-060	315-06-120	AMD-P	87-14-057
308-175-100	NEW	87-23-022	314-12-025	NEW	87-16-002	315-06-120	AMD	87-17-012
308-175-105	NEW-P	87-17-067	314-12-070	AMD-P	87-13-060	315-10-060	AMD-P	87-14-057
308-175-105	NEW	87-23-022	314-12-070	AMD	87-16-002	315-10-060	AMD	87-17-012
308-175-110	NEW-P	87-17-067	314-12-100	AMD-P	88-01-033	315-11-200	REP-P	87-21-094
308-175-110	NEW	87-23-022	314-12-140	AMD	87-04-018	315-11-201	REP-P	87-21-094
308-175-115	NEW-P	87-17-067	314-12-145	NEW-E	87-11-043	315-11-202	REP-P	87-21-094
308-175-115	NEW	87-23-022	314-12-145	NEW-P	87-11-044	315-11-210	REP-P	87-21-094
308-175-120	NEW-P	87-17-067	314-12-145	NEW	87-14-009	315-11-211	REP-P	87-21-094
308-175-120	NEW	87-23-022	314-12-150	AMD-P	87-11-019	315-11-212	REP-P	87-21-094
308-175-125	NEW-P	87-17-067	314-12-150	AMD	87-14-010	315-11-220	REP-P	87-21-094
308-175-125	NEW	87-23-022	314-16-020	AMD-P	87-19-108	315-11-221	REP-P	87-21-094
308-175-130	NEW-P	87-17-067	314-16-020	AMD	87-22-018	315-11-222	REP-P	87-21-094
308-175-130	NEW	87-23-022	314-16-040	AMD-P	87-17-023	315-11-230	REP-P	87-21-094
308-175-135	NEW-P	87-17-067	314-16-040	AMD	87-20-014	315-11-231	REP-P	87-21-094
308-175-135	NEW	87-23-022	314-16-070	AMD-P	87-22-073	315-11-232	REP-P	87-21-094
308-175-140	NEW-P	87-17-067	314-16-070	AMD	88-01-015	315-11-240	NEW	87-05-005
308-175-140	NEW	87-23-022	314-16-115	AMD-P	87-19-107	315-11-240	REP-P	87-21-094
308-180-100	AMD-E	87-03-013	314-16-115	AMD	87-22-017	315-11-241	NEW	87-05-005
308-180-100	AMD	87-06-050	314-16-155	REP-P	87-18-046	315-11-241	REP-P	87-21-094

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
315-11-242	NEW	87-05-005	320-08-090	AMD	87-14-053	320-20-030	AMD	87-14-047
315-11-242	REP-P	87-21-094	320-08-100	AMD-P	87-10-068	320-20-060	REP-P	87-10-069
315-11-250	NEW-P	87-07-050	320-08-100	AMD	87-14-053	320-20-060	REP	87-14-047
315-11-250	NEW-E	87-07-052	320-08-140	AMD-P	87-10-068	322-12-010	AMD	87-04-035
315-11-250	NEW	87-10-043	320-08-140	AMD	87-14-053	323-12-010	NEW	87-05-014
315-11-250	REP-P	87-21-094	320-08-160	AMD-P	87-10-068	323-12-020	NEW	87-05-014
315-11-251	NEW-P	87-07-050	320-08-160	AMD	87-14-053	323-12-030	NEW	87-05-014
315-11-251	NEW-E	87-07-052	320-08-180	AMD-P	87-10-068	323-12-040	NEW	87-05-014
315-11-251	NEW	87-10-043	320-08-180	AMD	87-14-053	323-12-050	NEW	87-05-014
315-11-251	AMD-E	87-12-007	320-08-190	AMD-P	87-10-068	323-12-060	NEW	87-05-014
315-11-251	REP-P	87-21-094	320-08-190	AMD	87-14-053	323-12-070	NEW	87-05-014
315-11-252	NEW-P	87-07-050	320-08-200	AMD-P	87-10-068	323-12-080	NEW	87-05-014
315-11-252	NEW-E	87-07-052	320-08-200	AMD	87-14-053	323-12-090	NEW	87-05-014
315-11-252	NEW	87-10-043	320-08-210	AMD-P	87-10-068	323-12-100	NEW	87-05-014
315-11-252	REP-P	87-21-094	320-08-210	AMD	87-14-053	323-12-110	NEW	87-05-014
315-11-260	NEW-P	87-07-050	320-08-260	AMD-P	87-10-068	323-12-120	NEW	87-05-014
315-11-260	NEW	87-10-043	320-08-260	AMD	87-14-053	326-02-030	AMD-P	87-15-143
315-11-261	NEW-P	87-07-050	320-08-270	AMD-P	87-10-068	326-02-030	AMD	87-18-030
315-11-261	NEW	87-10-043	320-08-270	AMD	87-14-053	326-02-030	AMD-P	87-20-088
315-11-262	NEW-P	87-07-050	320-08-300	AMD-P	87-10-068	326-20-010	AMD-P	87-15-143
315-11-262	NEW	87-10-043	320-08-300	AMD	87-14-053	326-20-010	AMD	87-18-030
315-11-270	NEW-P	87-07-050	320-08-310	AMD-P	87-10-068	326-20-050	AMD-P	87-15-143
315-11-270	NEW	87-10-043	320-08-310	AMD	87-14-053	326-20-050	AMD	87-18-030
315-11-271	NEW-P	87-07-050	320-08-350	AMD-P	87-10-068	326-20-080	AMD-P	87-15-143
315-11-271	NEW	87-10-043	320-08-350	AMD	87-14-053	326-20-080	AMD	87-18-030
315-11-272	NEW-P	87-07-050	320-08-370	AMD-P	87-10-068	326-20-090	REP-E	87-16-066
315-11-272	NEW	87-10-043	320-08-370	AMD	87-14-053	326-20-090	REP-P	87-20-088
315-11-280	NEW-P	87-14-058	320-08-380	AMD-P	87-10-068	326-20-300	NEW-E	87-16-065
315-11-280	NEW	87-17-047	320-08-380	AMD	87-14-053	326-20-300	NEW-P	87-20-088
315-11-281	NEW-P	87-14-058	320-08-390	AMD-P	87-10-068	326-30-039	NEW-E	87-13-037
315-11-281	NEW	87-17-047	320-08-390	AMD	87-14-053	326-30-039	NEW-P	87-15-143
315-11-282	NEW-P	87-14-058	320-08-400	AMD-P	87-10-068	326-30-039	NEW-E	87-18-028
315-11-282	NEW	87-17-047	320-08-400	AMD	87-14-053	326-30-039	NEW	87-18-029
315-11-290	NEW-P	87-14-058	320-08-410	AMD-P	87-10-068	332-10-180	AMD-P	87-15-101
315-11-290	NEW	87-17-047	320-08-410	AMD	87-14-053	332-10-180	AMD-C	87-20-066
315-11-290	AMD-E	88-02-005	320-08-420	AMD-P	87-10-068	332-10-180	AMD-E	87-21-004
315-11-291	NEW-P	87-14-058	320-08-420	AMD	87-14-053	332-10-180	AMD	87-21-005
315-11-291	NEW	87-17-047	320-08-430	AMD-P	87-10-068	332-16-010	REP-P	87-15-102
315-11-291	AMD-E	88-02-005	320-08-430	AMD	87-14-053	332-16-010	REP-C	87-20-067
315-11-292	NEW-P	87-14-058	320-08-440	AMD-P	87-10-068	332-16-010	REP-E	87-21-006
315-11-292	NEW	87-17-047	320-08-440	AMD	87-14-053	332-16-010	REP	87-21-007
315-11-300	NEW-P	87-21-093	320-08-445	NEW-P	87-10-068	332-16-020	REP-P	87-15-102
315-11-300	NEW	88-02-004	320-08-445	NEW	87-14-053	332-16-020	REP-C	87-20-067
315-11-301	NEW-P	87-21-093	320-08-450	AMD-P	87-10-068	332-16-020	REP-E	87-21-006
315-11-301	NEW	88-02-004	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
315-11-302	NEW	88-02-004	320-08-460	AMD	87-14-053	332-16-030	REP-C	87-20-067
315-14-010	NEW-P	87-14-058	320-08-470	AMD-P	87-10-068	332-16-030	REP-E	87-21-006
315-14-010	NEW	87-17-047	320-08-470	AMD	87-14-053	332-16-030	REP	87-21-007
315-30-090	AMD-P	87-14-057	320-08-510	AMD-P	87-10-068	332-16-035	NEW-E	87-15-035
315-30-090	AMD	87-17-012	320-08-510	AMD	87-14-053	332-16-035	NEW-P	87-15-101
315-32-040	AMD-P	87-17-066	320-08-520	AMD-P	87-10-068	332-16-035	NEW-C	87-20-066
315-32-040	AMD-C	87-20-002	320-08-520	AMD	87-14-053	332-16-035	NEW-E	87-21-004
315-32-040	AMD	87-22-032	320-08-530	AMD-P	87-10-068	332-16-035	NEW	87-21-005
315-32-050	AMD-P	87-17-066	320-08-530	AMD	87-14-053	332-16-040	AMD-E	87-15-100
315-32-050	AMD-C	87-20-002	320-08-540	AMD-P	87-10-068	332-16-040	REP-P	87-15-102
315-32-050	AMD	87-22-032	320-08-540	AMD	87-14-053	332-16-040	REP-C	87-20-067
315-32-060	AMD-P	87-17-066	320-12-030	AMD-P	87-10-069	332-16-040	REP-E	87-21-006
315-32-060	AMD-C	87-20-002	320-12-030	AMD	87-14-047	332-16-040	REP	87-21-007
315-32-060	AMD	87-22-032	320-12-050	AMD-P	87-10-069	332-16-045	NEW-P	87-15-101
320-08-001	NEW-P	87-10-068	320-12-050	AMD	87-14-047	332-16-045	NEW-C	87-20-066
320-08-001	NEW	87-14-053	320-12-060	AMD-P	87-10-069	332-16-045	NEW-E	87-21-004
320-08-010	AMD-P	87-10-068	320-12-060	AMD	87-14-047	332-16-045	NEW	87-21-005
320-08-010	AMD	87-14-053	320-12-070	AMD-P	87-10-069	332-16-050	REP-P	87-15-102
320-08-030	AMD-P	87-10-068	320-12-070	AMD	87-14-047	332-16-050	REP-C	87-20-067
320-08-030	AMD	87-14-053	320-16-001	REP-P	87-10-069	332-16-050	REP-E	87-21-006
320-08-040	AMD-P	87-10-068	320-16-001	REP	87-14-047	332-16-050	REP	87-21-007
320-08-040	AMD	87-14-053	320-16-010	REP-P	87-10-069	332-16-055	NEW-P	87-15-102
320-08-050	AMD-P	87-10-068	320-16-010	REP	87-14-047	332-16-055	NEW-C	87-20-067
320-08-050	AMD	87-14-053	320-16-015	REP-P	87-10-069	332-16-055	NEW-E	87-21-006
320-08-055	NEW-P	87-10-068	320-16-015	REP	87-14-047	332-16-055	NEW	87-21-007
320-08-055	NEW	87-14-053	320-18-020	NEW-P	87-24-100	332-16-060	REP-P	87-15-102
320-08-070	AMD-P	87-10-068	320-20-010	AMD-P	87-10-069	332-16-060	REP-C	87-20-067
320-08-070	AMD	87-14-053	320-20-010	AMD	87-14-047	332-16-060	REP-E	87-21-006
320-08-080	AMD-P	87-10-068	320-20-020	AMD-P	87-10-069	332-16-060	REP	87-21-007
320-08-080	AMD	87-14-053	320-20-020	AMD	87-14-047	332-16-065	NEW-P	87-15-102
320-08-090	AMD-P	87-10-068	320-20-030	AMD-P	87-10-069	332-16-065	NEW-C	87-20-067

Table of WAC Sections Affected as of 12/31/87

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
332-16-065	NEW-E	87-21-006	332-16-160	REP-P	87-15-102	332-16-255	NEW-C	87-20-067
332-16-065	NEW	87-21-007	332-16-160	REP-C	87-20-067	332-16-255	NEW-E	87-21-006
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
332-16-070	REP-E	87-21-006	332-16-165	NEW-C	87-20-067	332-16-260	REP-E	87-21-006
332-16-070	REP	87-21-007	332-16-165	NEW-E	87-21-006	332-16-260	REP	87-21-007
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	332-16-185	NEW	87-21-007	332-16-320	REP-C	87-20-067
332-16-095	NEW-E	87-21-006	332-16-190	REP-P	87-15-102	332-16-320	REP-E	87-21-006
332-16-095	NEW	87-21-007	332-16-190	REP-C	87-20-067	332-16-320	REP	87-21-007
332-16-100	AMD-E	87-15-100	332-16-190	REP-E	87-21-006	332-16-320	REP-P	87-15-102
332-16-100	REP-P	87-15-102	332-16-190	REP	87-21-007	332-16-330	REP-C	87-20-067
332-16-100	REP-C	87-20-067	332-16-195	NEW-P	87-15-102	332-16-330	REP-E	87-21-006
332-16-100	REP-E	87-21-006	332-16-195	NEW-C	87-20-067	332-16-330	REP	87-21-007
332-16-100	REP	87-21-007	332-16-195	NEW-E	87-21-006	332-16-330	REP-P	87-15-102
332-16-105	NEW-P	87-15-102	332-16-195	NEW	87-21-007	332-16-330	REP-C	87-20-067
332-16-105	NEW-C	87-20-067	332-16-200	REP-P	87-15-102	332-16-340	REP-E	87-21-006
332-16-105	NEW-E	87-21-006	332-16-200	REP-C	87-20-067	332-16-340	REP	87-21-007
332-16-105	NEW	87-21-007	332-16-200	REP-E	87-21-006	332-16-340	REP-P	87-06-055
332-16-110	REP-P	87-15-102	332-16-200	REP	87-21-007	332-24-001	REP-P	87-06-055
332-16-110	REP-C	87-20-067	332-16-205	NEW-P	87-15-102	332-24-001	REP	87-11-005
332-16-110	REP-E	87-21-006	332-16-205	NEW-C	87-20-067	332-24-005	NEW-P	87-06-055
332-16-110	REP	87-21-007	332-16-205	NEW-E	87-21-006	332-24-005	NEW	87-11-005
332-16-115	NEW-P	87-15-102	332-16-205	NEW	87-21-007	332-24-015	NEW-P	87-06-055
332-16-115	NEW-C	87-20-067	332-16-210	REP-P	87-15-102	332-24-015	NEW	87-11-005
332-16-115	NEW-E	87-21-006	332-16-210	REP-C	87-20-067	332-24-020	REP-P	87-06-055
332-16-115	NEW	87-21-007	332-16-210	REP-E	87-21-006	332-24-020	REP	87-11-005
332-16-120	REP-P	87-15-102	332-16-210	REP	87-21-007	332-24-025	REP-P	87-06-055
332-16-120	REP-C	87-20-067	332-16-215	NEW-P	87-15-102	332-24-025	REP	87-11-005
332-16-120	REP-E	87-21-006	332-16-215	NEW-C	87-20-067	332-24-027	REP-P	87-06-055
332-16-120	REP	87-21-007	332-16-215	NEW-E	87-21-006	332-24-027	REP	87-11-005
332-16-125	NEW-P	87-15-102	332-16-220	NEW	87-21-007	332-24-055	REP-P	87-06-055
332-16-125	NEW-C	87-20-067	332-16-220	REP-P	87-15-102	332-24-055	REP	87-11-005
332-16-125	NEW-E	87-21-006	332-16-220	REP-C	87-20-067	332-24-056	REP-P	87-06-055
332-16-125	NEW	87-21-007	332-16-220	REP-E	87-21-006	332-24-056	REP	87-11-005
332-16-130	REP-P	87-15-102	332-16-220	REP	87-21-007	332-24-057	REP-P	87-06-055
332-16-130	REP-C	87-20-067	332-16-225	NEW-P	87-15-102	332-24-057	REP	87-11-005
332-16-130	REP-E	87-21-006	332-16-225	NEW-C	87-20-067	332-24-058	REP-P	87-06-055
332-16-130	REP	87-21-007	332-16-225	NEW-E	87-21-006	332-24-058	REP	87-11-005
332-16-135	NEW-P	87-15-102	332-16-225	NEW	87-21-007	332-24-059	REP-P	87-06-055
332-16-135	NEW-C	87-20-067	332-16-230	REP-P	87-15-102	332-24-059	REP	87-11-005
332-16-135	NEW-E	87-21-006	332-16-230	REP-C	87-20-067	332-24-060	REP-P	87-06-055
332-16-135	NEW	87-21-007	332-16-230	REP-E	87-21-006	332-24-060	REP	87-11-005
332-16-140	REP-P	87-15-102	332-16-230	REP	87-21-007	332-24-063	REP-P	87-06-055
332-16-140	REP-C	87-20-067	332-16-235	NEW-P	87-15-102	332-24-063	REP	87-11-005
332-16-140	REP-E	87-21-006	332-16-235	NEW-C	87-20-067	332-24-070	REP-P	87-06-055
332-16-140	REP	87-21-007	332-16-235	NEW-E	87-21-006	332-24-070	REP	87-11-005
332-16-145	NEW-P	87-15-102	332-16-240	NEW	87-21-007	332-24-090	REP-P	87-06-055
332-16-145	NEW-C	87-20-067	332-16-240	REP-P	87-15-102	332-24-090	REP	87-11-005
332-16-145	NEW-E	87-21-006	332-16-240	REP-C	87-20-067	332-24-095	REP-P	87-06-055
332-16-145	NEW	87-21-007	332-16-240	REP-E	87-21-006	332-24-095	REP	87-11-005
332-16-150	AMD-E	87-15-100	332-16-240	REP	87-21-007	332-24-100	REP-P	87-06-055
332-16-150	REP-P	87-15-102	332-16-245	NEW-P	87-15-102	332-24-100	REP	87-11-005
332-16-150	REP-C	87-20-067	332-16-245	NEW-C	87-20-067	332-24-105	REP-P	87-06-055
332-16-150	REP-E	87-21-006	332-16-245	NEW-E	87-21-006	332-24-105	REP	87-11-005
332-16-150	REP	87-21-007	332-16-245	NEW	87-21-007	332-24-10501	REP-P	87-06-055
332-16-155	NEW-P	87-15-102	332-16-250	REP-P	87-15-102	332-24-10501	REP	87-11-005
332-16-155	NEW-C	87-20-067	332-16-250	REP-C	87-20-067	332-24-10502	REP-P	87-06-055
332-16-155	NEW-E	87-21-006	332-16-250	REP-E	87-21-006	332-24-10502	REP	87-11-005
332-16-155	NEW	87-21-007	332-16-255	REP	87-21-007	332-24-150	REP-P	87-06-055
				NEW-P	87-15-102	332-24-150	REP	87-11-005

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
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
332-24-192	REP-P	87-06-055	332-24-410	REP	87-11-005	332-26-101b	REP-E	87-17-048
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	REP	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
332-24-301	NEW-P	87-06-055	332-26-021a	NEW-E	87-22-036	332-26-105	REP-E	87-22-036
332-24-301	NEW	87-11-005	332-26-031	NEW-E	87-15-012	332-26-105a	NEW-E	87-22-036
332-24-310	REP-P	87-06-055	332-26-031	REP-E	87-18-041	332-26-105a	REP-E	87-23-024
332-24-310	REP	87-11-005	332-26-040	NEW-E	87-15-008	332-26-500	NEW-E	87-21-076
332-24-320	REP-P	87-06-055	332-26-040	REP-E	87-20-053	332-26-500	REP-E	87-22-015
332-24-320	REP	87-11-005	332-26-040a	NEW-E	87-20-053	332-26-500a	NEW-E	87-22-015
332-24-330	REP-P	87-06-055	332-26-040a	REP-E	87-21-076	332-26-500a	AMD-E	87-22-036
332-24-330	REP	87-11-005	332-26-041	NEW-E	87-21-038	332-26-500a	REP-E	87-22-042
332-24-340	REP-P	87-06-055	332-26-041	REP-E	87-22-036	332-52	AMD-C	87-18-020
332-24-340	REP	87-11-005	332-26-041a	NEW-E	87-22-036	332-52-010	AMD-P	87-14-039
332-24-350	REP-P	87-06-055	332-26-050	NEW-E	87-15-008	332-52-010	AMD	87-18-035
332-24-350	REP	87-11-005	332-26-050	REP-E	87-20-053	332-52-020	AMD-P	87-14-039
332-24-360	REP-P	87-06-055	332-26-050a	NEW-E	87-20-053	332-52-020	AMD	87-18-035
332-24-360	REP	87-11-005	332-26-050a	REP-E	87-21-076	332-52-060	AMD-P	87-14-039
332-24-370	REP-P	87-06-055	332-26-051	NEW-E	87-21-038	332-52-060	AMD	87-18-035
332-24-370	REP	87-11-005	332-26-051	REP-E	87-22-036	332-52-065	AMD-P	87-14-039
332-24-380	REP-P	87-06-055	332-26-051a	NEW-E	87-22-036	332-52-065	AMD	87-18-035
332-24-380	REP	87-11-005	332-26-060	NEW-E	87-15-008	332-52-066	AMD-P	87-14-039
332-24-385	REP-P	87-06-055	332-26-060	REP-E	87-20-053	332-52-066	AMD	87-18-035

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332-52-067	AMD	87-18-035	352-44A-020	REP	87-11-037	356-09-020	NEW	87-02-038
332-52-068	AMD-P	87-14-039	352-44A-030	REP-P	87-04-075	356-09-030	NEW	87-02-038
332-52-068	AMD	87-18-035	352-44A-030	REP	87-11-037	356-09-040	NEW	87-02-038
332-52-069	AMD-P	87-14-039	352-44A-040	REP-P	87-04-075	356-09-050	NEW	87-02-038
332-52-069	AMD	87-18-035	352-44A-040	REP	87-11-037	356-10-050	AMD-P	87-15-092
332-140-200	AMD-P	87-19-142	352-44A-050	REP-P	87-04-075	356-10-050	AMD-C	87-19-043
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332-140-200	AMD	87-22-076	356-05-013	NEW	87-02-038	356-10-050	AMD-C	88-01-069
332-140-240	NEW-P	87-19-142	356-05-048	NEW-P	87-11-054	356-10-060	AMD-C	87-06-020
332-140-240	NEW-E	87-19-143	356-05-048	NEW-E	87-14-059	356-14-045	AMD-P	87-06-042
332-140-240	NEW	87-22-076	356-05-048	NEW	87-15-065	356-14-045	AMD	87-09-037
332-140-300	AMD-E	87-08-043	356-05-123	NEW-P	87-22-047	356-14-060	AMD-P	87-12-025
332-150-010	AMD-P	87-09-103	356-05-123	NEW-C	88-01-067	356-14-060	AMD	87-15-045
332-150-010	AMD-P	87-12-067	356-05-128	NEW-P	87-22-044	356-14-062	NEW-P	87-12-025
332-150-010	AMD-E	87-12-068	356-05-128	NEW-C	88-01-068	356-14-062	NEW	87-15-045
332-150-010	AMD	87-15-048	356-05-180	REP	87-02-038	356-14-140	AMD-P	87-11-054
332-150-020	AMD-P	87-09-103	356-05-207	NEW	87-02-038	356-14-140	AMD-E	87-14-059
332-150-020	AMD-P	87-12-067	356-05-260	NEW	87-02-038	356-14-140	AMD	87-15-065
332-150-020	AMD-E	87-12-068	356-05-275	NEW-P	87-11-054	356-14-240	AMD-P	87-08-013
332-150-020	AMD	87-15-048	356-05-275	NEW-E	87-14-059	356-14-240	AMD	87-11-036
332-150-030	AMD-P	87-09-103	356-05-275	NEW	87-15-065	356-14-260	AMD-P	87-20-009
332-150-030	AMD-P	87-12-067	356-05-327	NEW	87-02-038	356-14-260	AMD	87-24-029
332-150-030	AMD-E	87-12-068	356-05-333	NEW	87-02-038	356-15-020	AMD-P	87-15-074
332-150-030	AMD	87-15-048	356-05-360	AMD-P	87-24-021	356-15-020	AMD-C	87-19-044
332-150-040	REP-P	87-09-103	356-05-370	AMD-P	87-11-054	356-15-020	AMD	87-24-027
332-150-040	REP-P	87-12-067	356-05-370	AMD-E	87-14-059	356-15-020	AMD-P	88-01-031
332-150-040	REP-E	87-12-068	356-05-370	AMD	87-15-065	356-15-030	AMD-P	87-04-040
332-150-040	REP	87-15-048	356-05-390	AMD	87-02-038	356-15-030	AMD-C	87-07-036
332-150-050	AMD-P	87-09-103	356-05-430	AMD-P	87-11-054	356-15-030	AMD	87-10-037
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332-150-050	AMD-E	87-12-068	356-05-430	AMD	87-15-065	356-15-030	AMD-C	87-19-045
332-150-050	AMD	87-15-048	356-05-447	NEW	87-02-038	356-15-030	AMD	87-19-066
344-12-060	AMD-E	87-06-010	356-05-450	REP-P	87-16-072	356-15-030	AMD	87-24-026
344-12-060	AMD-E	87-11-046	356-05-450	REP-C	87-19-041	356-15-080	AMD-P	87-06-042
344-12-060	AMD-P	87-11-048	356-05-450	REP-C	87-24-022	356-15-080	AMD-P	87-11-054
344-12-060	AMD	87-17-004	356-05-450	REP-C	88-01-072	356-15-080	AMD-E	87-14-059
352-04-010	AMD-P	87-20-092	356-05-451	NEW-P	87-16-072	356-15-080	AMD	87-15-065
352-04-010	AMD	87-24-032	356-05-451	NEW-C	87-19-041	356-15-090	AMD-P	87-04-040
352-12-020	AMD-P	87-04-074	356-05-451	NEW-C	87-24-022	356-15-090	AMD-C	87-07-036
352-12-020	AMD	87-08-008	356-05-451	NEW-C	88-01-072	356-15-090	AMD	87-10-037
352-32-010	AMD-P	87-04-074	356-05-452	NEW-P	87-16-072	356-15-090	AMD-P	87-15-129
352-32-010	AMD	87-08-008	356-05-452	NEW-C	87-19-041	356-15-090	AMD-C	87-19-045
352-32-010	AMD-P	87-20-092	356-05-452	NEW-C	87-24-022	356-15-090	AMD	87-24-026
352-32-010	AMD	87-24-032	356-05-452	NEW-C	88-01-072	356-15-125	AMD-P	87-11-054
352-32-030	AMD-P	87-04-074	356-05-455	REP-P	87-16-072	356-15-125	AMD-E	87-14-059
352-32-030	AMD	87-08-008	356-05-455	REP-C	87-19-041	356-15-125	AMD	87-15-065
352-32-035	AMD-P	87-04-074	356-05-455	REP-C	87-24-022	356-18-100	AMD-P	87-02-045
352-32-035	AMD	87-08-008	356-05-455	REP-C	88-01-072	356-18-100	AMD-C	87-06-021
352-32-130	AMD-P	87-20-092	356-05-456	NEW-P	87-16-072	356-18-100	AMD-C	87-07-036
352-32-130	AMD	87-24-032	356-05-456	NEW-C	87-19-041	356-18-100	AMD-C	87-09-036
352-32-165	AMD-P	87-20-092	356-05-456	NEW-C	87-24-022	356-18-100	AMD-C	87-11-035
352-32-165	AMD	87-24-032	356-05-456	NEW-C	88-01-072	356-18-100	AMD	87-13-039
352-32-235	NEW-P	87-04-073	356-05-460	REP-P	87-16-072	356-18-110	AMD-P	87-11-053
352-32-235	NEW	87-08-007	356-05-460	REP-C	87-19-041	356-18-130	AMD-P	87-16-009
352-32-250	AMD-P	87-04-074	356-05-460	REP-C	87-24-022	356-18-140	AMD	87-02-038
352-32-250	AMD	87-08-008	356-05-460	REP-C	88-01-072	356-18-220	AMD	87-02-038
352-32-25001	AMD-P	87-20-092	356-05-461	NEW-P	87-16-072	356-22-010	AMD	87-02-038
352-32-25001	AMD	87-24-032	356-05-461	NEW-C	87-19-041	356-22-040	AMD	87-02-038
352-42	REP-C	87-08-042	356-05-461	NEW-C	87-24-022	356-22-070	AMD	87-02-038
352-42-010	REP-P	87-04-075	356-05-461	NEW-C	88-01-072	356-22-070	AMD-P	87-15-128
352-42-010	REP	87-11-037	356-05-470	AMD	87-02-038	356-22-070	AMD-C	87-19-046
352-42-020	REP-P	87-04-075	356-05-480	AMD-C	87-03-009	356-22-100	AMD	87-02-038
352-42-020	REP	87-11-037	356-05-480	AMD-C	87-06-019	356-22-180	AMD	87-02-038
352-42-030	REP-P	87-04-075	356-05-480	AMD-C	87-07-036	356-22-190	AMD	87-02-038
352-42-030	REP	87-11-037	356-05-480	AMD	87-10-037	356-26-010	AMD	87-02-038
352-42-040	REP-P	87-04-075	356-05-500	AMD-C	87-03-009	356-26-040	AMD	87-02-038
352-42-040	REP	87-11-037	356-05-500	AMD-C	87-06-019	356-26-040	AMD-P	87-10-041
352-42-050	REP-P	87-04-075	356-05-500	AMD-C	87-07-036	356-26-040	AMD	87-13-072
352-42-050	REP	87-11-037	356-05-500	AMD	87-10-037	356-26-060	AMD	87-02-038
352-42-060	REP-P	87-04-075	356-06-001	AMD-P	87-02-045	356-26-060	AMD-P	87-15-073
352-42-060	REP	87-11-037	356-06-001	AMD	87-06-032	356-26-060	AMD-C	87-19-047
352-42-070	REP-P	87-04-075	356-06-020	AMD-P	87-16-064	356-26-060	AMD	87-24-025
352-42-070	REP	87-11-037	356-06-020	AMD-C	87-19-042	356-26-090	AMD	87-03-032
352-44A	REP-C	87-08-042	356-06-020	AMD	87-24-028	356-26-130	AMD	87-02-038
352-44A-010	REP-P	87-04-075	356-07-040	AMD	87-02-038	356-26-140	NEW-E	87-06-023
352-44A-010	REP	87-11-037	356-07-060	AMD	87-02-038	356-26-140	NEW	87-06-024

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356-30-010	AMD	87-02-038	356-42-043	AMD-C	87-24-022	360-10-010	AMD-P	87-24-096
356-30-050	AMD	87-02-038	356-42-043	AMD-C	87-24-023	360-10-020	AMD-P	87-05-063
356-30-065	AMD-C	87-03-010	356-42-043	AMD-C	88-01-072	360-10-020	AMD-P	87-08-064
356-30-065	AMD-C	87-06-022	356-42-043	AMD-C	88-01-073	360-10-020	AMD-P	87-18-065
356-30-070	AMD-C	87-03-010	356-42-045	AMD-P	87-10-036	360-10-020	AMD	88-01-025
356-30-070	AMD-C	87-06-022	356-42-045	AMD-C	87-13-038	360-10-030	AMD-P	87-05-063
356-30-075	AMD	87-02-039	356-42-045	AMD-C	87-15-044	360-10-030	AMD-P	87-08-064
356-30-090	REP-C	87-03-010	356-42-045	AMD-P	87-16-072	360-10-030	AMD-P	87-18-065
356-30-090	REP-C	87-06-022	356-42-045	AMD-C	87-19-041	360-10-030	AMD	88-01-025
356-30-130	AMD-P	87-02-045	356-42-045	AMD-C	87-19-049	360-10-040	AMD-P	87-05-063
356-30-130	AMD-C	87-06-021	356-42-045	AMD-C	87-24-022	360-10-040	AMD-P	87-08-064
356-30-130	AMD-C	87-07-036	356-42-045	AMD-C	87-24-023	360-10-040	AMD-P	87-18-065
356-30-130	AMD-C	87-09-036	356-42-045	AMD-C	88-01-072	360-10-040	AMD	88-01-025
356-30-130	AMD-C	87-11-035	356-42-045	AMD-C	88-01-073	360-10-050	AMD-P	87-05-063
356-30-145	AMD-C	87-03-010	356-42-047	AMD-P	87-16-072	360-10-050	AMD-P	87-08-064
356-30-145	AMD-C	87-06-022	356-42-047	AMD-C	87-19-041	360-10-050	AMD-P	87-18-065
356-30-180	AMD-P	87-12-015	356-42-047	AMD-C	87-24-022	360-10-050	AMD-P	87-24-096
356-30-180	AMD-P	87-16-070	356-42-047	AMD-C	88-01-072	360-10-060	AMD-P	87-05-063
356-30-180	AMD-C	87-19-048	356-42-049	NEW-P	87-10-036	360-10-060	AMD-P	87-08-064
356-30-180	AMD	87-24-024	356-42-049	NEW-C	87-13-038	360-10-060	AMD-P	87-18-065
356-30-190	AMD-P	87-12-015	356-42-049	NEW-C	87-15-044	360-10-060	AMD-P	87-24-096
356-30-190	AMD-P	87-16-070	356-42-049	NEW-C	87-19-049	360-10-070	REP-P	87-05-063
356-30-190	AMD-C	87-19-048	356-42-049	NEW-C	87-24-023	360-10-070	REP-P	87-08-064
356-30-190	AMD	87-24-024	356-42-049	NEW-C	88-01-073	360-10-070	REP-P	87-18-065
356-30-230	AMD-P	87-12-015	356-42-050	AMD-P	87-16-072	360-10-070	REP	88-01-025
356-30-230	AMD-P	87-16-070	356-42-050	AMD-C	87-19-041	360-10-080	AMD-P	87-05-063
356-30-230	AMD-C	87-19-048	356-42-050	AMD-C	87-24-022	360-10-080	AMD-P	87-08-064
356-30-230	AMD	87-24-024	356-42-050	AMD-C	88-01-072	360-10-080	AMD-P	87-18-065
356-30-255	NEW-P	87-10-041	356-42-055	AMD-P	87-10-036	360-10-080	AMD	88-01-025
356-30-255	NEW	87-13-072	356-42-055	AMD-C	87-13-038	360-12-015	AMD-P	87-15-138
356-30-260	AMD-P	87-22-046	356-42-055	AMD-C	87-15-044	360-12-015	AMD	87-18-066
356-30-260	AMD-C	88-01-070	356-42-055	AMD-C	87-19-049	360-12-020	REP-P	87-15-138
356-30-300	AMD	87-02-038	356-42-055	AMD-C	87-24-023	360-12-020	REP	87-18-066
356-30-305	AMD-P	87-22-046	356-42-055	AMD-C	88-01-073	360-12-050	AMD-P	87-15-138
356-30-305	AMD-C	88-01-070	356-42-060	AMD-P	87-16-072	360-12-050	AMD	87-18-066
356-30-330	AMD-E	87-06-023	356-42-060	AMD-C	87-19-041	360-12-150	AMD-P	87-15-138
356-30-330	AMD	87-06-024	356-42-060	AMD-C	87-24-022	360-12-150	AMD	87-18-066
356-34-020	AMD-P	87-22-045	356-42-060	AMD-C	88-01-072	360-13-045	AMD-P	87-15-138
356-34-020	AMD-C	88-01-071	356-42-070	AMD-P	87-16-072	360-13-045	AMD	87-18-066
356-34-030	AMD-P	87-22-045	356-42-070	AMD-C	87-19-041	360-16-235	NEW-P	87-05-063
356-34-030	AMD-C	88-01-071	356-42-070	AMD-C	87-24-022	360-16-235	NEW	87-08-031
356-34-040	AMD-P	87-22-045	356-42-070	AMD-C	88-01-072	360-16-240	REP-P	87-05-063
356-34-040	AMD-C	88-01-071	356-42-082	AMD-P	87-04-036	360-16-240	REP	87-08-031
356-34-045	NEW-P	87-22-045	356-42-082	AMD-C	87-07-035	360-16-245	AMD-P	87-05-063
356-34-045	NEW-C	88-01-071	356-42-082	AMD-P	87-10-036	360-16-245	AMD	87-08-031
356-34-050	AMD-P	87-22-045	356-42-082	AMD-C	87-11-034	360-18-020	AMD-P	87-15-138
356-34-050	AMD-C	88-01-071	356-42-082	AMD-C	87-13-038	360-18-020	AMD	87-18-066
356-34-090	AMD-E	87-06-023	356-42-082	AMD-C	87-15-044	360-36-010	AMD-P	87-07-049
356-34-090	AMD	87-06-024	356-42-082	AMD-C	87-19-049	360-36-010	AMD	87-10-029
356-34-090	AMD-P	87-10-035	356-42-082	AMD-C	87-24-023	360-36-409	NEW-E	87-08-028
356-34-090	AMD	87-13-040	356-42-082	AMD-C	88-01-073	360-36-425	NEW-P	87-24-096
356-35-010	AMD	87-02-038	356-42-084	AMD-P	87-04-036	360-46-800	REP-P	87-18-065
356-42-010	AMD-P	87-16-072	356-42-084	AMD-C	87-07-035	360-46-880	REP	88-01-025
356-42-010	AMD-C	87-19-041	356-42-084	AMD-P	87-10-036	360-46-881	NEW-P	87-18-065
356-42-010	AMD-C	87-24-022	356-42-084	AMD-C	87-11-034	360-46-881	NEW	88-01-025
356-42-010	AMD-C	88-01-072	356-42-084	AMD-C	87-13-038	360-46-882	NEW-P	87-18-065
356-42-020	AMD-P	87-04-036	356-42-084	AMD-C	87-15-044	360-46-882	NEW	88-01-025
356-42-020	AMD-C	87-07-035	356-42-084	AMD-C	87-19-049	360-49-040	AMD-P	87-15-138
356-42-020	AMD-P	87-10-036	356-42-084	AMD-C	87-24-023	360-49-040	AMD	87-18-066
356-42-020	AMD-C	87-11-034	356-42-084	AMD-C	88-01-073	360-60-010	NEW-P	87-18-065
356-42-020	AMD-C	87-13-038	356-42-105	NEW-P	87-10-036	360-60-020	NEW-P	87-18-065
356-42-020	AMD-C	87-15-044	356-42-105	NEW-C	87-13-038	360-60-030	NEW-P	87-18-065
356-42-020	AMD-C	87-19-049	356-42-105	NEW-C	87-15-044	360-60-040	NEW-P	87-18-065
356-42-020	AMD-C	87-24-023	356-42-105	NEW-C	87-19-049	365-40-020	AMD-P	87-19-159
356-42-020	AMD-C	88-01-073	356-42-105	NEW-C	87-24-023	365-40-020	AMD	88-01-058
356-42-042	NEW-P	87-10-036	356-42-105	NEW-C	88-01-073	365-40-051	AMD-P	87-19-159
356-42-042	NEW-C	87-13-038	356-46-020	AMD-P	87-02-045	365-40-051	AMD	88-01-058
356-42-042	NEW-C	87-15-044	356-46-020	AMD	87-06-032	365-40-071	AMD-P	87-19-159
356-42-042	NEW-C	87-19-049	356-46-125	NEW-P	87-22-044	365-40-071	AMD	88-01-058
356-42-042	NEW-C	88-01-073	356-46-125	NEW-C	88-01-068	365-100-010	AMD-E	87-03-035
356-42-042	NEW-C	87-24-023	358-20-040	AMD-P	87-16-078	365-100-010	AMD-P	87-03-043
356-42-043	AMD-P	87-10-036	358-20-040	AMD	87-20-035	365-100-010	AMD-E	87-10-019
356-42-043	AMD-C	87-13-038	358-30-015	NEW-P	87-16-078	365-100-010	AMD	87-10-020
356-42-043	AMD-C	87-15-044	358-30-015	NEW	87-20-035	365-100-020	AMD-E	87-03-035
356-42-043	AMD-P	87-16-072	360-10-010	AMD-P	87-05-063	365-100-020	AMD-P	87-03-043
356-42-043	AMD-C	87-19-041	360-10-010	AMD-P	87-08-064	365-100-020	AMD-E	87-10-019

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365-100-030	AMD-P	87-03-043	365-170-080	NEW	87-04-007	388-24-254	AMD-P	87-10-064
365-100-030	AMD-E	87-10-019	365-170-090	NEW	87-04-007	388-24-254	AMD	87-13-077
365-100-030	AMD	87-10-020	365-170-100	NEW	87-04-007	388-24-255	AMD-P	87-10-064
365-100-040	AMD-E	87-03-035	365-180-010	NEW-P	87-19-158	388-24-255	AMD	87-13-077
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365-100-040	AMD-E	87-10-019	365-180-030	NEW-P	87-19-158	388-24-260	AMD	87-13-077
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365-110-020	AMD-P	87-16-105	365-180-070	NEW-P	87-19-158	388-24-270	REP	87-13-077
365-110-020	AMD	87-19-110	365-180-080	NEW-P	87-19-158	388-24-276	REP-P	87-10-064
365-110-030	AMD-E	87-16-104	365-180-090	NEW-P	87-19-158	388-24-276	REP	87-13-077
365-110-030	AMD-P	87-16-105	381	AMD	87-14-013	388-26-025	AMD-P	87-16-088
365-110-030	AMD	87-19-110	388-15-020	AMD-P	87-19-089	388-26-025	AMD	87-19-094
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365-110-035	AMD-E	87-16-104	388-15-130	AMD-P	88-02-029	388-26-040	AMD	87-19-094
365-110-035	AMD-P	87-16-105	388-15-130	AMD-E	88-02-035	388-26-050	AMD-P	87-16-088
365-110-035	AMD	87-19-110	388-15-132	AMD-P	88-02-029	388-26-050	AMD	87-19-094
365-110-050	AMD-E	87-14-049	388-15-132	AMD-E	88-02-035	388-26-055	AMD-P	87-16-088
365-110-050	AMD-E	87-16-104	388-15-134	AMD-P	88-02-029	388-26-055	AMD	87-19-094
365-110-050	AMD-P	87-16-105	388-15-134	AMD-E	88-02-035	388-26-060	AMD-P	87-16-088
365-110-050	AMD	87-19-110	388-15-136	AMD-E	87-19-120	388-26-060	AMD	87-19-094
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365-110-080	AMD-E	87-14-049	388-15-136	AMD	87-23-057	388-26-065	AMD	87-19-094
365-110-080	AMD-E	87-16-104	388-15-136	AMD	87-24-039	388-26-070	AMD-P	87-16-088
365-110-080	AMD-P	87-16-105	388-15-137	REP-E	87-19-120	388-26-070	AMD	87-19-094
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365-120-010	AMD-P	87-15-034	388-15-137	REP	87-23-057	388-26-080	AMD	87-19-094
365-120-010	AMD	87-19-112	388-15-137	REP	87-24-039	388-26-105	AMD-P	87-16-088
365-120-030	AMD-P	87-15-034	388-15-138	REP-E	87-19-120	388-26-105	AMD	87-19-094
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365-120-040	AMD-P	87-15-034	388-15-138	REP	87-23-057	388-26-120	AMD	87-19-094
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365-120-050	AMD-P	87-15-034	388-15-139	REP-E	87-19-120	388-28-464	AMD-P	87-16-089
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365-120-060	AMD-P	87-15-034	388-15-139	REP	87-23-057	388-28-480	AMD-P	87-24-075
365-120-060	AMD	87-19-112	388-15-139	REP	87-24-039	388-28-482	AMD-P	87-24-075
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365-135-010	NEW-P	87-16-097	388-15-208	AMD-P	88-01-039	388-28-500	AMD-E	87-16-067
365-135-010	NEW-E	87-16-098	388-15-209	AMD-P	87-18-055	388-28-500	AMD-P	87-16-068
365-135-010	NEW	87-19-082	388-15-209	AMD-E	87-18-056	388-28-500	AMD	87-19-090
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365-135-020	NEW-P	87-16-097	388-15-212	AMD-P	87-18-055	388-28-575	AMD-P	87-22-085
365-135-020	NEW-E	87-16-098	388-15-212	AMD-E	87-18-056	388-28-575	AMD	88-01-045
365-135-020	NEW	87-19-082	388-15-212	AMD	87-22-013	388-29-100	AMD-P	87-24-036
365-135-030	NEW-E	87-15-002	388-15-213	AMD-P	87-18-055	388-29-100	AMD-E	87-24-059
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365-135-030	NEW-E	87-16-098	388-15-213	AMD	87-22-013	388-29-125	AMD-E	87-24-059
365-135-030	NEW	87-19-082	388-15-214	NEW-E	88-01-037	388-29-130	AMD-P	87-24-036
365-135-040	NEW-E	87-15-002	388-15-214	NEW-P	88-01-039	388-29-130	AMD-E	87-24-059
365-135-040	NEW-P	87-16-097	388-15-600	AMD-P	87-20-079	388-29-146	REP-P	87-24-036
365-135-040	NEW-E	87-16-098	388-15-600	AMD	87-23-054	388-29-146	REP-E	87-24-059
365-135-040	NEW	87-19-082	388-15-610	AMD-P	87-20-079	388-29-280	AMD-P	87-24-036
365-135-050	NEW-E	87-15-002	388-15-610	AMD	87-23-054	388-29-280	AMD-E	87-24-059
365-135-050	NEW-P	87-16-097	388-15-620	AMD-P	87-20-079	388-29-295	AMD-P	87-22-086
365-135-050	NEW-E	87-16-098	388-15-620	AMD	87-23-054	388-29-295	AMD	88-01-040
365-135-050	NEW	87-19-082	388-15-630	AMD-P	87-20-079	388-31-010	NEW-P	87-16-025
365-135-060	NEW-P	87-16-097	388-15-630	AMD	87-23-054	388-31-010	NEW-E	87-16-028
365-135-060	NEW-E	87-16-098	388-15-690	NEW-P	87-22-083	388-31-010	NEW	87-19-093
365-135-060	NEW	87-19-082	388-15-695	NEW-P	87-22-083	388-31-015	NEW-P	87-16-025
365-140-010	AMD-P	87-15-033	388-15-700	NEW-P	87-22-083	388-31-015	NEW-E	87-16-028
365-140-010	AMD	87-19-113	388-15-705	NEW-P	87-22-083	388-31-015	NEW	87-19-093
365-140-030	AMD-P	87-15-033	388-15-710	NEW-P	87-22-083	388-31-020	NEW-P	87-16-025
365-140-030	AMD	87-19-113	388-15-715	NEW-P	87-22-083	388-31-020	NEW-E	87-16-028
365-140-040	AMD-P	87-15-033	388-17-500	NEW	87-03-015	388-31-020	NEW	87-19-093
365-140-040	AMD	87-19-113	388-17-510	NEW	87-03-015	388-31-025	NEW-P	87-16-025
365-140-050	AMD-P	87-15-033	388-24-040	AMD-P	87-19-151	388-31-025	NEW-E	87-16-028
365-140-050	AMD	87-19-113	388-24-050	AMD-P	87-10-010	388-31-025	NEW	87-19-093
365-140-060	AMD-P	87-15-033	388-24-074	AMD-P	88-01-125	388-31-030	NEW-P	87-16-025
365-140-060	AMD	87-19-113	388-24-090	AMD-P	88-01-125	388-31-030	NEW-E	87-16-028
365-170-010	NEW	87-04-007	388-24-107	AMD-P	87-09-086	388-31-030	NEW	87-19-093
365-170-020	NEW	87-04-007	388-24-107	AMD	87-12-058	388-31-035	NEW-P	87-16-025
365-170-030	NEW	87-04-007	388-24-107	AMD-P	88-01-125	388-31-035	NEW-E	87-16-028
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388-33-420	AMD-P	87-13-078	388-40-100	NEW-E	87-14-026	388-49-390	NEW-P	87-21-077
388-33-420	AMD	87-18-007	388-40-100	NEW	87-18-006	388-49-390	NEW	88-02-031
388-33-455	AMD-P	87-13-078	388-42-150	AMD-P	87-21-051	388-49-400	NEW-P	87-21-077
388-33-455	AMD	87-18-007	388-42-150	AMD-E	87-21-052	388-49-400	NEW	88-02-031
388-37-010	AMD-P	87-13-079	388-42-150	AMD	87-24-073	388-49-410	NEW-P	87-21-077
388-37-010	AMD-E	87-14-027	388-49-010	NEW-P	87-21-077	388-49-410	NEW	88-02-031
388-37-010	AMD	87-18-005	388-49-010	NEW	88-02-031	388-49-420	NEW-P	87-21-077
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388-37-020	AMD-E	87-14-027	388-49-015	NEW	88-02-031	388-49-430	NEW-P	87-21-077
388-37-020	AMD	87-18-005	388-49-020	NEW-P	87-21-077	388-49-430	NEW	88-02-031
388-37-021	NEW-P	87-13-079	388-49-020	NEW	88-02-031	388-49-440	NEW-P	87-21-077
388-37-021	NEW-E	87-14-027	388-49-030	NEW-P	87-21-077	388-49-440	NEW	88-02-031
388-37-021	NEW	87-18-005	388-49-030	NEW	88-02-031	388-49-450	NEW-P	87-21-077
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388-37-030	AMD-E	87-14-027	388-49-040	NEW	88-02-031	388-49-460	NEW-P	87-21-077
388-37-030	AMD	87-18-005	388-49-050	NEW-P	87-21-077	388-49-460	NEW	88-02-031
388-37-032	AMD-P	87-13-079	388-49-050	NEW	88-02-031	388-49-470	NEW-P	87-21-077
388-37-032	AMD-E	87-14-027	388-49-060	NEW-P	87-21-077	388-49-470	NEW	88-02-031
388-37-032	AMD	87-18-005	388-49-060	NEW	88-02-031	388-49-480	NEW-P	87-21-077
388-37-035	AMD-P	87-13-079	388-49-070	NEW-P	87-21-077	388-49-480	NEW	88-02-031
388-37-035	AMD-E	87-14-027	388-49-070	NEW	88-02-031	388-49-485	NEW	88-02-031
388-37-035	AMD	87-18-005	388-49-080	NEW-P	87-21-077	388-49-490	NEW-P	87-21-077
388-37-037	AMD-P	87-13-079	388-49-080	NEW	88-02-031	388-49-490	NEW	88-02-031
388-37-037	AMD-E	87-14-027	388-49-090	NEW-P	87-21-077	388-49-500	NEW-P	87-21-077
388-37-037	AMD	87-18-005	388-49-090	NEW	88-02-031	388-49-500	NEW	88-02-031
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388-37-038	AMD-E	87-14-027	388-49-100	NEW	88-02-031	388-49-510	NEW-P	87-21-077
388-37-038	AMD	87-18-005	388-49-110	NEW-P	87-21-077	388-49-510	NEW	88-02-031
388-37-040	AMD-P	87-13-079	388-49-110	NEW	88-02-031	388-49-520	NEW-P	87-21-077
388-37-040	AMD-E	87-14-027	388-49-120	NEW-P	87-21-077	388-49-520	NEW	88-02-031
388-37-040	AMD	87-18-005	388-49-120	NEW	88-02-031	388-49-530	NEW-P	87-21-077
388-37-050	AMD-P	87-13-079	388-49-150	NEW-P	87-21-077	388-49-530	NEW	88-02-031
388-37-050	AMD-E	87-14-027	388-49-150	NEW	88-02-031	388-49-550	NEW-P	87-21-077
388-37-050	AMD	87-18-005	388-49-160	NEW-P	87-21-077	388-49-550	NEW	88-02-031
388-37-060	REP-P	87-13-079	388-49-160	NEW	88-02-031	388-49-560	NEW-P	87-21-077
388-37-060	REP-E	87-14-027	388-49-170	NEW-P	87-21-077	388-49-560	NEW	88-02-031
388-37-060	REP	87-18-005	388-49-170	NEW	88-02-031	388-49-570	NEW-P	87-21-077
388-37-120	AMD-P	87-13-079	388-49-180	NEW-P	87-21-077	388-49-570	NEW	88-02-031
388-37-120	AMD-E	87-14-027	388-49-180	NEW	88-02-031	388-49-580	NEW-P	87-21-077
388-37-120	AMD	87-18-005	388-49-190	NEW-P	87-21-077	388-49-580	NEW	88-02-031
388-37-135	AMD-P	87-13-079	388-49-190	NEW	88-02-031	388-49-590	NEW-P	87-21-077
388-37-135	AMD-E	87-14-027	388-49-200	NEW-P	87-21-077	388-49-590	NEW	88-02-031
388-37-135	AMD	87-18-005	388-49-200	NEW	88-02-031	388-49-600	NEW-P	87-21-077
388-37-140	AMD-P	87-13-079	388-49-210	NEW-P	87-21-077	388-49-600	NEW	88-02-031
388-37-140	AMD-E	87-14-027	388-49-210	NEW	88-02-031	388-49-610	NEW-P	87-21-077
388-37-140	AMD	87-18-005	388-49-220	NEW-P	87-21-077	388-49-610	NEW	88-02-031
388-40	AMD-P	87-13-080	388-49-220	NEW	88-02-031	388-49-620	NEW-P	87-21-077
388-40	AMD-E	87-14-026	388-49-230	NEW-P	87-21-077	388-49-620	NEW	88-02-031
388-40	AMD	87-18-006	388-49-230	NEW	88-02-031	388-49-630	NEW-P	87-21-077
388-40-010	AMD-P	87-13-080	388-49-240	NEW-P	87-21-077	388-49-630	NEW	88-02-031
388-40-010	AMD-E	87-14-026	388-49-240	NEW	88-02-031	388-49-640	NEW-P	87-21-077
388-40-010	AMD	87-18-006	388-49-250	NEW-P	87-21-077	388-49-640	NEW	88-02-031
388-40-020	NEW-P	87-13-080	388-49-250	NEW	88-02-031	388-49-650	NEW-P	87-21-077
388-40-020	NEW-E	87-14-026	388-49-260	NEW-P	87-21-077	388-49-650	NEW	88-02-031
388-40-020	NEW	87-18-006	388-49-260	NEW	88-02-031	388-49-660	NEW-P	87-21-077
388-40-030	NEW-P	87-13-080	388-49-270	NEW-P	87-21-077	388-49-660	NEW	88-02-031
388-40-030	NEW-E	87-14-026	388-49-270	NEW	88-02-031	388-49-670	NEW-P	87-21-077
388-40-030	NEW	87-18-006	388-49-280	NEW-P	87-21-077	388-49-670	NEW	88-02-031
388-40-040	NEW-P	87-13-080	388-49-280	NEW	88-02-031	388-49-680	NEW-P	87-21-077
388-40-040	NEW-E	87-14-026	388-49-290	NEW-P	87-21-077	388-49-680	NEW	88-02-031
388-40-040	NEW	87-18-006	388-49-290	NEW	88-02-031	388-49-690	NEW-P	87-21-077
388-40-050	NEW-P	87-13-080	388-49-300	NEW-P	87-21-077	388-49-690	NEW	88-02-031
388-40-050	NEW-E	87-14-026	388-49-300	NEW	88-02-031	388-49-700	NEW-P	87-21-077
388-40-050	NEW	87-18-006	388-49-310	NEW-P	87-21-077	388-49-700	NEW	88-02-031
388-40-060	NEW-P	87-13-080	388-49-310	NEW	88-02-031	388-53-010	AMD-E	87-09-020
388-40-060	NEW-E	87-14-026	388-49-320	NEW-P	87-21-077	388-53-010	AMD-P	87-09-021
388-40-060	NEW	87-18-006	388-49-320	NEW	88-02-031	388-53-010	AMD	87-12-053
388-40-070	NEW-P	87-13-080	388-49-330	NEW-P	87-21-077	388-53-020	REP-E	87-09-020
388-40-070	NEW-E	87-14-026	388-49-330	NEW	88-02-031	388-53-020	REP-P	87-09-021
388-40-070	NEW	87-18-006	388-49-340	NEW-P	87-21-077	388-53-020	REP	87-12-053
388-40-080	NEW-P	87-13-080	388-49-340	NEW	88-02-031	388-53-030	REP-E	87-09-020
388-40-080	NEW-E	87-14-026	388-49-350	NEW-P	87-21-077	388-53-030	REP-P	87-09-021
388-40-080	NEW	87-18-006	388-49-350	NEW	88-02-031	388-53-030	REP	87-12-053
388-40-090	NEW-P	87-13-080	388-49-360	NEW-P	87-21-077	388-53-040	REP-E	87-09-020
388-40-090	NEW-E	87-14-026	388-49-360	NEW	88-02-031	388-53-040	REP-P	87-09-021

Table of WAC Sections Affected as of 12/31/87

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-53-040	REP	87-12-053	388-54-670	REP	88-02-031	388-54-768	REP	88-02-031
388-53-050	AMD-E	87-09-020	388-54-675	AMD-P	87-08-045	388-54-770	REP-P	87-21-077
388-53-050	AMD-P	87-09-021	388-54-675	AMD-E	87-08-046	388-54-770	REP	88-02-031
388-53-050	AMD	87-12-053	388-54-675	AMD	87-15-055	388-54-775	AMD-P	87-09-088
388-53-060	REP-E	87-09-020	388-54-675	AMD-E	87-15-056	388-54-775	AMD-E	87-10-065
388-53-060	REP-P	87-09-021	388-54-675	REP-P	87-21-077	388-54-775	AMD	87-12-057
388-53-060	REP	87-12-053	388-54-675	AMD-E	87-22-103	388-54-775	REP-P	87-21-077
388-53-070	REP-E	87-09-020	388-54-675	REP	88-02-031	388-54-775	REP	88-02-031
388-53-070	REP-P	87-09-021	388-54-676	REP-P	87-21-077	388-54-776	REP-P	87-21-077
388-53-070	REP	87-12-053	388-54-676	REP	88-02-031	388-54-776	REP	88-02-031
388-53-080	REP-E	87-09-020	388-54-677	AMD-P	87-08-045	388-54-780	REP-P	87-21-077
388-53-080	REP-P	87-09-021	388-54-677	AMD-E	87-08-046	388-54-780	REP	88-02-031
388-53-080	REP	87-12-053	388-54-677	AMD	87-15-055	388-54-785	AMD-P	87-19-152
388-53-090	REP-E	87-09-020	388-54-677	AMD-E	87-15-056	388-54-785	AMD-E	87-20-042
388-53-090	REP-P	87-09-021	388-54-677	REP-P	87-21-077	388-54-785	REP-P	87-21-077
388-53-090	REP	87-12-053	388-54-677	REP	88-02-031	388-54-785	AMD	87-22-095
388-53-100	REP-E	87-09-020	388-54-679	REP-P	87-21-077	388-54-785	REP	88-02-031
388-53-100	REP-P	87-09-021	388-54-679	REP	88-02-031	388-54-790	REP-P	87-21-077
388-53-100	REP	87-12-053	388-54-680	AMD-P	87-18-036	388-54-790	REP	88-02-031
388-53-120	REP-E	87-09-020	388-54-680	AMD-E	87-18-038	388-54-795	REP-P	87-21-077
388-53-120	REP-P	87-09-021	388-54-680	REP-P	87-21-077	388-54-795	REP	88-02-031
388-53-120	REP	87-12-053	388-54-680	AMD	87-22-011	388-54-800	REP-P	87-21-077
388-54-600	REP-P	87-21-077	388-54-680	REP	88-02-031	388-54-800	REP	88-02-031
388-54-600	REP	88-02-031	388-54-685	REP-P	87-21-077	388-54-805	AMD	87-06-003
388-54-601	AMD-P	87-08-045	388-54-685	REP	88-02-031	388-54-805	REP-P	87-21-077
388-54-601	AMD-E	87-08-046	388-54-687	REP-P	87-21-077	388-54-805	REP	88-02-031
388-54-601	AMD	87-15-055	388-54-687	REP	88-02-031	388-54-815	REP-P	87-21-077
388-54-601	AMD-E	87-15-056	388-54-690	REP-P	87-21-077	388-54-815	REP	88-02-031
388-54-601	REP-P	87-21-077	388-54-690	REP	88-02-031	388-54-817	REP-P	87-21-077
388-54-601	REP	88-02-031	388-54-695	REP-P	87-21-077	388-54-817	REP	88-02-031
388-54-605	REP-P	87-21-077	388-54-695	REP	88-02-031	388-54-820	REP-P	87-21-077
388-54-605	REP	88-02-031	388-54-715	REP-P	87-21-077	388-54-820	REP	88-02-031
388-54-610	REP-P	87-21-077	388-54-715	REP	88-02-031	388-54-82650	REP-P	87-21-077
388-54-610	REP	88-02-031	388-54-717	REP-P	87-21-077	388-54-82650	REP	88-02-031
388-54-615	REP-P	87-21-077	388-54-717	REP	88-02-031	388-54-83050	REP-P	87-21-077
388-54-615	REP	88-02-031	388-54-720	REP-P	87-21-077	388-54-83050	REP	88-02-031
388-54-620	REP-P	87-21-077	388-54-720	REP	88-02-031	388-54-850	AMD-P	87-04-010
388-54-620	REP	88-02-031	388-54-725	REP-P	87-21-077	388-54-850	AMD	87-07-032
388-54-625	REP-P	87-21-077	388-54-725	REP	88-02-031	388-54-850	REP-P	87-21-077
388-54-625	REP	88-02-031	388-54-728	REP-P	87-21-077	388-54-850	REP	88-02-031
388-54-630	AMD-P	87-06-033	388-54-728	REP	88-02-031	388-57-010	REP-P	87-22-009
388-54-630	AMD	87-09-028	388-54-730	AMD-P	87-11-058	388-57-011	NEW-P	87-22-009
388-54-630	REP-P	87-21-077	388-54-730	AMD-E	87-14-064	388-57-015	REP-P	87-22-009
388-54-630	REP	88-02-031	388-54-730	AMD-E	87-14-070	388-57-020	REP-P	87-22-009
388-54-635	AMD-P	87-12-017	388-54-730	AMD	87-14-071	388-57-028	REP-P	87-22-009
388-54-635	AMD-E	87-12-048	388-54-730	REP-P	87-21-077	388-57-032	REP-P	87-22-009
388-54-635	AMD	87-15-054	388-54-730	REP	88-02-031	388-57-036	REP-P	87-22-009
388-54-635	REP-P	87-21-077	388-54-735	AMD	87-03-019	388-57-040	AMD-P	87-22-009
388-54-635	REP	88-02-031	388-54-735	AMD-E	87-03-021	388-57-045	REP-P	87-22-009
388-54-640	REP-P	87-21-077	388-54-735	REP-P	87-21-077	388-57-056	REP-P	87-22-009
388-54-640	REP	88-02-031	388-54-735	REP	88-02-031	388-57-057	AMD-P	87-22-009
388-54-645	AMD-P	87-09-008	388-54-737	REP-P	87-21-077	388-57-058	NEW-P	87-22-009
388-54-645	AMD-E	87-09-009	388-54-737	REP	88-02-031	388-57-059	NEW-P	87-22-009
388-54-645	RESCIND	87-09-029	388-54-740	AMD	87-03-054	388-57-061	REP-P	87-22-009
388-54-645	AMD	87-12-052	388-54-740	AMD-P	87-09-090	388-57-063	NEW-P	87-22-009
388-54-645	AMD-E	87-12-055	388-54-740	AMD	87-12-051	388-57-064	REP-P	87-22-009
388-54-645	REP-P	87-21-077	388-54-740	AMD-P	87-14-063	388-57-066	NEW-P	87-22-009
388-54-645	REP	88-02-031	388-54-740	AMD-E	87-14-067	388-57-067	NEW-P	87-22-009
388-54-650	REP-P	87-21-077	388-54-740	AMD	87-17-044	388-57-070	REP-P	87-22-009
388-54-650	REP	88-02-031	388-54-740	AMD-P	87-19-152	388-57-071	NEW-P	87-22-009
388-54-655	REP-P	87-21-077	388-54-740	AMD-E	87-20-042	388-57-074	NEW-P	87-22-009
388-54-655	REP	88-02-031	388-54-740	REP-P	87-21-077	388-57-074	NEW-E	87-22-014
388-54-660	AMD-P	87-12-017	388-54-740	AMD	87-22-095	388-57-090	REP-P	87-22-009
388-54-660	AMD-E	87-12-048	388-54-740	REP	88-02-031	388-57-097	AMD-P	87-22-009
388-54-660	AMD	87-15-054	388-54-745	AMD	87-03-054	388-57-100	AMD-P	87-22-009
388-54-660	REP-P	87-21-077	388-54-745	REP-P	87-21-077	388-57-100	AMD-E	87-22-014
388-54-660	REP	88-02-031	388-54-745	REP	88-02-031	388-57-105	NEW-P	87-22-009
388-54-662	NEW	87-06-003	388-54-750	REP-P	87-21-077	388-57-105	NEW-E	87-22-014
388-54-662	REP-P	87-21-077	388-54-750	REP	88-02-031	388-57-112	NEW-P	87-22-009
388-54-662	REP	88-02-031	388-54-755	REP-P	87-21-077	388-57-112	NEW-E	87-22-014
388-54-665	AMD-P	87-12-017	388-54-755	REP	88-02-031	388-57-115	NEW-P	87-22-009
388-54-665	AMD-E	87-12-048	388-54-760	REP-P	87-21-077	388-57-115	NEW-E	87-22-014
388-54-665	AMD	87-15-054	388-54-760	REP	88-02-031	388-57-116	NEW-P	87-22-009
388-54-665	REP-P	87-21-077	388-54-765	AMD	87-06-003	388-57-116	NEW-E	87-22-014
388-54-665	REP	88-02-031	388-54-765	REP-P	87-21-077	388-57-117	NEW-P	87-22-009
388-54-670	AMD	87-03-019	388-54-765	REP	88-02-031	388-57-117	NEW-E	87-22-014
388-54-670	REP-P	87-21-077	388-54-768	REP-P	87-21-077	388-57-120	AMD-P	87-22-009

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-82-115	AMD-P	87-24-076	388-96-221	AMD-E	88-02-032	388-98-001	AMD-P	87-18-057
388-83-006	AMD-P	87-16-026	388-96-224	AMD-P	87-21-078	388-98-001	AMD	87-21-017
388-83-006	AMD-E	87-16-029	388-96-224	AMD	88-01-126	388-98-700	AMD-P	87-17-016
388-83-006	AMD	87-19-091	388-96-224	AMD-E	88-02-032	388-98-700	AMD-E	87-17-017
388-83-015	AMD-P	87-02-063	388-96-226	AMD-P	87-21-078	388-98-700	AMD-P	87-18-057
388-83-015	AMD-E	87-03-002	388-96-226	AMD	88-01-126	388-98-700	AMD	87-21-017
388-83-015	AMD	87-06-005	388-96-226	AMD-E	88-02-032	388-98-800	AMD-P	87-17-016
388-83-032	NEW-P	87-14-062	388-96-228	AMD-P	87-21-078	388-98-800	AMD-E	87-17-017
388-83-032	NEW-E	87-14-069	388-96-228	AMD	88-01-126	388-98-800	AMD-P	87-18-057
388-83-032	NEW	87-17-042	388-96-228	AMD-E	88-02-032	388-98-800	AMD	87-21-017
388-84-120	AMD-P	87-16-026	388-96-229	AMD-P	87-21-078	388-98-830	AMD-P	87-17-016
388-84-120	AMD-E	87-16-029	388-96-229	AMD	88-01-126	388-98-830	AMD-E	87-17-017
388-84-120	AMD	87-19-091	388-96-229	AMD-E	88-02-032	388-98-830	AMD-P	87-18-057
388-85-105	AMD-P	87-22-087	388-96-366	AMD-P	87-05-018	388-98-830	AMD	87-21-017
388-85-105	AMD	88-01-044	388-96-366	AMD	87-09-058	388-98-850	AMD-P	87-17-016
388-86-005	AMD-P	87-09-089	388-96-384	AMD-P	87-21-078	388-98-850	AMD-E	87-17-017
388-86-005	AMD	87-12-050	388-96-384	AMD	88-01-126	388-98-850	AMD-P	87-18-057
388-86-005	AMD-P	87-23-058	388-96-384	AMD-E	88-02-032	388-98-850	AMD	87-21-017
388-86-005	AMD-E	88-02-033	388-96-502	AMD-P	87-21-078	388-98-870	AMD-P	87-17-016
388-86-005	AMD	88-02-034	388-96-502	AMD	88-01-126	388-98-870	AMD-E	87-17-017
388-86-009	AMD	87-06-001	388-96-502	AMD-E	88-02-032	388-98-870	AMD-P	87-18-057
388-86-00901	AMD-P	87-02-062	388-96-505	AMD-P	87-21-078	388-98-870	AMD	87-21-017
388-86-00901	AMD-E	87-03-003	388-96-505	AMD	88-01-126	388-99-010	AMD-P	87-24-076
388-86-00901	AMD	87-06-004	388-96-505	AMD-E	88-02-032	388-99-020	AMD-P	87-02-064
388-86-00901	AMD-P	87-19-024	388-96-533	AMD-P	87-21-078	388-99-020	AMD-E	87-03-001
388-86-00901	AMD	87-22-093	388-96-533	AMD	88-01-126	388-99-020	AMD	87-06-006
388-86-017	NEW-P	87-19-020	388-96-533	AMD-E	88-02-032	388-99-020	AMD-P	87-14-061
388-86-017	NEW-E	87-19-021	388-96-534	AMD-P	87-21-078	388-99-020	AMD-E	87-14-068
388-86-017	NEW	87-22-094	388-96-534	AMD	88-01-126	388-99-020	AMD	87-17-043
388-86-020	AMD-P	87-23-058	388-96-534	AMD-E	88-02-032	388-99-020	AMD-P	88-02-030
388-86-020	AMD-E	88-02-033	388-96-535	AMD-P	87-21-078	388-99-020	AMD-E	88-02-036
388-86-020	AMD	88-02-034	388-96-535	AMD	88-01-126	388-99-060	AMD-P	87-19-022
388-86-030	AMD-P	87-20-080	388-96-535	AMD-E	88-02-032	388-99-060	AMD-E	87-19-023
388-86-030	AMD	87-23-055	388-96-565	AMD-P	87-05-018	388-99-060	AMD	87-22-092
388-86-050	AMD-P	87-24-077	388-96-565	AMD	87-09-058	388-99-060	AMD-P	87-23-058
388-86-051	NEW-P	87-24-077	388-96-585	AMD-P	87-05-018	388-99-060	AMD-E	88-02-033
388-86-071	AMD	87-06-002	388-96-585	AMD	87-09-058	388-99-060	AMD	88-02-034
388-86-090	AMD-P	87-22-088	388-96-710	AMD-P	87-05-018	388-100-005	REVIEW	87-04-062
388-86-090	AMD	88-01-043	388-96-710	AMD	87-09-058	388-100-005	AMD-P	87-09-087
388-86-120	AMD-P	87-16-026	388-96-710	AMD-P	87-21-078	388-100-005	AMD	87-12-054
388-86-120	AMD-E	87-16-029	388-96-710	AMD	88-01-126	388-100-005	OBJEC	87-16-031
388-86-120	AMD	87-19-091	388-96-710	AMD-E	88-02-032	390-20-0101	AMD	87-05-001
388-86-120	AMD-P	87-23-058	388-96-716	AMD-P	87-21-078	390-20-014	NEW-P	87-05-041
388-86-120	AMD-E	88-02-033	388-96-716	AMD	88-01-126	390-20-014	NEW	87-08-025
388-86-120	AMD	88-02-034	388-96-716	AMD-E	88-02-032	390-20-022	NEW-P	87-19-155
388-87-005	AMD-P	87-09-057	388-96-719	AMD-P	87-21-078	390-20-022	NEW-C	88-01-001
388-87-005	AMD	87-12-056	388-96-719	AMD	88-01-126	390-20-110	AMD	87-05-001
388-87-013	AMD-P	87-24-077	388-96-719	AMD-E	88-02-032	392-100-050	NEW-P	87-07-027
388-87-015	AMD-P	87-22-089	388-96-722	AMD-P	87-05-018	392-100-050	NEW	87-10-012
388-87-015	AMD	88-01-041	388-96-722	AMD	87-09-058	392-100-060	NEW-P	87-07-027
388-87-062	NEW-P	87-20-080	388-96-722	AMD-P	87-21-078	392-100-060	NEW	87-10-012
388-87-062	NEW	87-23-055	388-96-722	AMD	88-01-126	392-101-010	NEW-P	87-07-026
388-87-070	AMD-P	87-16-026	388-96-722	AMD-E	88-02-032	392-101-010	NEW	87-10-013
388-87-070	AMD-E	87-16-029	388-96-745	AMD-P	87-05-018	392-121-001	NEW-P	87-22-075
388-87-070	AMD	87-19-091	388-96-745	AMD	87-09-058	392-121-003	NEW-P	87-22-075
388-87-070	AMD-P	87-24-077	388-96-745	AMD-P	87-21-078	392-121-007	NEW-P	87-22-075
388-87-105	AMD-P	87-09-057	388-96-745	AMD	88-01-126	392-121-021	NEW-P	87-22-075
388-87-105	AMD	87-12-056	388-96-745	AMD-E	88-02-032	392-121-031	NEW-P	87-22-075
388-87-115	NEW-P	87-09-089	388-96-754	AMD-P	87-05-018	392-121-033	NEW-P	87-22-075
388-87-115	NEW	87-12-050	388-96-754	AMD	87-09-058	392-121-101	REP-P	87-22-075
388-88-050	AMD-P	88-01-038	388-96-756	NEW-P	87-21-078	392-121-103	REP-P	87-22-075
388-88-101	AMD-P	88-01-038	388-96-756	NEW	88-01-126	392-121-105	REP-P	87-22-075
388-92-041	NEW-P	87-07-012	388-96-756	NEW-E	88-02-032	392-121-106	NEW-P	87-22-075
388-92-041	NEW-E	87-10-021	388-96-763	AMD-P	87-21-078	392-121-107	NEW-P	87-22-075
388-92-041	NEW	87-10-022	388-96-768	NEW-P	87-21-078	392-121-108	NEW-P	87-22-075
388-95-337	NEW-P	87-22-090	388-96-768	NEW	88-01-126	392-121-110	REP-P	87-22-075
388-95-337	NEW	88-01-042	388-96-768	NEW-E	88-02-032	392-121-111	NEW-P	87-22-075
388-96-010	AMD-P	87-21-078	388-96-774	AMD-P	87-05-018	392-121-115	REP-P	87-22-075
388-96-010	AMD	88-01-126	388-96-774	AMD	87-09-058	392-121-120	REP-P	87-22-075
388-96-010	AMD-E	88-02-032	388-96-774	AMD-P	87-21-078	392-121-121	REP-P	87-22-075
388-96-204	AMD-P	87-21-078	388-96-774	AMD	88-01-126	392-121-122	NEW-P	87-22-075
388-96-204	AMD	88-01-126	388-96-774	AMD-E	88-02-032	392-121-123	NEW-P	87-22-075
388-96-204	AMD-E	88-02-032	388-96-904	AMD-P	87-21-078	392-121-125	REP-P	87-22-075
388-96-217	NEW-P	87-05-018	388-96-904	AMD	88-01-126	392-121-126	NEW-P	87-22-075
388-96-217	NEW	87-09-058	388-96-904	AMD-E	88-02-032	392-121-126	REP-P	87-22-075
388-96-221	AMD-P	87-21-078	388-98-001	AMD-P	87-17-016	392-121-127	REP-P	87-22-075
388-96-221	AMD	88-01-126	388-98-001	AMD-E	87-17-017	392-121-128	REP-P	87-22-075

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-121-129	REP-P	87-22-075	392-130-050	NEW-P	87-22-024	392-139-172	NEW-P	87-22-025
392-121-130	REP-P	87-22-075	392-130-055	NEW-P	87-22-024	392-139-174	NEW-P	87-22-025
392-121-131	REP-P	87-22-075	392-130-060	NEW-P	87-22-024	392-139-176	NEW-P	87-22-025
392-121-132	NEW-P	87-22-075	392-130-065	NEW-P	87-22-024	392-139-178	NEW-P	87-22-025
392-121-135	REP-P	87-22-075	392-130-070	NEW-P	87-22-024	392-139-180	NEW-P	87-22-025
392-121-140	REP-P	87-22-075	392-130-075	NEW-P	87-22-024	392-139-182	NEW-P	87-22-025
392-121-145	REP-P	87-22-075	392-130-080	NEW-P	87-22-024	392-139-184	NEW-P	87-22-025
392-121-150	REP-P	87-22-075	392-130-085	NEW-P	87-22-024	392-139-186	NEW-P	87-22-025
392-121-155	REP-P	87-22-075	392-130-090	NEW-P	87-22-024	392-139-200	NEW-P	87-22-025
392-121-160	REP-P	87-22-075	392-130-095	NEW-P	87-22-024	392-139-205	NEW-P	87-22-025
392-121-161	NEW-P	87-22-075	392-130-100	NEW-P	87-22-024	392-139-210	NEW-P	87-22-025
392-121-165	REP-P	87-22-075	392-130-105	NEW-P	87-22-024	392-139-215	NEW-P	87-22-025
392-121-170	REP-P	87-22-075	392-130-110	NEW-P	87-22-024	392-139-220	NEW-P	87-22-025
392-121-175	REP-P	87-22-075	392-130-115	NEW-P	87-22-024	392-139-225	NEW-P	87-22-025
392-121-176	REP-P	87-22-075	392-130-120	NEW-P	87-22-024	392-139-230	NEW-P	87-22-025
392-121-177	REP-P	87-22-075	392-130-125	NEW-P	87-22-024	392-139-235	NEW-P	87-22-025
392-121-180	REP-P	87-22-075	392-130-130	NEW-P	87-22-024	392-139-240	NEW-P	87-22-025
392-121-181	NEW-P	87-22-075	392-130-135	NEW-P	87-22-024	392-139-245	NEW-P	87-22-025
392-121-182	NEW-P	87-22-075	392-130-140	NEW-P	87-22-024	392-139-300	NEW-P	87-22-025
392-121-183	NEW-P	87-22-075	392-130-145	NEW-P	87-22-024	392-139-310	NEW-P	87-22-025
392-121-185	REP-P	87-22-075	392-130-150	NEW-P	87-22-024	392-139-320	NEW-P	87-22-025
392-121-186	REP-P	87-22-075	392-130-155	NEW-P	87-22-024	392-139-330	NEW-P	87-22-025
392-121-190	REP-P	87-22-075	392-130-160	NEW-P	87-22-024	392-139-340	NEW-P	87-22-025
392-121-195	REP-P	87-22-075	392-130-165	NEW-P	87-22-024	392-139-600	NEW-P	87-22-025
392-121-200	NEW-P	87-22-075	392-130-170	NEW-P	87-22-024	392-139-605	NEW-P	87-22-025
392-121-205	NEW-P	87-22-075	392-130-175	NEW-P	87-22-024	392-139-610	NEW-P	87-22-025
392-121-210	NEW-P	87-22-075	392-130-180	NEW-P	87-22-024	392-139-615	NEW-P	87-22-025
392-121-215	NEW-P	87-22-075	392-130-185	NEW-P	87-22-024	392-139-620	NEW-P	87-22-025
392-121-220	NEW-P	87-22-075	392-130-190	NEW-P	87-22-024	392-139-625	NEW-P	87-22-025
392-121-225	NEW-P	87-22-075	392-130-195	NEW-P	87-22-024	392-139-650	NEW-P	87-22-025
392-121-245	NEW-P	87-22-075	392-130-200	NEW-P	87-22-024	392-139-660	NEW-P	87-22-025
392-121-250	NEW-P	87-22-075	392-130-205	NEW-P	87-22-024	392-139-665	NEW-P	87-22-025
392-121-255	NEW-P	87-22-075	392-137-060	AMD-P	87-07-028	392-139-670	NEW-P	87-22-025
392-121-257	NEW-P	87-22-075	392-137-060	AMD	87-10-014	392-139-900	NEW-P	87-22-025
392-121-260	NEW-P	87-22-075	392-139	AMD-P	87-22-025	392-140-058	AMD-P	87-04-047
392-121-265	NEW-P	87-22-075	392-139-001	AMD-P	87-22-025	392-140-058	AMD	87-09-017
392-121-267	NEW-P	87-22-075	392-139-005	AMD-P	87-22-025	392-140-145	NEW-P	87-22-074
392-121-268	NEW-P	87-22-075	392-139-007	NEW-P	87-22-025	392-140-146	NEW-P	87-22-074
392-121-270	NEW-P	87-22-075	392-139-010	REP-P	87-22-025	392-140-147	NEW-P	87-22-074
392-121-272	NEW-P	87-22-075	392-139-016	REP-P	87-22-025	392-140-148	NEW-P	87-22-074
392-121-280	NEW-P	87-22-075	392-139-017	REP-P	87-22-025	392-140-149	NEW-P	87-22-074
392-121-285	NEW-P	87-22-075	392-139-018	REP-P	87-22-025	392-140-150	NEW-P	87-22-074
392-121-290	NEW-P	87-22-075	392-139-021	REP-P	87-22-025	392-140-151	NEW-P	87-22-074
392-121-295	NEW-P	87-22-075	392-139-022	REP-P	87-22-025	392-140-152	NEW-P	87-22-074
392-121-297	NEW-P	87-22-075	392-139-026	REP-P	87-22-025	392-140-153	NEW-P	87-22-074
392-121-299	NEW-P	87-22-075	392-139-031	REP-P	87-22-025	392-140-154	NEW-P	87-22-074
392-121-400	NEW-P	87-22-075	392-139-036	REP-P	87-22-025	392-140-155	NEW-P	87-22-074
392-121-405	NEW-P	87-22-075	392-139-037	REP-P	87-22-025	392-140-156	NEW-P	87-22-074
392-121-415	NEW-P	87-22-075	392-139-038	REP-P	87-22-025	392-140-157	NEW-P	87-22-074
392-121-420	NEW-P	87-22-075	392-139-050	NEW-P	87-22-025	392-140-158	NEW-P	87-22-074
392-121-425	NEW-P	87-22-075	392-139-051	NEW-P	87-22-025	392-140-159	NEW-P	87-22-074
392-121-430	NEW-P	87-22-075	392-139-052	NEW-P	87-22-025	392-162	AMD-P	87-17-039
392-121-440	NEW-P	87-22-075	392-139-055	NEW-P	87-22-025	392-162	AMD	87-22-001
392-121-442	NEW-P	87-22-075	392-139-056	NEW-P	87-22-025	392-162-005	AMD-P	87-17-039
392-121-445	NEW-P	87-22-075	392-139-057	NEW-P	87-22-025	392-162-005	AMD	87-22-001
392-121-460	NEW-P	87-22-075	392-139-100	NEW-P	87-22-025	392-162-010	AMD-P	87-17-039
392-122-605	AMD-P	87-04-046	392-139-105	NEW-P	87-22-025	392-162-010	AMD	87-22-001
392-122-605	AMD	87-09-018	392-139-110	NEW-P	87-22-025	392-162-015	AMD-P	87-17-039
392-123-054	AMD-P	87-12-087	392-139-115	NEW-P	87-22-025	392-162-015	AMD	87-22-001
392-123-054	AMD	87-15-067	392-139-120	NEW-P	87-22-025	392-162-020	AMD-P	87-17-039
392-123-078	AMD-P	87-12-087	392-139-122	NEW-P	87-22-025	392-162-020	AMD	87-22-001
392-123-078	AMD	87-15-067	392-139-126	NEW-P	87-22-025	392-162-025	AMD-P	87-17-039
392-123-145	AMD-P	87-05-039	392-139-128	NEW-P	87-22-025	392-162-025	AMD	87-22-001
392-123-145	AMD	87-09-019	392-139-130	NEW-P	87-22-025	392-162-030	AMD-P	87-17-039
392-126-003	NEW-P	87-22-056	392-139-132	NEW-P	87-22-025	392-162-030	AMD	87-22-001
392-127-003	NEW-P	87-22-057	392-139-134	NEW-P	87-22-025	392-162-032	NEW-P	87-17-039
392-129-003	NEW-P	87-15-099	392-139-150	NEW-P	87-22-025	392-162-032	NEW	87-22-001
392-129-003	NEW	87-19-060	392-139-152	NEW-P	87-22-025	392-162-035	AMD-P	87-17-039
392-130-005	NEW-P	87-22-024	392-139-154	NEW-P	87-22-025	392-162-035	AMD	87-22-001
392-130-010	NEW-P	87-22-024	392-139-156	NEW-P	87-22-025	392-162-040	AMD-P	87-17-039
392-130-015	NEW-P	87-22-024	392-139-158	NEW-P	87-22-025	392-162-040	AMD	87-22-001
392-130-020	NEW-P	87-22-024	392-139-160	NEW-P	87-22-025	392-162-042	NEW-P	87-17-039
392-130-025	NEW-P	87-22-024	392-139-162	NEW-P	87-22-025	392-162-042	NEW	87-22-001
392-130-030	NEW-P	87-22-024	392-139-164	NEW-P	87-22-025	392-162-044	NEW-P	87-17-039
392-130-035	NEW-P	87-22-024	392-139-166	NEW-P	87-22-025	392-162-044	NEW	87-22-001
392-130-040	NEW-P	87-22-024	392-139-168	NEW-P	87-22-025	392-162-045	AMD-P	87-17-039
392-130-045	NEW-P	87-22-024	392-139-170	NEW-P	87-22-025	392-162-045	AMD	87-22-001

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-162-047	NEW-P	87-17-039	392-166-165	NEW-E	87-19-034	392-196-005	AMD-P	87-19-156
392-162-047	NEW	87-22-001	392-166-165	NEW-P	87-19-133	392-196-005	AMD	87-23-004
392-162-049	NEW-P	87-17-039	392-166-165	NEW	87-23-011	392-196-010	AMD-E	87-17-049
392-162-049	NEW	87-22-001	392-166-170	NEW-E	87-19-034	392-196-010	AMD-P	87-19-156
392-162-052	NEW-P	87-17-039	392-166-170	NEW-P	87-19-133	392-196-010	AMD	87-23-004
392-162-052	NEW	87-22-001	392-166-170	NEW	87-23-011	392-196-011	NEW-E	87-17-049
392-162-053	NEW-P	87-17-039	392-166-175	NEW-E	87-19-034	392-196-011	NEW-P	87-19-156
392-162-053	NEW	87-22-001	392-166-175	NEW-P	87-19-133	392-196-011	NEW	87-23-004
392-162-057	NEW-P	87-17-039	392-166-175	NEW	87-23-011	392-196-020	AMD-E	87-17-049
392-162-057	NEW	87-22-001	392-166-180	NEW-E	87-19-034	392-196-020	AMD-P	87-19-156
392-162-060	AMD-P	87-17-039	392-166-180	NEW-P	87-19-133	392-196-020	AMD	87-23-004
392-162-060	AMD	87-22-001	392-166-180	NEW	87-23-011	392-196-030	AMD-E	87-17-049
392-162-062	NEW-P	87-17-039	392-166-185	NEW-E	87-19-034	392-196-030	AMD-P	87-19-156
392-162-062	NEW	87-22-001	392-166-185	NEW-P	87-19-133	392-196-030	AMD	87-23-004
392-162-065	AMD-P	87-17-039	392-166-185	NEW	87-23-011	392-196-040	AMD-E	87-17-049
392-162-065	AMD	87-22-001	392-166-190	NEW-E	87-19-034	392-196-040	AMD-P	87-19-156
392-162-067	NEW-P	87-17-039	392-166-190	NEW-P	87-19-133	392-196-040	AMD	87-23-004
392-162-067	NEW	87-22-001	392-166-190	NEW	87-23-011	392-196-045	AMD-E	87-17-049
392-162-070	AMD-P	87-17-039	392-166-195	NEW-E	87-19-034	392-196-045	AMD-P	87-19-156
392-162-070	AMD	87-22-001	392-166-195	NEW-P	87-19-133	392-196-045	AMD	87-23-004
392-162-075	AMD-P	87-17-039	392-166-195	NEW	87-23-011	392-196-050	AMD-E	87-17-049
392-162-075	AMD	87-22-001	392-166-200	NEW-E	87-19-034	392-196-050	AMD-P	87-19-156
392-162-080	AMD-P	87-17-039	392-166-200	NEW-P	87-19-133	392-196-050	AMD	87-23-004
392-162-080	AMD	87-22-001	392-166-200	NEW	87-23-011	392-196-051	NEW-E	87-17-049
392-162-085	AMD-P	87-17-039	392-166-205	NEW-E	87-19-034	392-196-051	NEW-P	87-19-156
392-162-085	AMD	87-22-001	392-166-205	NEW-P	87-19-133	392-196-051	NEW	87-23-004
392-162-090	AMD-P	87-17-039	392-166-205	NEW	87-23-011	392-196-052	NEW-E	87-17-049
392-162-090	AMD	87-22-001	392-166-210	NEW-E	87-19-034	392-196-052	NEW-P	87-19-156
392-162-095	AMD-P	87-17-039	392-166-210	NEW-P	87-19-133	392-196-052	NEW	87-23-004
392-162-095	AMD	87-22-001	392-166-210	NEW	87-23-011	392-196-055	AMD-E	87-17-049
392-162-100	AMD-P	87-17-039	392-166-215	NEW-E	87-19-034	392-196-055	AMD-P	87-19-156
392-162-100	AMD	87-22-001	392-166-215	NEW-P	87-19-133	392-196-055	AMD	87-23-004
392-162-105	AMD-P	87-17-039	392-166-215	NEW	87-23-011	392-196-060	AMD-E	87-17-049
392-162-105	AMD	87-22-001	392-166-220	NEW-E	87-19-034	392-196-060	AMD-P	87-19-156
392-162-110	AMD-P	87-17-039	392-166-220	NEW-P	87-19-133	392-196-060	AMD	87-23-004
392-162-110	AMD	87-22-001	392-166-220	NEW	87-23-011	392-196-070	AMD-E	87-17-049
392-162-115	AMD-P	87-17-039	392-166-225	NEW-E	87-19-034	392-196-070	AMD-P	87-19-156
392-162-115	AMD	87-22-001	392-166-225	NEW-P	87-19-133	392-196-070	AMD	87-23-004
392-166-100	NEW-E	87-19-034	392-166-225	NEW	87-23-011	392-196-072	NEW-E	87-17-049
392-166-100	NEW-P	87-19-133	392-166-230	NEW-E	87-19-034	392-196-072	NEW-P	87-19-156
392-166-100	NEW	87-23-011	392-166-230	NEW-P	87-19-133	392-196-072	NEW	87-23-004
392-166-105	NEW-E	87-19-034	392-166-230	NEW	87-23-011	392-196-075	AMD-E	87-17-049
392-166-105	NEW-P	87-19-133	392-166-235	NEW-E	87-19-034	392-196-075	AMD-P	87-19-156
392-166-105	NEW	87-23-011	392-166-235	NEW-P	87-19-133	392-196-075	AMD	87-23-004
392-166-110	NEW-E	87-19-034	392-166-235	NEW	87-23-011	392-196-080	AMD-E	87-17-049
392-166-110	NEW-P	87-19-133	392-166-240	NEW-E	87-19-034	392-196-080	AMD-P	87-19-156
392-166-110	NEW	87-23-011	392-166-240	NEW-P	87-19-133	392-196-080	AMD	87-23-004
392-166-115	NEW-E	87-19-034	392-166-240	NEW	87-23-011	392-196-085	AMD-E	87-17-049
392-166-115	NEW-P	87-19-133	392-166-245	NEW-E	87-19-034	392-196-085	AMD-P	87-19-156
392-166-115	NEW	87-23-011	392-166-245	NEW-P	87-19-133	392-196-085	AMD	87-23-004
392-166-120	NEW-E	87-19-034	392-166-245	NEW	87-23-011	392-196-090	AMD-E	87-17-049
392-166-120	NEW-P	87-19-133	392-166-250	NEW-E	87-19-034	392-196-090	AMD-P	87-19-156
392-166-120	NEW	87-23-011	392-166-250	NEW-P	87-19-133	392-196-090	AMD	87-23-004
392-166-125	NEW-E	87-19-034	392-166-250	NEW	87-23-011	392-202-003	NEW-P	87-18-042
392-166-125	NEW-P	87-19-133	392-166-255	NEW-E	87-19-034	392-202-003	NEW	87-23-005
392-166-125	NEW	87-23-011	392-166-255	NEW-P	87-19-133	392-202-005	NEW-P	87-18-042
392-166-130	NEW-E	87-19-034	392-166-255	NEW	87-23-011	392-202-005	NEW	87-23-005
392-166-130	NEW-P	87-19-133	392-166-260	NEW-E	87-19-034	392-202-010	NEW-P	87-18-042
392-166-130	NEW	87-23-011	392-166-260	NEW-P	87-19-133	392-202-010	NEW	87-23-005
392-166-135	NEW-E	87-19-034	392-166-260	NEW	87-23-011	392-202-015	NEW-P	87-18-042
392-166-135	NEW-P	87-19-133	392-166-265	NEW-E	87-19-034	392-202-015	NEW	87-23-005
392-166-135	NEW	87-23-011	392-166-265	NEW-P	87-19-133	392-202-020	NEW-P	87-18-042
392-166-140	NEW-E	87-19-034	392-166-265	NEW	87-23-011	392-202-020	NEW	87-23-005
392-166-140	NEW-P	87-19-133	392-166-270	NEW-E	87-19-034	392-202-025	NEW-P	87-18-042
392-166-140	NEW	87-23-011	392-166-270	NEW-P	87-19-133	392-202-025	NEW	87-23-005
392-166-145	NEW-E	87-19-034	392-166-270	NEW	87-23-011	392-202-030	NEW-P	87-18-042
392-166-145	NEW-P	87-19-133	392-166-275	NEW-E	87-19-034	392-202-030	NEW	87-23-005
392-166-145	NEW	87-23-011	392-166-275	NEW-P	87-19-133	392-202-035	NEW-P	87-18-042
392-166-150	NEW-E	87-19-034	392-166-275	NEW	87-23-011	392-202-035	NEW	87-23-005
392-166-150	NEW-P	87-19-133	392-185-060	AMD-P	87-13-065	392-202-040	NEW-P	87-18-042
392-166-150	NEW	87-23-011	392-185-060	AMD	87-16-034	392-202-040	NEW	87-23-005
392-166-155	NEW-E	87-19-034	392-195-010	AMD-P	87-22-026	392-202-045	NEW-P	87-18-042
392-166-155	NEW-P	87-19-133	392-195-015	AMD-P	87-22-026	392-202-045	NEW	87-23-005
392-166-155	NEW	87-23-011	392-196	AMD-E	87-17-049	392-202-050	NEW-P	87-18-042
392-166-160	NEW-E	87-19-034	392-196	AMD-P	87-19-156	392-202-050	NEW	87-23-005
392-166-160	NEW-P	87-19-133	392-196	AMD	87-23-004	392-202-055	NEW-P	87-18-042
392-166-160	NEW	87-23-011	392-196-005	AMD-E	87-17-049	392-202-055	NEW	87-23-005

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
392-202-060	NEW-P 87-18-042	415-100-010	REP-P 87-03-046	415-104-140	REP-P 87-03-047
392-202-060	NEW 87-23-005	415-100-010	REP 87-07-014	415-104-140	REP 87-07-016
392-202-065	NEW-P 87-18-042	415-100-015	NEW-P 87-03-046	415-104-145	NEW-P 87-03-047
392-202-065	NEW 87-23-005	415-100-015	NEW 87-07-014	415-104-145	NEW 87-07-016
392-202-070	NEW-P 87-18-042	415-100-020	REP-P 87-03-046	415-104-150	REP-P 87-03-047
392-202-070	NEW 87-23-005	415-100-020	REP 87-07-014	415-104-150	REP 87-07-016
392-202-075	NEW-P 87-18-042	415-100-025	NEW-P 87-03-046	415-104-155	NEW-P 87-03-047
392-202-075	NEW 87-23-005	415-100-025	NEW 87-07-014	415-104-155	NEW 87-07-016
392-202-080	NEW-P 87-18-042	415-100-035	NEW-P 87-03-046	415-104-160	REP-P 87-03-047
392-202-080	NEW 87-23-005	415-100-035	NEW 87-07-014	415-104-160	REP 87-07-016
392-202-085	NEW-P 87-18-042	415-100-040	REP-P 87-03-046	415-104-165	NEW-P 87-03-047
392-202-085	NEW 87-23-005	415-100-040	REP 87-07-014	415-104-165	NEW 87-07-016
392-202-090	NEW-P 87-18-042	415-100-050	REP-P 87-03-046	415-104-170	REP-P 87-03-047
392-202-090	NEW 87-23-005	415-100-050	REP 87-07-014	415-104-170	REP 87-07-016
392-202-095	NEW-P 87-18-042	415-100-060	REP-P 87-03-046	415-104-175	NEW-P 87-03-047
392-202-095	NEW 87-23-005	415-100-060	REP 87-07-014	415-104-175	NEW 87-07-016
392-202-100	NEW-P 87-18-042	415-100-100	REP-P 87-03-046	415-104-180	REP-P 87-03-047
392-202-100	NEW 87-23-005	415-100-100	REP 87-07-014	415-104-180	REP 87-07-016
392-202-105	NEW-P 87-18-042	415-100-110	REP-P 87-03-046	415-104-190	REP-P 87-03-047
392-202-105	NEW 87-23-005	415-100-110	REP 87-07-014	415-104-190	REP 87-07-016
392-202-110	NEW-P 87-18-042	415-100-120	REP-P 87-03-046	415-104-200	REP-P 87-03-047
392-202-110	NEW 87-23-005	415-100-120	REP 87-07-014	415-104-200	REP 87-07-016
392-202-115	NEW-P 87-18-042	415-100-130	REP-P 87-03-046	415-104-210	REP-P 87-03-047
392-202-115	NEW 87-23-005	415-100-130	REP 87-07-014	415-104-210	REP 87-07-016
392-202-120	NEW-P 87-18-042	415-100-140	REP-P 87-03-046	415-104-220	REP-P 87-03-047
392-202-120	NEW 87-23-005	415-100-140	REP 87-07-014	415-104-220	REP 87-07-016
392-202-125	NEW-P 87-18-042	415-100-150	REP-P 87-03-046	415-104-230	REP-P 87-03-047
392-202-125	NEW 87-23-005	415-100-150	REP 87-07-014	415-104-230	REP 87-07-016
392-202-130	NEW-P 87-18-042	415-100-160	REP-P 87-03-046	415-104-240	REP-P 87-03-047
392-202-130	NEW 87-23-005	415-100-160	REP 87-07-014	415-104-240	REP 87-07-016
392-202-135	NEW-P 87-18-042	415-100-170	REP-P 87-03-046	415-104-250	REP-P 87-03-047
392-202-135	NEW 87-23-005	415-100-170	REP 87-07-014	415-104-250	REP 87-07-016
392-202-140	NEW-P 87-18-042	415-100-180	REP-P 87-03-046	415-104-260	REP-P 87-03-047
392-202-140	NEW 87-23-005	415-100-180	REP 87-07-014	415-104-260	REP 87-07-016
399-30-040	AMD-E 87-13-025	415-104	AMD-P 87-03-047	415-104-270	REP-P 87-03-047
399-30-040	AMD-P 87-13-043	415-104	AMD 87-07-016	415-104-270	REP 87-07-016
399-30-040	AMD 87-17-013	415-104-005	NEW-P 87-03-047	415-104-300	REP-P 87-03-047
400-12-100	NEW-P 87-22-065	415-104-005	NEW 87-07-016	415-104-300	REP 87-07-016
400-12-110	NEW-P 87-22-065	415-104-010	REP-P 87-03-047	415-104-310	REP-P 87-03-047
400-12-120	NEW-P 87-22-065	415-104-010	REP 87-07-016	415-104-310	REP 87-07-016
400-12-200	NEW-P 87-22-065	415-104-015	NEW-P 87-03-047	415-104-320	REP-P 87-03-047
400-12-210	NEW-P 87-22-065	415-104-015	NEW 87-07-016	415-104-320	REP 87-07-016
400-12-300	NEW-P 87-22-065	415-104-020	REP-P 87-03-047	415-104-400	REP-P 87-03-047
400-12-310	NEW-P 87-22-065	415-104-020	REP 87-07-016	415-104-400	REP 87-07-016
400-12-400	NEW-P 87-22-065	415-104-025	NEW-P 87-03-047	415-104-410	REP-P 87-03-047
400-12-410	NEW-P 87-22-065	415-104-025	NEW 87-07-016	415-104-410	REP 87-07-016
400-12-420	NEW-P 87-22-065	415-104-030	REP-P 87-03-047	415-104-800	REP-P 87-03-047
400-12-500	NEW-P 87-22-065	415-104-030	REP 87-07-016	415-104-800	REP 87-07-016
400-12-510	NEW-P 87-22-065	415-104-035	NEW-P 87-03-047	415-104-810	REP-P 87-03-047
400-12-520	NEW-P 87-22-065	415-104-035	NEW 87-07-016	415-104-810	REP 87-07-016
400-12-530	NEW-P 87-22-065	415-104-045	NEW-P 87-03-047	415-104-820	REP-P 87-03-047
400-12-540	NEW-P 87-22-065	415-104-045	NEW 87-07-016	415-104-820	REP 87-07-016
400-12-550	NEW-P 87-22-065	415-104-050	NEW-P 87-03-047	415-104-830	REP-P 87-03-047
400-12-600	NEW-P 87-22-065	415-104-050	NEW 87-07-016	415-104-830	REP 87-07-016
400-12-610	NEW-P 87-22-065	415-104-060	NEW-P 87-03-047	415-105-050	AMD-P 87-03-048
400-12-620	NEW-P 87-22-065	415-104-060	NEW 87-07-016	415-105-050	AMD 87-07-015
400-12-630	NEW-P 87-22-065	415-104-070	NEW-P 87-03-047	415-105-060	AMD-P 87-03-048
400-12-640	NEW-P 87-22-065	415-104-070	NEW 87-07-016	415-105-060	AMD 87-07-015
400-12-650	NEW-P 87-22-065	415-104-080	NEW-P 87-03-047	415-105-070	AMD-P 87-03-048
400-12-660	NEW-P 87-22-065	415-104-080	NEW 87-07-016	415-105-070	AMD 87-07-015
400-12-700	NEW-P 87-22-065	415-104-090	NEW-P 87-03-047	415-105-090	AMD-P 87-03-048
400-12-710	NEW-P 87-22-065	415-104-090	NEW 87-07-016	415-105-090	AMD 87-07-015
400-12-720	NEW-P 87-22-065	415-104-100	AMD-P 87-03-047	415-105-100	NEW-P 87-03-048
400-12-730	NEW-P 87-22-065	415-104-100	REP-P 87-03-047	415-105-100	NEW 87-07-015
400-12-740	NEW-P 87-22-065	415-104-100	AMD 87-07-016	415-105-110	NEW-P 87-03-048
400-12-800	NEW-P 87-22-065	415-104-105	REP-P 87-03-047	415-105-110	NEW 87-07-015
400-12-810	NEW-P 87-22-065	415-104-105	REP 87-07-016	415-105-120	NEW-P 87-03-048
400-12-820	NEW-P 87-22-065	415-104-110	REP-P 87-03-047	415-105-120	NEW 87-07-015
415-02-090	AMD-P 87-03-049	415-104-110	REP 87-07-016	415-105-130	NEW-P 87-03-048
415-02-090	AMD 87-07-013	415-104-115	NEW-P 87-03-047	415-105-130	NEW 87-07-015
415-02-099	NEW-E 87-14-036	415-104-115	NEW 87-07-016	415-105-140	NEW-P 87-03-048
415-02-099	NEW-P 87-14-037	415-104-120	REP-P 87-03-047	415-105-140	NEW 87-07-015
415-02-099	NEW 87-17-059	415-104-120	REP 87-07-016	415-105-150	NEW-P 87-03-048
415-100	AMD-P 87-03-046	415-104-125	NEW-P 87-03-047	415-105-150	NEW 87-07-015
415-100	AMD 87-07-014	415-104-125	NEW 87-07-016	415-105-160	NEW-P 87-03-048
415-100-005	NEW-P 87-03-046	415-104-135	NEW-P 87-03-047	415-105-160	NEW 87-07-015
415-100-005	NEW 87-07-014	415-104-135	NEW 87-07-016	415-105-170	NEW-P 87-03-048

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
415-105-170	NEW	87-07-015	434-09-090	NEW-E	87-02-067	440-44-061	AMD	87-03-017
415-105-180	NEW-P	87-03-048	434-09-090	NEW-P	87-02-068	440-44-070	AMD-P	87-10-015
415-105-180	NEW	87-07-015	434-09-090	NEW	87-06-009	440-44-070	AMD-E	87-14-065
415-108-450	NEW-P	87-14-038	434-40-005	NEW-P	87-24-047	440-44-070	AMD	87-14-066
415-108-450	NEW-P	88-01-129	434-40-010	NEW-P	87-24-047	440-44-075	AMD-P	87-10-015
415-108-460	NEW-P	87-14-038	434-40-020	NEW-P	87-24-047	440-44-075	AMD	87-17-045
415-108-460	NEW-P	88-01-129	434-40-030	NEW-P	87-24-047	440-44-076	AMD-P	87-10-015
415-108-470	NEW-P	87-14-038	434-40-040	NEW-P	87-24-047	440-44-076	AMD-E	87-14-065
415-108-470	NEW	87-17-061	434-40-050	NEW-P	87-24-047	440-44-076	AMD	87-14-066
415-108-480	NEW-P	87-14-038	434-40-060	NEW-P	87-24-047	440-44-100	AMD-P	87-10-015
415-108-480	NEW	87-17-061	434-40-070	NEW-P	87-24-047	440-44-100	AMD-C	87-13-082
415-108-490	NEW-P	87-14-038	434-40-080	NEW-P	87-24-047	440-44-100	AMD-P	87-20-081
415-108-490	NEW	87-17-061	434-40-090	NEW-P	87-24-047	440-44-100	AMD	87-24-074
415-108-510	NEW-P	87-14-038	434-40-100	NEW-P	87-24-047	446-20-020	AMD-E	88-02-016
415-108-510	NEW	87-17-061	434-40-110	NEW-P	87-24-047	446-20-285	NEW-E	88-02-016
415-112-330	NEW-P	87-16-077	434-40-120	NEW-P	87-24-047	446-20-290	AMD-E	88-02-016
415-112-330	NEW-P	88-01-130	434-40-130	NEW-P	87-24-047	446-20-300	AMD-E	88-02-016
415-112-410	AMD-P	87-14-034	434-40-140	NEW-P	87-24-047	446-20-310	AMD-E	88-02-016
415-112-410	AMD-P	88-01-131	434-40-150	NEW-P	87-24-047	446-55-005	NEW-C	87-04-024
415-112-411	NEW-P	87-14-034	434-40-160	NEW-P	87-24-047	446-55-005	NEW	87-05-012
415-112-411	NEW-P	88-01-131	434-40-170	NEW-P	87-24-047	446-55-020	AMD-C	87-04-024
415-112-412	NEW-P	87-14-034	434-40-180	NEW-P	87-24-047	446-55-020	AMD	87-05-012
415-112-412	NEW	87-17-060	434-40-190	NEW-P	87-24-047	446-55-030	AMD-C	87-04-024
415-112-413	NEW-P	87-14-034	434-40-200	NEW-P	87-24-047	446-55-030	AMD	87-05-012
415-112-413	NEW	87-17-060	434-40-210	NEW-P	87-24-047	446-55-060	AMD-C	87-04-024
415-112-414	NEW-P	87-14-034	434-40-220	NEW-P	87-24-047	446-55-060	AMD	87-05-012
415-112-414	NEW	87-17-060	434-40-230	NEW-P	87-24-047	446-55-090	AMD-P	87-02-040
415-112-415	NEW-P	87-14-034	434-40-240	NEW-P	87-24-047	446-55-090	AMD-E	87-02-041
415-112-415	NEW	87-17-060	434-40-250	NEW-P	87-24-047	446-55-100	AMD-P	87-02-040
415-112-800	NEW-E	87-14-035	434-40-260	NEW-P	87-24-047	446-55-100	AMD-E	87-02-041
415-112-800	NEW-P	87-16-016	434-40-270	NEW-P	87-24-047	446-55-170	AMD-C	87-04-024
415-112-800	NEW	87-20-082	434-40-280	NEW-P	87-24-047	446-55-170	AMD	87-05-012
415-112-810	NEW-E	87-14-035	434-40-290	NEW-P	87-24-047	446-55-180	AMD-C	87-04-024
415-112-810	NEW-P	87-16-016	434-40-300	NEW-P	87-24-047	446-55-180	AMD	87-05-012
415-112-810	NEW	87-20-082	434-40-310	NEW-P	87-24-047	446-55-200	REP-C	87-04-024
415-112-820	NEW-E	87-14-035	434-55-010	AMD-P	87-14-028	446-55-200	REP	87-05-012
415-112-820	NEW-P	87-16-016	434-55-010	AMD-E	87-16-011	446-55-210	REP-C	87-04-024
415-112-820	NEW	87-20-082	434-55-010	AMD	87-17-002	446-55-210	REP	87-05-012
419-56-010	NEW-P	87-18-002	434-55-015	AMD-P	87-14-028	446-55-220	AMD-C	87-04-024
419-56-020	NEW-P	87-18-002	434-55-015	AMD-E	87-16-011	446-55-220	AMD	87-05-012
419-56-030	NEW-P	87-18-002	434-55-015	AMD	87-17-002	446-55-240	REP-C	87-04-024
419-56-040	NEW-P	87-18-002	434-55-016	AMD-P	87-14-028	446-55-240	REP	87-05-012
419-56-050	NEW-P	87-18-002	434-55-016	AMD-E	87-16-011	446-55-250	AMD-P	87-02-040
419-56-060	NEW-P	87-18-002	434-55-016	AMD	87-17-002	446-55-250	AMD-E	87-02-041
419-56-070	NEW-P	87-18-002	434-55-020	REP-P	87-14-028	446-55-270	AMD-P	87-02-040
419-56-080	NEW-P	87-18-002	434-55-020	REP-E	87-16-011	446-55-270	AMD-E	87-02-041
419-56-090	NEW-P	87-18-002	434-55-020	REP	87-17-002	446-60-005	NEW-C	87-04-024
419-60-010	NEW-E	87-20-015	434-55-030	AMD-P	87-14-028	446-60-005	NEW	87-05-012
419-60-010	NEW-P	87-20-061	434-55-030	AMD-E	87-16-011	446-60-015	NEW-C	87-04-024
419-60-020	NEW-E	87-20-015	434-55-030	AMD	87-17-002	446-60-015	NEW	87-05-012
419-60-020	NEW-P	87-20-061	434-55-035	REP-P	87-14-028	446-60-020	AMD-C	87-04-024
419-60-030	NEW-E	87-20-015	434-55-035	REP-E	87-16-011	446-60-020	AMD	87-05-012
419-60-030	NEW-P	87-20-061	434-55-035	REP	87-17-002	446-60-080	AMD-C	87-04-024
434-09-010	NEW-E	87-02-067	434-55-040	AMD-P	87-14-028	446-60-080	AMD	87-05-012
434-09-010	NEW-P	87-02-068	434-55-040	AMD-E	87-16-011	446-70-010	NEW-P	87-06-007
434-09-010	NEW	87-06-009	434-55-040	AMD	87-17-002	446-70-010	NEW	87-09-049
434-09-020	NEW-E	87-02-067	434-55-055	AMD-P	87-14-028	446-70-020	NEW-P	87-06-007
434-09-020	NEW-P	87-02-068	434-55-055	AMD-E	87-16-011	446-70-020	NEW	87-09-049
434-09-020	NEW	87-06-009	434-55-055	AMD	87-17-002	446-70-030	NEW-P	87-06-007
434-09-030	NEW-E	87-02-067	434-55-060	AMD-P	87-14-028	446-70-030	NEW	87-09-049
434-09-030	NEW-P	87-02-068	434-55-060	AMD-E	87-16-011	446-70-040	NEW-P	87-06-007
434-09-030	NEW	87-06-009	434-55-060	AMD	87-17-002	446-70-040	NEW	87-09-049
434-09-040	NEW-E	87-02-067	440-44-030	AMD-P	87-09-007	446-70-050	NEW-P	87-06-007
434-09-040	NEW-P	87-02-068	440-44-030	AMD	87-12-049	446-70-050	NEW	87-09-049
434-09-040	NEW	87-06-009	440-44-030	AMD-P	87-13-081	446-70-060	NEW-P	87-06-007
434-09-050	NEW-E	87-02-067	440-44-030	AMD	87-16-084	446-70-060	NEW	87-09-049
434-09-050	NEW-P	87-02-068	440-44-040	AMD-P	87-10-015	446-70-070	NEW-P	87-06-007
434-09-050	NEW	87-06-009	440-44-040	AMD-E	87-14-065	446-70-070	NEW	87-09-049
434-09-060	NEW-E	87-02-067	440-44-040	AMD	87-14-066	446-70-080	NEW-P	87-06-007
434-09-060	NEW-P	87-02-068	440-44-045	AMD-P	87-10-015	446-70-080	NEW	87-09-049
434-09-060	NEW	87-06-009	440-44-045	AMD-E	87-14-065	458-12-012	NEW-P	87-24-001
434-09-070	NEW-E	87-02-067	440-44-045	AMD	87-14-066	458-14-020	AMD-P	87-24-002
434-09-070	NEW-P	87-02-068	440-44-048	AMD-P	87-10-015	458-14-040	AMD-P	87-24-002
434-09-070	NEW	87-06-009	440-44-048	AMD-E	87-14-065	458-14-045	AMD-P	87-24-002
434-09-080	NEW-E	87-02-067	440-44-048	AMD	87-14-066	458-15-005	NEW	87-05-022
434-09-080	NEW-P	87-02-068	440-44-057	AMD-P	87-17-041	458-15-010	NEW	87-05-022
434-09-080	NEW	87-06-009	440-44-057	AMD	87-21-016	458-15-015	NEW	87-05-022

Table of WAC Sections Affected as of 12/31/87

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
458-15-020	NEW	87-05-022	458-40-650	AMD-P	87-10-062	463-36-020	NEW	87-24-006
458-15-030	NEW	87-05-022	458-40-650	AMD	87-14-042	463-36-030	NEW-P	87-19-140
458-15-040	NEW	87-05-022	458-40-650	AMD-E	87-14-043	463-36-030	NEW	87-24-006
458-15-050	NEW	87-05-022	458-40-660	AMD-P	87-10-062	463-36-040	NEW-P	87-19-140
458-15-060	NEW	87-05-022	458-40-660	AMD	87-14-042	463-36-040	NEW	87-24-006
458-15-070	NEW	87-05-022	458-40-660	AMD-E	87-14-043	463-36-050	NEW-P	87-19-140
458-15-080	NEW	87-05-022	458-40-660	AMD-P	87-22-067	463-36-050	NEW	87-24-006
458-15-090	NEW	87-05-022	458-40-660	AMD-E	88-02-025	463-36-060	NEW-P	87-19-140
458-15-100	NEW	87-05-022	458-40-660	AMD	88-02-026	463-36-060	NEW	87-24-006
458-15-110	NEW	87-05-022	458-40-670	AMD-P	87-10-062	463-36-070	NEW-P	87-19-140
458-15-120	NEW	87-05-022	458-40-670	AMD	87-14-042	463-36-070	NEW	87-24-006
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458-18-210	NEW	87-19-141	458-53-141	AMD-P	87-09-022	463-42-655	NEW	87-05-017
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480-100-051	RESCIND	87-03-059	480-100-051	RESCIND	87-03-059
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480-100-071	RESCIND	87-03-059	480-100-071	RESCIND	87-03-059
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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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132U-116-020	NEW-E 88-02-047	308-124B-130	AMD-E 88-02-050	388-14-320	REP-E 88-02-056
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173-19-3512	AMD-C 88-02-063	308-124E-012	NEW-P 88-02-049	388-14-385	AMD-P 88-02-055
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173-201-080	AMD 88-02-058	308-180-270	NEW-P 88-02-061	388-14-425	NEW-P 88-02-055
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