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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of September 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 thirteen and one-quarter percent (13¼%) for the third calendar quarter of 1988.

WASHINGTON STATE REGISTER

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1987 – 1988

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates 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
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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
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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.

³No 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 88-18-001

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

(Noxious Weed Control Board)

[Order 24, Resolution No. 24—Filed August 25, 1988]

Be it resolved by the State Noxious Weed Control Board, acting at Ellensburg, Washington, that it does adopt the annexed rules relating to noxious weed region descriptions; regions in which Class B weeds will be designated; and definitions which will apply throughout chapter 16-750 WAC.

This action is taken pursuant to Notice No. WSR 88-13-049 filed with the code reviser on June 10, 1988. 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 17.10 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 19, 1988.

By Arlie Clinkenbeard
Chairman

NEW SECTION

WAC 16-750-003 DEFINITIONS. (1) The definitions set forth in this subsection shall apply throughout this chapter, unless the context otherwise plainly requires:

(a) "Board" and "state board" means the noxious weed control board of this state, or a duly authorized representative.

(b) "Director" means the director of agriculture of this state, or a duly authorized representative.

(c) "Department" means the department of agriculture of this state.

(d) "Person" means any individual, partnership, corporation, firm, or any other entity.

(2) The definitions set forth in this subsection shall apply throughout this chapter, chapter 17.10 RCW, and any rules adopted thereunder unless the context otherwise plainly requires:

(a) "Control" means to suppress or contain a noxious weed within a geographical area.

(b) "Suppress" means to reduce the incidence or severity of a noxious weed within a geographical area.

(c) "Contain" means to confine a noxious weed to a geographical area.

(d) "Eradicate" means to eliminate a noxious weed within a geographical area.

(e) "Prevent the spread of noxious weeds" means to forestall their introduction and/or spread within a geographical area.

(f) "Class B designate" means those Class B noxious weeds whose populations in a region or area are such

that all seed production can be reasonably prevented within a calendar year.

(g) "Class B nondesignate" means those Class B noxious weeds whose populations in a region or area are such that all seed production cannot be reasonably prevented in a calendar year.

(3) Any county noxious weed control board may enhance the clarity of any definition contained in subsection (2) of this section, making that definition more specific, but shall not change its general meaning.

NEW SECTION

WAC 16-750-004 NOXIOUS WEED REGION DESCRIPTIONS. The state of Washington is divided into ten regions for the purpose of designating Class B noxious weeds.

(1) Region 1 description. A region consisting of all lands lying within the boundaries of Clallam and Jefferson counties.

(2) Region 2 description. A region consisting of all lands lying within the boundaries of Whatcom, Skagit, Snohomish, San Juan, and Island counties.

(3) Region 3 description. A region consisting of:

(a) All lands lying within the boundaries of Okanogan County.

(b) All lands lying within the boundaries of Chelan and Douglas counties and north of Highway 2.

(4) Region 4 description. A region consisting of:

(a) All lands lying within the boundaries of Ferry, Stevens, and Pend Oreille counties.

(b) All lands lying within the boundaries of Spokane County and north of the Spokane River.

(5) Region 5 description. A region consisting of all lands lying within the boundaries of Grays Harbor, Mason, Kitsap, Thurston, Pierce, and King counties.

(6) Region 6 description. A region consisting of:

(a) All lands lying within the boundaries of Kittitas and Grant counties.

(b) All lands lying within the boundaries of Chelan and Douglas counties and south of Highway 2.

(c) All lands lying within the boundaries of Yakima County and north of Highway 12 from the Yakima — Lewis County line to Yakima and north of Highway 82 from Yakima to the Yakima — Kittitas County line.

(d) All lands lying within the boundaries of Ranges 28E, 29E, and 30E of Adams County.

(7) Region 7 description. A region consisting of:

(a) All lands lying within the boundaries of Lincoln and Whitman counties.

(b) All lands lying within the boundaries of Spokane County and south of the Spokane River.

(c) All lands lying within the boundaries of Ranges 31E, 32E, 33E, 34E, 35E, 36E, 37E, and 38E of Adams County.

(8) Region 8 description. A region consisting of all lands lying within the boundaries of Pacific, Lewis, Wahkiakum, Cowlitz, Skamania, and Clark counties.

(9) Region 9 description. A region consisting of:

(a) All lands lying within the boundaries of Benton and Klickitat counties.

(b) All lands lying within the boundaries of Yakima County and south of Highway 12 from the Yakima —

Lewis County line to Yakima and south of Highway 82 from Yakima to the Yakima — Kittitas County line.

(c) All lands lying within the boundaries of Franklin County and west of Highway 395.

(10) Region 10 description. A region consisting of:

(a) All lands lying within the boundaries of Asotin, Garfield, Columbia, and Walla Walla counties.

(b) All lands lying within the boundaries of Franklin County and east of Highway 395.

AMENDATORY SECTION (Amending Order 22, Resolution No. 22, filed 3/7/88)

WAC 16-750-011 STATE NOXIOUS WEED LIST—CLASS B NOXIOUS WEEDS. ((Class B noxious weeds are as follows:

Common Name	Scientific Name
apera, interrupted	<i>Apera interrupta</i>
blueweed	<i>Echium vulgare</i>
broom, Scotch	<i>Cytisus scoparius</i>
bryony, white	<i>Bryonia alba</i>
bugloss, common	<i>Anchusa officinalis</i>
camelthorn	<i>Athagi pseudalhari</i>
catsear, spotted	<i>Hypochaeris radicata</i>
daisy, oxeye	<i>Chrysanthemum leucanthemum</i>
dogtailgrass, hedgehog	<i>Cynosurus echinatus</i>
foxtail, slender	<i>Alopecurus myosuroides</i>
goatgrass, jointed	<i>Aegilops cylindrica</i>
gorse	<i>Ulex europaeus</i>
hawkweed, orange	<i>Hieracium aurantiacum</i>
hawkweed, yellow	<i>Hieracium pratense</i>
indigobush	<i>Amorpha fruticosa</i>
knapweed, black	<i>Centaurea nigra</i>
knapweed, brown	<i>Centaurea jacea</i>
knapweed, diffuse	<i>Centaurea diffusa</i>
knapweed, meadow	<i>Centaurea jacea X nigra</i>
knapweed, Russian	<i>Centaurea repens</i>
knapweed, spotted	<i>Centaurea maculosa</i>
lepyrodiclis	<i>Lepyroclis holosteoides</i>
lythrum, purple	<i>Lythrum salicaria</i>
medusahead	<i>Taeniatherum caput-medusae</i>
nutsedge, yellow	<i>Cyperus esculentus</i>
oxtongue, hawkweed	<i>Picris hieracioides</i>
peaweed, Austrian	<i>Sphacrophysa salsula</i>
pepperweed, perennial	<i>Lepidium latifolium</i>
ragwort, tansy	<i>Senecio jacobaea</i>
sage, Mediterranean	<i>Salvia aethiopsis</i>
sandbur, longspine	<i>Cenchrus longispinus</i>
skeletonweed, rush	<i>Chondrilla juncea</i>
sowthistle, perennial	<i>Sonchus arvensis</i>
spurge, leafy	<i>Euphorbia esula</i>
starthistle, yellow	<i>Centaurea solstitialis</i>
thistle, musk	<i>Carduus nutans</i>
thistle, plumelless	<i>Carduus acanthoides</i>
thistle, Scotch	<i>Onopordum acanthium</i>
toadflax, Dalmatian	<i>Linaria genistifolia</i> spp. <i>dalmatica</i>
ventenata	<i>Ventenata dubia</i>
watermilfoil, Eurasian	<i>Myriophyllum spicatum</i>)

Name	Will be a "Class B designate" in all lands lying within:
(1) <u>apera, interrupted</u> <i>Apera interrupta</i>	(a) regions 1,2,3,5,6,8,9,10 (b) Ferry, Stevens, and Pend Oreille counties of region 4 (c) Lincoln and Adams counties of region 7.
(2) <u>blueweed</u> <i>Echium vulgare</i>	(a) regions 1,2,3,4,5,6,8,9,10 (b) region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream

Name	Will be a "Class B designate" in all lands lying within:
(3) <u>broom, Scotch</u> <i>Cytisus scoparius</i>	(a) regions 3,4,6,7,10 (b) region 9 except that area lying west of the Klickitat River in Klickitat County.
(4) <u>bryony, white</u> <i>Bryonia alba</i>	(a) regions 1,2,3,4,5,6,7,8,9 (b) Franklin County of region 10.
(5) <u>bugloss, common</u> <i>Anchusa officinalis</i>	(a) regions 1,2,3,5,6,8,9,10 (b) Ferry and Pend Oreille counties of region 4 (c) Lincoln, Adams, and Whitman counties of region 7.
(6) <u>camelthorn</u> <i>Alhagi pseudalhari</i>	(a) regions 1,2,3,4,5,7,8 (b) Intercounty Weed District No. 51, Intercounty Weed District No. 52, Grant County Weed District No. 1, Grant County Weed District No. 2, and Grant County Weed District No. 3 (c) Grant County north of Highway 90 (d) T16N, R29E; T16N, R30E; T15N, R28E except Sec. 5; T15N, R29E; T15N, R30E (e) Franklin County of region 9 (f) Columbia, Garfield, and Asotin counties of region 10 (g) an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R36E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.
(7) <u>catsear, spotted</u> <i>Hypochaeris radicata</i>	(a) regions 3,4,6,7,9,10.
(8) <u>daisy, oxeye</u> <i>Chrysanthemum leucanthemum</i>	(a) regions 6,7,9,10.
(9) <u>dogtailgrass, hedgehog</u> <i>Cynosurus echinatus</i>	(a) regions 1,2,3,5,6,8,9,10
(10) <u>foxtail, slender</u> <i>Alopecurus myosuroides</i>	(a) regions 1,2,3,5,6,8,9,10 (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams and Whitman counties of region 7.
(11) <u>goatgrass, jointed</u> <i>Aegilops cylindrica</i>	(a) regions 1,2,5,8 (b) Ferry County of region 4 (c) Grant and Adams counties of region 6

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	(d) Franklin County of regions 9 and 10	(22) <u>lepyrodiclis</u>	(a) regions 1,2,3,4,5,6,8,9,10
	(e) Intercounty Weed District No. 51.	<u>Lepyrodiclis holsteoides</u>	(b) region 7 except an area within Whitman County east of the Pullman — Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.
(12) <u>gorse</u>	(a) regions 3,4,6,7,9,10		
<u>Olex europaeus</u>	(b) Thurston County of region 5.	(23) <u>lythrum, purple</u>	(a) regions 1,3,4,7,8
(13) <u>hawkweed, orange</u>	(a) regions 3,6,7,9,10	<u>Lythrum salicaria</u>	(b) region 5 except King County
<u>Hieracium aurantiacum</u>	(b) Ferry County of region 4.		(c) region 6 except that portion of Grant County lying southerly of State Highway 28 and except Sections 21,28,29 and 32, Township 21 North, Range 26 East, W.M.
(14) <u>hawkweed, yellow</u>	(a) regions 1,2,3,5,6,7,8,9,10		(d) region 9 except Benton County
<u>Hieracium pratense</u>	(b) Ferry County of region 4.		(e) region 10 except Walla Walla County
(15) <u>indigobush</u>	(a) regions 1,2,3,4,5,6,7		(f) Intercounty Weed Districts No. 51 and No. 52.
<u>Amorpha fruticosa</u>	(b) Franklin County of regions 9 and 10.	(24) <u>medusahead</u>	(a) regions 1,2,5,8.
(16) <u>knapweed, black</u>	(a) regions 1,2,3,4,5,7,9,10	<u>Taeniatherum caput-medusae</u>	
<u>Centaurea nigra</u>	(b) region 6 except Kittitas County	(25) <u>nutsedge, yellow</u>	(a) regions 1,2,3,4,5,7,8
	(c) region 8 except Clark County.	<u>Cyperus esculentus</u>	(b) Yakima County Weed District No. 1
(17) <u>knapweed, brown</u>	(a) regions 1,2,3,4,5,7,9,10		(c) region 6 except:
<u>Centaurea jacea</u>	(b) region 6 except Kittitas County		(i) those areas lying between State Highway 26 and State Highway 28 in Grant County
	(c) region 8 except Clark County.		(ii) those areas lying in Yakima County but not in Yakima Weed District No. 1
(18) <u>knapweed, diffuse</u>	(a) regions 1,2,5,8		(d) region 9 except:
<u>Centaurea diffusa</u>	(b) Grant County lying in the north half of Township 15 North, Ranges 24 through 27 East; Township 16 North, Ranges 25, 26 and 27 East; Townships 17 and 18 North, Ranges 25 through 30 East; Townships 19 and 20 North, Range 30 East; Township 22 North, Ranges 23, 24, and 25 East; Townships 21, 22, and 23 North, Ranges 28, 29, and 30 East; Townships 24 and 25 North, Ranges 29 and 30 East; Township 26 North, Range 30 East; and the east half of Township 27 North, Range 30 East, all W.M.		(i) those areas lying in Yakima County but not in Yakima Weed District No. 1
	(c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22,23,24,25,26,27,28, 31,32,33 and 34; T15N, R38E, Sections 2,10,11,14,15,19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6; T18N, R37E, Sections 29,30,31 and 32	(26) <u>oxtongue, hawkweed</u>	(ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E
	(d) Franklin County of regions 9 and 10.	<u>Picris hieracioides</u>	(e) region 10 except Walla Walla County.
(19) <u>knapweed, meadow</u>	(a) regions 1,2,3,4,5,7,9,10		(a) regions 1,2,3,4,5,6,7,9, 10
<u>Centaurea jacea x nigra</u>	(b) region 6 except Kittitas County	(27) <u>peaweed, Austrian</u>	(b) region 8 except Skamania County.
	(c) region 8 except Clark County.	<u>Sphaerophysa salsula</u>	(a) regions 1,2,3,4,5,7,8
(20) <u>knapweed, Russian</u>	(a) regions 1,2,5,7,8		(b) Yakima County Weed District No. 1
<u>Centaurea repens</u>	(b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County		(c) Columbia, Garfield, Asotin, and Franklin counties
	(c) Adams County except those areas in the Main Lind Coulee Drainage area of T17N, R32E, Sections 19,20,25,27,28,29,32, 33,34,35 and 36; T17N, R33E, Sections 16,17,19,20 and 30; and those areas within the Lower Crab Creek drainage area of T15N, R28E, sections 5 and 6; and the western half of T16N, R28E		(d) an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R36E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to the southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.
	(d) Intercounty Weed District No. 52	(28) <u>pepperweed, perennial</u>	(a) regions 1,2,3,4,5,7,8,10
	(e) region 10 except Franklin County.	<u>Lepidium latifolium</u>	(b) Grant County lying northerly of Township 21, North, W.M.
(21) <u>knapweed, spotted</u>	(a) regions 1,2,3,5,6,8,9		(c) Intercounty Weed Districts No. 51 and 52.
<u>Centaurea maculosa</u>	(b) Adams and Whitman counties of region 7	(29) <u>ragwort, tansy</u>	(a) regions 3,4,6,7,9,10.
	(c) region 10 except Garfield County.	<u>Senecio jacobaea</u>	
		(30) <u>sage, Mediterranean</u>	(a) regions 1,2,3,4,5,6,7,8,9
		<u>Salvia aethiopsis</u>	(b) Franklin County of region 10.

Name	Will be a "Class B designate" in all lands lying within:
(31) sandbur, longspine <u>Cenchrus longispinus</u>	(a) regions 1,2,3,4,5,7,8 (b) Adams County of region 6 except for that area lying within Intercounty Weed District No. 52 (c) Intercounty Weed District No. 51.
(32) skeletonweed, rush <u>Chondrilla juncea</u>	(a) regions 1,2,3,5,8,9 (b) Franklin County except T13N, R36E; and T14N, R36E (c) Adams County except those areas lying east of a boundary line running north from Franklin County along the western boundary of Range 36 East to Wellsandt Road then east on Wellsandt Road to Interstate 90 then following I-90 to the Lincoln County line (d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road E. Northwest (e) Pend Oreille County north of the northernmost boundary of Township 33 North.
(33) sowthistle, perennial <u>Sonchus arvensis arvensis</u>	(a) regions 1,2,3,4,5,7,8,9,10.
(34) spurge, leafy <u>Euphorbia esula</u>	(a) regions 1,2,3,4,5,6,8,9 (b) region 7 except as follows: (i) T27N, R39E, Sections 24, 25,28,29,30,32,33,34 T26N, R39E, Sections 3,4,5,9,10,15,16,21,22 of Lincoln County (ii) T22N, R37E, Sections 1,12,13,14,23,24,25,26, 35,36; T22N, R38E, Sections 3,4,5,6,7,8,17,18, 19; T23N, R38E, Sections 7,8,17,18,19,20,21,27,28, 29,30,31,32,33,34; T23N, R37E, Sections 23,24,25, 26,35,36 of Lincoln County (iii) T27N, R37E, Sections 34,35,36; T27N, R38E, Sections 31,32,33; T26N, R37E, Sections 1,2,3,10, 11,12,13,14,15,16,26; T26N, R38E, Sections 5, 6,7,8 of Lincoln County (iv) T25N, R41E, all sections; all T27N, R41E south of the Spokane River; all T26N, R42E west of the Spokane River (c) region 10 except as follows: (i) T9N, R39E, Section 8 of Columbia County (ii) T13N, R40E, Sections 10, 11,12,13,14,15,16; T13N, R41E, Sections 5,6, 7,8,9,10,11,12,13,14; T13N, R42E, Sections 2,3, 4,5,7,8,9,10,11,26,27, 34,35 of Garfield County.
(35) starthistle, yellow <u>Centaurea solstitialis</u>	(a) regions 1,2,3,4,5,6,8,9 (b) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border (c) Franklin County.
(36) thistle, musk <u>Carduus nutans</u>	(a) regions 1,2,5,6,7,8,9,10 (b) Spokane County.

Name	Will be a "Class B designate" in all lands lying within:
(37) thistle, plumeless <u>Carduus acanthoides</u>	(a) regions 1,2,3,5,6,7,8,9,10 (b) region 4 except Stevens County.
(38) thistle, Scotch <u>Onopordum acanthium</u>	(a) regions 1,2,3,4,5,6,8,9 (b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border (c) Franklin County.
(39) toadflax, Dalmatian <u>Linaria genistifolia</u> <u>spp. dalmatica</u>	(a) regions 1,2,5,8,10 (b) Kittitas, Chelan, Douglas, Adams counties of region 6 (c) Intercounty Weed District No. 51 (d) Lincoln and Adams counties of region 7 (e) region 9 except as follows: (i) those areas lying within Yakima County (ii) those areas lying west of the Klickitat River and within Klickitat County.
(40) ventenata <u>Ventenata dubia</u>	(a) regions 1,2,3,5,6,8 (b) Franklin County.
(41) watermilfoil, Eurasian <u>Myriophyllum spicatum</u>	(a) regions 1,8,9,10 (b) region 7 except Spokane County.

WSR 88-18-002

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

(Noxious Weed Control Board)

[Order 25, Resolution No. 25—Filed August 25, 1988]

Be it resolved by the State Noxious Weed Board, acting at Ellensburg, Washington, that it does adopt the annexed rules relating to noxious weed region descriptions; regions in which Class B weeds will be designated; and definitions which will apply throughout chapter 16-750 WAC.

We, the State Noxious Weed Board, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is in order to maintain continuity, it is necessary to extend the emergency adoption of rules until the rules are permanently adopted.

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

This rule is promulgated pursuant to chapter 17.10 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 25, 1988.

By Arlie Clinkenbeard
Chairman

NEW SECTION

WAC 16-750-003 **DEFINITIONS.** (1) The definitions set forth in this subsection shall apply throughout this chapter, unless the context otherwise plainly requires:

- (a) "Board" and "state board" means the noxious weed control board of this state, or a duly authorized representative.
- (b) "Director" means the director of agriculture of this state, or a duly authorized representative.
- (c) "Department" means the department of agriculture of this state.
- (d) "Person" means any individual, partnership, corporation, firm, or any other entity.

(2) The definitions set forth in this subsection shall apply throughout this chapter, chapter 17.10 RCW, and any rules adopted thereunder unless the context otherwise plainly requires:

- (a) "Control" means to suppress or contain a noxious weed within a geographical area.
- (b) "Suppress" means to reduce the incidence or severity of a noxious weed within a geographical area.
- (c) "Contain" means to confine a noxious weed to a geographical area.
- (d) "Eradicate" means to eliminate a noxious weed within a geographical area.
- (e) "Prevent the spread of noxious weeds" means to forestall their introduction and/or spread within a geographical area.
- (f) "Class B designate" means those Class B noxious weeds whose populations in a region or area are such that all seed production can be reasonably prevented within a calendar year.
- (g) "Class B nondesignate" means those Class B noxious weeds whose populations in a region or area are such that all seed production cannot be reasonably prevented in a calendar year.

(3) Any county noxious weed control board may enhance the clarity of any definition contained in subsection (2) of this section, making that definition more specific, but shall not change its general meaning.

NEW SECTION

WAC 16-750-004 **NOXIOUS WEED REGION DESCRIPTIONS.** The state of Washington is divided into ten regions for the purpose of designating Class B noxious weeds.

- (1) Region 1 description. A region consisting of all lands lying within the boundaries of Clallam and Jefferson counties.
- (2) Region 2 description. A region consisting of all lands lying within the boundaries of Whatcom, Skagit, Snohomish, San Juan, and Island counties.
- (3) Region 3 description. A region consisting of:
 - (a) All lands lying within the boundaries of Okanogan County.

- (b) All lands lying within the boundaries of Chelan and Douglas counties and north of Highway 2.
- (4) Region 4 description. A region consisting of:
 - (a) All lands lying within the boundaries of Ferry, Stevens, and Pend Oreille counties.
 - (b) All lands lying within the boundaries of Spokane County and north of the Spokane River.
- (5) Region 5 description. A region consisting of all lands lying within the boundaries of Grays Harbor, Mason, Kitsap, Thurston, Pierce, and King counties.
- (6) Region 6 description. A region consisting of:
 - (a) All lands lying within the boundaries of Kittitas and Grant counties.
 - (b) All lands lying within the boundaries of Chelan and Douglas counties and south of Highway 2.
 - (c) All lands lying within the boundaries of Yakima County and north of Highway 12 from the Yakima — Lewis County line to Yakima and north of Highway 82 from Yakima to the Yakima — Kittitas County line.
 - (d) All lands lying within the boundaries of Ranges 28E, 29E, and 30E of Adams County.
- (7) Region 7 description. A region consisting of:
 - (a) All lands lying within the boundaries of Lincoln and Whitman counties.
 - (b) All lands lying within the boundaries of Spokane County and south of the Spokane River.
 - (c) All lands lying with the boundaries of Ranges 31E, 32E, 33E, 34E, 35E, 36E, 37E, and 38E of Adams County.
- (8) Region 8 description. A region consisting of all lands lying within the boundaries of Pacific, Lewis, Wahkiakum, Cowlitz, Skamania, and Clark counties.
- (9) Region 9 description. A region consisting of:
 - (a) All lands lying within the boundaries of Benton and Klickitat counties.
 - (b) All lands lying within the boundaries of Yakima County and south of Highway 12 from the Yakima — Lewis County line to Yakima and south of Highway 82 from Yakima to the Yakima — Kittitas County line.
 - (c) All lands lying within the boundaries of Franklin County and west of Highway 395.
- (10) Region 10 description. A region consisting of:
 - (a) All lands lying within the boundaries of Asotin, Garfield, Columbia, and Walla Walla counties.
 - (b) All lands lying within the boundaries of Franklin County and east of Highway 395.

AMENDATORY SECTION (Amending Order 22, Resolution No. 22, filed 3/7/88)

WAC 16-750-011 **STATE NOXIOUS WEED LIST—CLASS B NOXIOUS WEEDS.** (~~Class B noxious weeds are as follows:~~

Common Name	Scientific Name
apera, interrupted	<i>Apera interrupta</i>
blucweed	<i>Echium vulgare</i>
broom, Scotch	<i>Cytisus scoparius</i>
bryony, white	<i>Bryonia alba</i>
bugloss, common	<i>Anchusa officinalis</i>
camelthorn	<i>Athagi pseudathagi</i>
catscar, spotted	<i>Hypochaeris radicata</i>
daisy, oxeye	<i>Chrysanthemum leucanthemum</i>
dogtailgrass, hedgehog	<i>Cynosurus echinatus</i>

Common Name	Scientific Name	Name	Will be a "Class B designate" in all lands lying within:
foxtail, slender	<i>Alopecurus myosuroides</i>		
goatgrass, jointed	<i>Aegilops cylindrica</i>		
gorse	<i>Ulex europaeus</i>		
hawkweed, orange	<i>Hieracium aurantiacum</i>		
hawkweed, yellow	<i>Hieracium pratense</i>		
indigobush	<i>Amorpha fruticosa</i>		
knapweed, black	<i>Centaurea nigra</i>		
knapweed, brown	<i>Centaurea jacea</i>		
knapweed, diffuse	<i>Centaurea diffusa</i>		
knapweed, meadow	<i>Centaurea jacea X nigra</i>		
knapweed, Russian	<i>Centaurea repens</i>		
knapweed, spotted	<i>Centaurea maculosa</i>		
lepyrodiclis	<i>Lepyrrodiclis holostocoides</i>		
lythrum, purple	<i>Lythrum salicaria</i>		
medusahead	<i>Taeniatherum caput-medusae</i>		
nutsedge, yellow	<i>Cyperus esculentus</i>		
ox tongue, hawkweed	<i>Picris hieracioides</i>		
peaweed, Austrian	<i>Sphacrophysa salsula</i>		
pepperweed, perennial	<i>Lepidium latifolium</i>		
ragwort, tansy	<i>Senecio jacobaea</i>		
sage, Mediterranean	<i>Salvia aethiopsis</i>		
sandbar, longspine	<i>Cenchrus longispinus</i>		
skeletonweed, rush	<i>Chondrilla juncea</i>		
sowthistle, perennial	<i>Sonchus arvensis</i>		
spurge, leafy	<i>Euphorbia esula</i>		
starthistle, yellow	<i>Centaurea solstitialis</i>		
thistle, musk	<i>Carduus nutans</i>		
thistle, plumelless	<i>Carduus acanthoides</i>		
thistle, Scotch	<i>Onopordum acanthium</i>		
toadflax, Dalmatian	<i>Linaria genistifolia spp. dalmatica</i>		
ventenata	<i>Ventenata dubia</i>		
watermilfoil, Eurasian	<i>Myriophyllum spicatum</i>)		
	<u>Name</u>	<u>Will be a "Class B designate" in all lands lying within:</u>	
(1) <u>apera, interrupted</u>	(a) <u>regions 1,2,3,5,6,8,9,10</u>	(5) <u>bugloss, common</u>	(a) <u>regions 1,2,3,5,6,8,9,10</u>
<u>Apera interrupta</u>	(b) <u>Ferry, Stevens, and Pend Oreille counties of region 4</u>	<u>Anchusa officinalis</u>	(b) <u>Ferry and Pend Oreille counties of region 4</u>
	(c) <u>Lincoln and Adams counties of region 7.</u>		(c) <u>Lincoln, Adams, and Whitman counties of region 7.</u>
(2) <u>blueweed</u>	(a) <u>regions 1,2,3,4,5,6,8,9,10</u>	(6) <u>camelthorn</u>	(a) <u>regions 1,2,3,4,5,7,8</u>
<u>Echium vulgare</u>	(b) <u>region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge, thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road, thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42, thence north along this line to a point 1/4 mile south of Charles Road, thence north-westerly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road, thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.</u>	<u>Alhagi pseudalhagi</u>	(b) <u>Intercounty Weed District No. 51, Intercounty Weed District No. 52, Grant County Weed District No. 1, Grant County Weed District No. 2, and Grant County Weed District No. 3</u>
			(c) <u>Grant County north of Highway 90</u>
			(d) <u>T16N, R29E; T16N, R30E; T15N, R28E except Sec. 5; T15N, R29E; T15N, R30E</u>
			(e) <u>Franklin County of region 9</u>
			(f) <u>Columbia, Garfield, and Asotin counties of region 10</u>
			(g) <u>an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R36E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.</u>
		(7) <u>catsear, spotted</u>	(a) <u>regions 3,4,6,7,9,10.</u>
		<u>Hypochaeris radicata</u>	
		(8) <u>daisy, oxeye</u>	(a) <u>regions 6,7,9,10.</u>
		<u>Chrysanthemum leucanthemum</u>	
		(9) <u>dogtailgrass, hedgehog</u>	
		<u>Cynosurus echinatus</u>	
		(10) <u>foxtail, slender</u>	(a) <u>regions 1,2,3,5,6,8,9,10</u>
		<u>Alopecurus myosuroides</u>	(b) <u>Ferry, Stevens, Pend Oreille counties of region 4</u>
			(c) <u>Adams and Whitman counties of region 7.</u>
		(11) <u>goatgrass, jointed</u>	(a) <u>regions 1,2,5,8</u>
		<u>Aegilops cylindrica</u>	(b) <u>Ferry County of region 4</u>
			(c) <u>Grant and Adams counties of region 6</u>
			(d) <u>Franklin County of regions 9 and 10</u>
			(e) <u>Intercounty Weed District No. 51.</u>
		(12) <u>gorse</u>	(a) <u>regions 3,4,6,7,9,10</u>
		<u>Ulex europaeus</u>	(b) <u>Thurston County of region 5.</u>
		(13) <u>hawkweed, orange</u>	(a) <u>regions 3,6,7,9,10</u>
		<u>Hieracium aurantiacum</u>	(b) <u>Ferry County of region 4.</u>
		(14) <u>hawkweed, yellow</u>	(a) <u>regions 1,2,3,5,6,7,8,9,10</u>
		<u>Hieracium pratense</u>	(b) <u>Ferry County of region 4.</u>
		(15) <u>indigobush</u>	(a) <u>regions 1,2,3,4,5,6,7</u>
		<u>Amorpha fruticosa</u>	(b) <u>Franklin County of regions 9 and 10.</u>
		(16) <u>knapweed, black</u>	(a) <u>regions 1,2,3,4,5,7,9,10</u>
		<u>Centaurea nigra</u>	(b) <u>region 6 except Kittitas County</u>
			(c) <u>region 8 except Clark County.</u>
		(17) <u>knapweed, brown</u>	(a) <u>regions 1,2,3,4,5,7,9,10</u>
		<u>Centaurea jacea</u>	(b) <u>region 6 except Kittitas County</u>
			(c) <u>region 8 except Clark County.</u>
		(18) <u>knapweed, diffuse</u>	(a) <u>regions 1,2,5,8</u>
		<u>Centaurea diffusa</u>	(b) <u>Grant County lying in the north half of Township 15 North, Ranges 24 through 27 East; Township 16 North, Ranges 25, 26 and 27 East; Townships 17 and 18 North, Ranges 25 through 30 East; Townships 19 and 20 North, Range 30 East; Township 22 North, Ranges 23, 24, and 25 East; Townships 21, 22, and 23 North, Ranges 28, 29, and 30</u>

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	<u>East, Townships 24 and 25 North, Ranges 29 and 30 East, Township 26 North, Range 30 East, and the east half of Township 27 North, Range 30 East, all W.M.</u>		(d) <u>region 9 except:</u>
	(c) <u>Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22, 23, 24, 25, 26, 27, 28, 31, 32, 33 and 34; T15N, R38E, Sections 2, 10, 11, 14, 15, 19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6; T18N, R37E, Sections 29, 30, 31 and 32</u>		(i) <u>those areas lying in Yakima County but not in Yakima Weed District No. 1</u>
(19) <u>knapweed, meadow</u> <u>Centaurea jacea x nigra</u>	(a) <u>regions 1, 2, 3, 4, 5, 7, 9, 10</u> (b) <u>region 6 except Kittitas County</u> (c) <u>region 8 except Clark County.</u>	(26) <u>oxtongue, hawkweed</u> <u>Picris hieracioides</u>	(ii) <u>an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E</u> (e) <u>region 10 except Walla Walla County.</u> (a) <u>regions 1, 2, 3, 4, 5, 6, 7, 9, 10</u> (b) <u>region 8 except Skamania County.</u>
(20) <u>knapweed, Russian</u> <u>Centaurea repens</u>	(a) <u>regions 1, 2, 5, 7, 8</u> (b) <u>region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County</u> (c) <u>Adams County except those areas in the Main Lind Coulee Drainage area of T17N, R32E, Sections 19, 20, 25, 27, 28, 29, 32, 33, 34, 35 and 36; T17N, R33E, Sections 16, 17, 19, 20 and 30; and those areas within the Lower Crab Creek drainage area of T15N, R28E, sections 5 and 6; and the western half of T16N, R28E</u> (d) <u>Intercounty Weed District No. 52</u> (e) <u>region 10 except Franklin County.</u>	(27) <u>peaweed, Austrian</u> <u>Sphaerophysa salsula</u>	(a) <u>regions 1, 2, 3, 4, 5, 7, 8</u> (b) <u>Yakima County Weed District No. 1</u> (c) <u>Columbia, Garfield, Asotin, and Franklin counties an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R36E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to the southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.</u> (d) <u>regions 1, 2, 3, 4, 5, 7, 8, 10</u> (e) <u>Grant County lying northerly of Township 21, North, W.M.</u> (f) <u>Intercounty Weed Districts No. 51 and 52.</u>
(21) <u>knapweed, spotted</u> <u>Centaurea maculosa</u>	(a) <u>regions 1, 2, 3, 5, 6, 8, 9</u> (b) <u>Adams and Whitman counties of region 7</u> (c) <u>region 10 except Garfield County.</u>	(28) <u>pepperweed, perennial</u> <u>Lepidium latifolium</u>	(a) <u>regions 1, 2, 3, 4, 5, 7, 8, 10</u> (b) <u>Grant County lying northerly of Township 21, North, W.M.</u> (c) <u>Intercounty Weed Districts No. 51 and 52.</u>
(22) <u>lepyrodiclis</u> <u>Lepyrodiclis holsteoides</u>	(a) <u>regions 1, 2, 3, 4, 5, 6, 8, 9, 10</u> (b) <u>region 7 except an area within Whitman County east of the Pullman — Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.</u> (c) <u>regions 1, 3, 4, 7, 8</u> (d) <u>region 5 except King County</u> (e) <u>region 6 except that portion of Grant County lying southerly of State Highway 28 and except Sections 21, 28, 29 and 32, Township 21 North, Range 26 East, W.M.</u> (f) <u>region 9 except Benton County</u> (g) <u>region 10 except Walla Walla County</u> (h) <u>Intercounty Weed Districts No. 51 and No. 52.</u>	(29) <u>ragwort, tansy</u> <u>Senecio jacobaea</u> (30) <u>sage, Mediterranean</u> <u>Salvia aethiopsis</u> (31) <u>sandbur, longspine</u> <u>Cenchrus longispinus</u>	(a) <u>regions 1, 2, 3, 4, 5, 6, 7, 8, 9</u> (b) <u>Franklin County of region 10.</u> (a) <u>regions 1, 2, 3, 4, 5, 7, 8</u> (b) <u>Adams County of region 6 except for that area lying within Intercounty Weed District No. 52</u> (c) <u>Intercounty Weed District No. 51.</u>
(23) <u>lythrum, purple</u> <u>Lythrum salicaria</u>	(a) <u>regions 1, 2, 5, 8.</u>	(32) <u>skeletonweed, rush</u> <u>Chondrilla juncea</u>	(a) <u>regions 3, 4, 6, 7, 9, 10.</u> (a) <u>regions 1, 2, 3, 4, 5, 6, 7, 8, 9</u> (b) <u>Franklin County except T13N, R36E; and T14N, R36E</u> (c) <u>Adams County except those areas lying east of a boundary line running north from Franklin County along the western boundary of Range 36 East to Wellsandt Road then east on Wellsandt Road to Interstate 90 then following I-90 to the Lincoln County line</u> (d) <u>region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road E, Northwest</u> (e) <u>Pend Oreille County north of the northernmost boundary of Township 33 North.</u>
(24) <u>medusahead</u> <u>Taeniatherum caput-medusae</u>	(a) <u>regions 1, 2, 5, 8.</u>	(33) <u>sowthistle, perennial</u> <u>Sonchus arvensis arvensis</u>	(a) <u>regions 1, 2, 3, 4, 5, 7, 8, 9, 10.</u>
(25) <u>nutseidge, yellow</u> <u>Cyperus esculentus</u>	(a) <u>regions 1, 2, 3, 4, 5, 7, 8</u> (b) <u>Yakima County Weed District No. 1</u> (c) <u>region 6 except:</u> (i) <u>those areas lying between State Highway 26 and State Highway 28 in Grant County</u> (ii) <u>those areas lying in Yakima County but not in Yakima Weed District No. 1</u>	(34) <u>spurge, leafy</u> <u>Euphorbia esula</u>	(a) <u>regions 1, 2, 3, 4, 5, 6, 8, 9</u> (b) <u>region 7 except as follows:</u> (i) <u>T27N, R39E, Sections 24, 25, 28, 29, 30, 32, 33, 34</u> <u>T26N, R39E, Sections 3, 4, 5, 9, 10, 13, 16, 21, 22 of Lincoln County</u>

Name

Will be a "Class B designate" in all lands lying within:

WSR 88-18-003
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-85—Filed August 25, 1988]

- (ii) T22N, R37E, Sections 1, 12, 13, 14, 23, 24, 25, 26, 35, 36; T22N, R38E, Sections 3, 4, 5, 6, 7, 8, 17, 18, 19; T23N, R38E, Sections 7, 8, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34; T23N, R37E, Sections 23, 24, 25, 26, 35, 36 of Lincoln County
 - (iii) T27N, R37E, Sections 34, 35, 36; T27N, R38E, Sections 31, 32, 33; T26N, R37E, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 26; T26N, R38E, Sections 5, 6, 7, 8 of Lincoln County
 - (iv) T25N, R41E, all sections, all T27N, R41E south of the Spokane River; all T26N, R42E west of the Spokane River
 - (c) region 10 except as follows:
 - (i) T9N, R39E, Section 8 of Columbia County
 - (ii) T13N, R40E, Sections 10, 11, 12, 13, 14, 15, 16; T13N, R41E, Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14; T13N, R42E, Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 26, 27, 34, 35 of Garfield County.
- (35) starthistle, yellow (a) regions 1, 2, 3, 4, 5, 6, 8, 9
Centaurea solstitialis (b) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border
(c) Franklin County.
- (36) thistle, musk (a) regions 1, 2, 5, 6, 7, 8, 9, 10
Carduus nutans (b) Spokane County.
- (37) thistle, plumeless (a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10
Carduus acanthoides (b) region 4 except Stevens County.
- (38) thistle, Scotch (a) regions 1, 2, 3, 4, 5, 6, 8, 9
Onopordum acanthium (b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border
(c) Franklin County.
- (39) toadflax, Dalmatian (a) regions 1, 2, 5, 8, 10
Linaria genistifolia (b) Kittitas, Chelan, Douglas, Adams counties of region 6
spp. dalmatica (c) Intercounty Weed District No. 51
(d) Lincoln and Adams counties of region 7
(e) region 9 except as follows:
(i) those areas lying within Yakima County
(ii) those areas lying west of the Klickitat River and within Klickitat County.
- (40) ventenata (a) regions 1, 2, 3, 5, 6, 8
Ventenata dubia (b) Franklin County.
- (41) watermilfoil, Eurasian (a) regions 1, 8, 9, 10
Myriophyllum spicatum (b) region 7 except Spokane County.

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 salmon are available to be harvested in Grays Harbor and Willapa Bay. It is in the public interest to harvest the available salmon. Permanent rules are being adopted but will not be effective until October, and emergency rules are necessary to harvest the fish returning in August and September.

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 August 25, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-36-02100V GRAYS HARBOR GILL-NET SEASON. Notwithstanding the provisions of WAC 220-36-021, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes from any Grays Harbor Salmon Management and Catch Reporting Area except as provided for in this section:

- (1) Area 2C - Open 6:00 p.m. September 6 to 6:00 p.m. September 8, 1988; 7 1/2 inch minimum mesh.
Open 6:00 p.m. September 12 to 6:00 p.m. September 14, 1988; 7 1/2 inch minimum mesh.
Open 6:00 p.m. September 19 to 6:00 p.m. September 21, 1988; 6 1/2 inch maximum mesh.
Open 6:00 p.m. September 26 to 6:00 p.m. September 28, 1988; 6 1/2 inch maximum mesh.

(2) It is unlawful to fish for salmon in Grays Harbor using gillnet gear longer than 1,500 feet or containing mesh less than 5 inches.

REPEALER

The following Section of the Washington Administrative Code is repealed:

WAC 220-36-02100U GRAYS HARBOR GILLNET SEASON. (88-76)

NEW SECTION

WAC 220-40-02100H WILLAPA HARBOR GILLNET SEASON. Notwithstanding the provisions of WAC 220-40-021, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes from any Willapa Harbor Salmon Management and Catch Reporting Area except as provided for in this section:

(1) Area 2G - Open 6:00 p.m. August 25 to 6:00 p.m. August 26, 1988; 8 inch maximum mesh.

Open 6:00 p.m. August 31 to 6:00 p.m. September 1, 1988; 8 inch maximum mesh.

Open 6:00 p.m. September 7 to 6:00 p.m. September 8, 1988; 6 1/2 inch maximum mesh.

Open 6:00 p.m. September 15 to 6:00 p.m. October 14, 1988; 6 1/2 inch maximum mesh.

Area 2H - Open 6:00 p.m. September 21 to 11:59 p.m. November 19, 1988; 6 1/2 inch maximum mesh.

Areas 2J and 2K - Open 6:00 p.m. September 22 to 6:00 p.m. September 23, 1988; 6 1/2 inch maximum mesh.

Open 6:00 p.m. September 26 to 6:00 p.m. September 27, 1988; 6 1/2 inch maximum mesh.

Open 6:00 p.m. September 29 to 6:00 p.m. September 30, 1988; 6 1/2 inch maximum mesh.

Area 2M - Open 6:00 p.m. September 21 to 6:00 p.m. October 14, 1988; 6 1/2 inch maximum mesh.

(2) It is unlawful to fish for salmon in Willapa Harbor using gillnet gear longer than 1,500 feet in length or containing mesh less than 5 inches.

(3) It is unlawful to fish for or possess salmon taken with gillnet gear in that portion of Willapa Harbor Area 2J between Long Island and the North Beach Peninsula, south of a line drawn true east-west through Marker Piling 18 after 6:00 p.m. October 7.

REPEALER

The following section of the Washington Administrative Code are repealed:

WAC 220-40-02100G WILLAPA HARBOR GILLNET SEASON. (88-76)

WSR 88-18-004**NOTICE OF PUBLIC MEETINGS****DEPARTMENT OF COMMUNITY DEVELOPMENT**

[Memorandum—August 24, 1988]

The Washington State Department of Community Development plans to hold a public hearing on the proposed 1989-90 state plan for the community services block grant (CSBG) program.

The hearing will be held on September 27, 1988, from 10:00 a.m. to 12:00 noon, at the Department of Community Development, Fifth Floor Conference Room, Ninth and Columbia Building, Olympia, Washington.

Written testimony will be accepted until 5:00 p.m., September 23, 1988. Two copies of the written testimony should be sent to the attention of Ed Barton, CSBG Coordinator, Human Services Division, Ninth and Columbia Building, Olympia, Washington 98504-4151.

If you have any questions or need additional information, please contact Ed Barton at (206) 586-1232, or 321-1232 scan.

WSR 88-18-005**ADOPTED RULES****DEPARTMENT OF LICENSING**

(Board of Practical Nursing)

[Order PM 768—Filed August 25, 1988]

Be it resolved by the Washington State Board of Practical Nursing, acting at the Executive Inn, 5700 Pacific Highway East, Fife, WA, that it does adopt the annexed rules relating to:

New	WAC 308-117-420	Scope of practice—Advisory opinion.
Amd	WAC 308-117-030	Licensure qualifications.
Amd	WAC 308-117-040	Licensing examination and passing score.
Amd	WAC 308-117-050	Release of results of examination.
Amd	WAC 308-117-090	Licensure by interstate endorsement.
New	WAC 308-117-095	Documents which indicate authorization to practice nursing in Washington.
Amd	WAC 308-117-100	Renewal of licenses.
New	WAC 308-117-105	Return to active status from inactive or lapsed status.
New	WAC 308-117-410	Criteria for approved refresher course.

This action is taken pursuant to Notice No. WSR 88-13-094 filed with the code reviser on June 20, 1988. 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 18.78.050, [18.78].054, [18.78].060, 18.130.050 and SHB 1404, chapter 211, Laws of 1988, and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 10, 1988.

By M. Christine Ivy
Chairperson

AMENDATORY SECTION (Amending Order PM 718, filed 4/1/88)

WAC 308-117-030 LICENSURE QUALIFICATIONS. (1) In order to be eligible for licensure by examination the applicant shall have satisfactorily completed an approved practical nursing program, fulfilling all the basic course content as stated in WAC 308-117-300, or its equivalent as determined by the board. Effective May 1, 1988, every applicant must have satisfactorily completed an approved practical nursing program within two years of the date of the first examination taken or the applicant must meet other requirements of the board to determine current theoretical and clinical knowledge of practical nursing practice.

(2) An applicant who has not completed an approved practical nurse program must establish evidence of successful completion of nursing and related courses at an approved school preparing persons for licensure as registered nurses, which courses include personal and vocational relationships of the practical nurse, basic science and psychosocial concepts, theory and clinical practice in medications and the nursing process, and theory and clinical practice in medical, surgical, geriatric, pediatric, obstetric and mental health nursing. These courses must be equivalent to those same courses in a practical nursing program approved by the board.

(3) An interim permit (WAC 308-117-095) and a notice of eligibility for admission to the licensing examination may be issued to all new graduates from board approved practical nursing programs after the filing of a completed application, payment of the application fee, and official notification from the program certifying that the individual has satisfactorily completed all requirements for the diploma/certification. The interim permit is only issued for the first examination period for which the applicant is eligible after graduation.

AMENDATORY SECTION (Amending Order PL 452, filed 12/19/83)

WAC 308-117-040 LICENSING EXAMINATION AND PASSING SCORE. (1) The current series of the National Council of State Board of Nursing Practical Nurse Examination (NCLEX) shall be the official examination for practical nurse licensure.

(2) The NCLEX will consist of two tests with ((a minimum passing standard score of 350 for the total examination)) the score for the total examination reported as either pass or fail.

(3) Examinations shall be conducted twice a year, in April and October.

(4) The executive secretary of the board shall negotiate with the National Council of State Boards of Nursing, Inc. (NCSBN) for the use of the NCLEX.

(5) The examination shall be administered in accord with the NCSBN security measures and contract.

AMENDATORY SECTION (Amending Order PL 452, filed 12/19/83)

WAC 308-117-050 RELEASE OF RESULTS OF EXAMINATION. (1) Applicants shall be notified regarding the examination results by mail only. The results will not be released until the candidate's official transcript is on file with the board.

(2) Applicants who pass shall receive a license to practice as a licensed practical nurse provided all other requirements are met.

(3) Applicants who fail shall receive a letter of notification regarding their eligibility to retake the examination.

(4) In addition to a listing of the names of graduates indicating whether each passed or failed the examination, each practical nursing program in Washington shall receive a statistical report of the examination results of applicants from that school and a report of state and national statistics.

~~(5) ((Scores of the examination will not be released to anyone except as provided above unless release is authorized by the applicant in writing.~~

~~(6) The applicant's)) Examination results for all candidates will be maintained in ((his/her)) the application files in the division of professional licensing, department of licensing.~~

AMENDATORY SECTION (Amending Order PL 452, filed 12/19/83)

WAC 308-117-090 LICENSURE BY INTER-STATE ENDORSEMENT. ~~((+))~~ A license to practice as a licensed practical nurse in Washington may be issued without examination provided the applicant meets all the following requirements:

~~((+))~~ (1) The applicant has graduated and holds a credential from a state board approved program preparing candidates for licensure as a practical nurse or its equivalent as determined by the board.

~~((+))~~ (a) The applicant has fulfilled the minimum requirements prevailing for state board approved practical nursing programs in Washington at the time of the applicant's graduation.

~~((+))~~ (b) Applicants who take the NCLEX after October 1, 1988, shall present a score of pass. All other applicants shall present a minimum score of 350 on the state board test pool examination or NCLEX, except those applicants who were licensed after October 1, 1973, but before October 1, 1982, shall present a minimum score of 400 on the state board test pool examination.

~~((+))~~ (2) The applicant holds a valid current license to practice as a practical nurse in another state or territory.

~~((+))~~ (3) The applicant shall:

~~((+))~~ (a) Submit a completed application with the required fee. The fee is not refundable.

~~((+))~~ (b) Request the nursing education program to send directly to the board of practical nursing an official

transcript verifying graduation from an approved practical nursing program. The transcript shall provide sufficient documentation to verify that statutory requirements are met.

NEW SECTION

WAC 308-117-095 DOCUMENTS WHICH INDICATE AUTHORIZATION TO PRACTICE PRACTICAL NURSING IN WASHINGTON. The following documents are the only documents that indicate legal authorization to practice as a practical nurse in Washington.

(1) License - Active status. A license is issued upon completion of all requirements for licensure and confers the right to use the title licensed practical nurse and its abbreviation, L.P.N., and to practice in the state of Washington.

(2) Interim permit. An interim permit may be issued to a graduate from an approved practical nursing program who has met all qualifications, has filed an application for examination, and is eligible for admission to the licensing examination.

(a) This permit expires when a license is issued or when the candidate receives first notice of failure, whichever is the earliest date. The permit is not renewable.

(b) An applicant who does not write the examination on the date scheduled shall return the permit within three days to the division of professional licensing.

(c) The interim permit authorizes the holder to perform functions of practical nursing as described in chapter 18.78 RCW. It is in violation of the law regulating the practice of practical nursing to use the title "licensed practical nurse." The title "graduate practical nurse," or its abbreviation G.P.N., may be used.

(3) Limited educational license. A limited educational license may be issued to a person who has been on inactive or lapsed status for three years or more and who wishes to return to active status (see WAC 308-117-105).

(4) Inactive license. A license issued to a practical nurse who is temporarily or permanently retired from practice. The holder of an inactive license shall not practice practical nursing in this state.

AMENDATORY SECTION (Amending Order PM 612, filed 8/27/86)

WAC 308-117-100 RENEWAL OF LICENSES.

(1) Individuals making applications for initial license and examination, provided they meet all such requirements, will be issued a license, to expire on their ((next)) birth anniversary date.

(2) Individuals making application for initial license with the state of Washington under the interstate endorsement regulations, provided they meet all such requirements, will be issued a license, to expire on their ((next)) birth anniversary date.

(3) Issuance of license - Licensed practical nurses who complete the renewal application accurately, are practicing practical nursing in compliance with the law, and pay the renewal fee, shall be issued a license to

practice. Should the licensee fail to renew his or her license prior to the expiration date, the individual is subject to the penalty fee as stated in RCW 18.78.090. If the licensee fails to renew the license within one year from date of expiration, application for renewal of license shall be made under statutory conditions then in force.

(4) A license, active or inactive, that is not renewed is considered lapsed. If the licensee fails to renew the license within three years from the expiration date, the individual must also meet the requirements of WAC 308-117-105.

(5) Illegal practice - Any person practicing as a licensed practical nurse during the time that ((his/her)) such individual's license is inactive or has lapsed shall be considered an illegal practitioner and shall be subjected to the penalties provided for violators under the provisions of RCW 18.130.190.

NEW SECTION

WAC 308-117-105 RETURN TO ACTIVE STATUS FROM INACTIVE OR LAPSED STATUS.

After October 1, 1988, persons on inactive and/or lapsed status for three years or more, who do not hold a current active license in any other United States jurisdiction and who wish to return to active status shall be issued a limited educational license to enroll in a board approved refresher course. Upon successful completion of the course, the individual's license shall be returned to active status.

NEW SECTION

WAC 308-117-410 CRITERIA FOR APPROVED REFRESHER COURSE. (1) Philosophy, purpose, and objectives.

(a) Philosophy, purpose, and objectives of the course shall be clearly stated and available in written form. They shall be consistent with the definition of practical nursing as outlined in chapter 18.78 RCW.

(b) Objectives reflecting the philosophy shall be stated in behavioral terms and describe the capabilities and competencies of the graduate.

(2) Faculty.

(a) All faculty shall be qualified academically and professionally for their respective areas of responsibility.

(b) All faculty shall be qualified to develop and implement the program of study.

(c) Faculty shall be sufficient in number to achieve the stated program objectives.

(3) Course content.

(a) The course content shall consist of a minimum of sixty hours of theory content and one hundred twenty hours of clinical practice.

(b) The course content, length, methods of instruction, and learning experiences shall be consistent with the philosophy and objectives of the course. Outlines and descriptions of all learning experiences shall be available in writing.

(c) The theory course content shall include, but not be limited to, a minimum of sixty hours in current basic concepts of:

(i) Nursing process;

- (ii) Pharmacology;
- (iii) Review of the concepts in the areas of:
 - (A) Practical nursing today including legal expectations;
 - (B) Basic communications and observational practices needed for identification, reporting, and recording patient needs; and
 - (C) Basic physical, biological, and social sciences necessary for practice; and
 - (iv) Review and updating of practical nursing knowledge and skills to include, but not be limited to, concepts of fundamentals, medical/surgical, parent/child, geriatric, and mental health nursing.
- (d) The clinical course content shall include a minimum of one hundred twenty hours of clinical practice in the area(s) listed in (c) of this subsection. Exceptions shall be justified to and approved by the board.
- (4) Evaluation.
 - (a) Evaluation methods shall be used to measure the student's achievement of the stated theory and clinical objectives.
 - (b) The course shall be periodically evaluated by faculty and students.
- (5) Admission requirements.
 - (a) Requirements for admission shall be available in writing.
 - (b) All students shall hold a current valid practical nurse license or a limited educational license approved by the board.
- (6) Records.
 - (a) Evidence that the student has successfully completed the course and met the stated objectives shall be kept on file.
 - (b) The refresher course provider shall submit a certification of successful completion of the course to the board.
- (7) Refresher courses taken outside of the state of Washington shall be reviewed individually for approval by the board prior to starting the course.
- (8) Approval of refresher courses shall be requested and approved in advance as directed by the board.

NEW SECTION

WAC 308-117-420 SCOPE OF PRACTICE—ADVISORY OPINIONS. (1) The board may issue advisory opinions in response to questions put to it by professional health associations, nursing practitioners, and consumers concerning the practice of practical nursing. Such questions must be presented in writing to the office of the board.

(2) Questions may be referred to a committee of the board. Upon such referral, the committee shall develop a draft response which shall be presented to the full board at a public meeting for ratification, rejection, or modification. The committee may, at its discretion, consult with health care practitioners for assistance in developing its draft response.

(3) If the board issues an opinion on a given issue, such opinion shall be provided to the requesting party and shall be included in the board minutes.

(4) Each opinion issued shall include a clear statement to the effect that:

- (a) The opinion is advisory and intended for the guidance of the requesting party only; and
- (b) The opinion is not legally binding and does not have the force and effect of a duly promulgated regulation or a declaratory ruling by the board.
- (5) In no event shall this section be construed to supersede the authority of the board to adopt rules related to the scope of practice nor shall it be construed to restrict the ability of any person to propose a rule or to seek a declaratory judgment from the board.

WSR 88-18-006
PROPOSED RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Filed August 26, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of Minority and Women's Business Enterprises intends to adopt, amend, or repeal rules concerning:

New	WAC 326-02-040	Prohibited activities with regard to chapter 39.19 RCW.
New	WAC 326-02-050	Penalties which may be imposed.
New	WAC 326-02-060	Factors considered in determining penalties.
New	WAC 326-02-070	Suspension of contract.
New	WAC 326-02-080	Suspension of certification.
New	WAC 326-02-090	Procedures for suspension, hearing provided.
Amd	WAC 326-20-140	Duty to cooperate.
New	WAC 326-20-173	Expiration of certification upon death or disability of owner of certified business.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 27, 1988.

The authority under which these rules are proposed is chapter 39.19 RCW.

The specific statute these rules are intended to implement is chapter 39.19 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 20, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-14-129 filed with the code reviser's office on July 6, 1988.

Dated: August 26, 1988
 By: Ralph C. Ruff
 Director

STATEMENT OF PURPOSE

Title: WAC 326-02-040 Prohibited activities with regard to chapter 39.19 RCW; 326-02-050 Penalties which may be imposed; 326-02-060 Factors considered in determining penalties; 326-02-070 Suspension of contract; 326-02-080 Suspension of certification; 326-02-090 Procedures for suspension, hearing provided; 326-20-140 Duty to cooperate; and 326-20-173 Expiration of certification upon death or disability of owner of certified business.

Description of Purpose: WAC 326-02-040 through 326-02-090 and 326-20-140 is to incorporate into rules

the actions which are violations of chapter 39.19 RCW, the factors which will be considered in determining penalties, and procedures to be used when a contract or certification is suspended; and WAC 326-20-173 requires written notice to the office within 30 days of the death or disability of the minority or woman owner(s) of a certified business and defines long term disability for purposes of rule.

Statutory Authority: Chapter 39.19 RCW.

Specific Statute Rule is Intended to Implement: Chapter 39.19 RCW.

Summary of Rule: WAC 326-02-040 restates the prohibited activities set-out in RCW 39.19.080, as amended in 1987; WAC 326-02-050 sets out in more detail the penalties which may be imposed by the state, who may impose the penalties, who is subject to the penalties for violations of RCW 39.19.080 and provides for a 15 day period; WAC 326-02-060 clarifies the factors which may be used in determining the type of penalty, and dollar amount of any penalty to be imposed; WAC 326-02-070 sets out the situations in which performance of a contract may be immediately suspended, and the type of information which is necessary to support a suspension; WAC 326-02-080 states that certification of a certified firm may be suspended for any of the reasons stated in WAC 326-02-040, and the showing required; WAC 326-02-090 provides procedures for notifying the firm of an immediate suspension of up to one year, including provisions for a hearing; WAC 326-20-140 amends the rule which creates the duty of certified firms to cooperate with the office's investigation, to allow the office to refuse to certify or to decertify the firm, if false information is submitted to the office during the certification process; and WAC 326-20-173 provides for suspension of certification when the minority or woman owner dies or suffers a long term disability which results in the inability to control the operations of the business. Requires notification to the office, of death or disability, and change of ownership which occurs after death or disability.

Reasons Supporting Proposed Rule: WAC 326-02-040 through 326-02-090, amendments to chapter 39.19 RCW adopted by the 1987 legislature prescribe actions which are prohibited, and penalties which are prohibited, and penalties which may be imposed. The 1987 amendments also directed the office to adopt, in rule form, the criteria for imposition of penalties authorized by WAC [RCW] 39.19.090; WAC 326-20-140, the submission of false information in support of certification is prohibited by RCW 39.19.080, but without this amendment, it is not clear to firms that this action can constitute the basis for denial of certification or decertification; and WAC 326-20-173, when the minority or woman owner of a certified firm dies or becomes disabled and unable to control the business, control of the business may pass to persons who do not qualify for certification. This regulation clarifies the actions which the firm must take, and the actions the office may take in such situations.

Agency Personnel Responsible for Drafting: Mary Tennyson, Senior Assistant Attorney General, Attorney General Office; Implementation and Enforcement: Ralph

C. Ruff, Director, Office of Minority and Women's Business Enterprises.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: The Washington State Office of Minority and Women's Business Enterprises.

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

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

Small Business Economic Impact Statement: None.

NEW SECTION

WAC 326-02-040 PROHIBITED ACTIVITIES WITH REGARD TO CHAPTER 39.19 RCW. RCW 39.19.080 makes it unlawful for a person, firm, corporation, business, union, or other organization to:

- (1) Prevent or interfere with a contractor's or subcontractor's compliance with this chapter, or any rule adopted under this chapter;
- (2) Submit false or fraudulent information to the state concerning compliance with this chapter or any such rule;
- (3) Fraudulently obtain, retain, attempt to obtain or retain, or aid another in fraudulently obtaining or retaining or attempting to obtain or retain certification as a minority or women's business enterprise for the purpose of this chapter;
- (4) Knowingly make a false statement, whether by affidavit, verified statement, report, or other representation, to a state official or employee for the purpose of influencing the certification or denial of certification of any entity as a minority or women's business enterprise;
- (5) Knowingly obstruct, impede, or attempt to obstruct or impede any state official or employee who is investigating the qualification of a business entity that has requested certification as a minority or women's business enterprise;
- (6) Fraudulently obtain, attempt to obtain, or aid another person in fraudulently obtaining or attempting to obtain public moneys to which the person is not entitled under this chapter;
- (7) Knowingly make false statements that any entity is or is not certified as a minority or women's business enterprise for purposes of obtaining a contract governed by this chapter;
- (8) To fail or refuse to comply with any provision of chapter 39.19 RCW or with a contract requirement established under this chapter.

NEW SECTION

WAC 326-02-050 PENALTIES WHICH MAY BE IMPOSED.

- (1) The penalties under this section may be imposed by the office, or by the state agency or educational institution administering a contract within which a violation occurs. Nothing in chapter 39.19 RCW or this chapter prevents the state agency or educational institution administering the contract from pursuing any procedures or sanctions as are otherwise provided by statute, rule, or contract provision.
- (2) Penalties which may be imposed include one or more of the following:
 - (a) Withhold payment until the violation is remedied;
 - (b) Debarment from contracting with the state for up to one year; debarment for up to three years may be imposed for willful repeated violations, exceeding a single violation;
 - (c) Suspension of the contract;
 - (d) Termination of the contract;
 - (e) Immediate suspension of the certification of a certified firm;
 - (f) Payment of civil penalties of up to five thousand dollars or up to ten percent of the amount of the contract.
- (3) Penalties may be imposed on one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives trustees and receivers, or any group of persons.
- (4) Penalties shall be imposed by the office giving a written notice which is either personally served upon or transmitted by certified mail, return receipt requested, to the person or entity incurring the penalty. Except for suspension of certification, which is covered by WAC 326-02-090, the notice of the civil penalty shall be a final order of the office unless, within fifteen days after the notice is received, the person incurring the penalty appeals the penalty by filing a notice of appeal with the office. If a notice of appeal is filed in a timely manner, a contested case hearing shall be conducted on behalf of the office by the

office of administrative hearings. The administrative law judge shall issue a proposed decision, with findings of fact and conclusions of law, and a recommendation on the size and nature of the penalty to be imposed, if any. The director may adopt the recommendations of the administrative law judge, or affirm, or reduce the penalty, and shall issue a final order setting forth the civil penalty assessed, if any. The director's order may be appealed to the superior court within thirty days of service of the order. Any penalty imposed under this section is due and payable upon the issuance of the final order by the office, whether or not an appeal to superior court is pursued.

NEW SECTION

WAC 326-02-060 FACTORS CONSIDERED IN DETERMINING PENALTIES. In determining the nature of the penalty and monetary amount, if any, of a penalty to be imposed, the factors which may be considered include, but are not limited to:

- (1) The potential harm to the MWBE or non-MWBE firm;
- (2) Potential harm to the state, due to delay or other problems;
- (3) The potential for harm to the public;
- (4) Whether the violation occurs in the context of particular contract;
- (5) The stage or percent of completion of a contract at which the violation occurs;
- (6) The timing of the discovery of the violation;
- (7) The contracting history of the alleged violator;
- (8) The extent to which the alleged violator has cooperated with the investigation;
- (9) Whether there have been previous violations by the person.

NEW SECTION

WAC 326-02-070 SUSPENSION OF CONTRACT. (1) The performance of a contract may be immediately suspended upon receipt of adequate evidence received by the office that the person has engaged in any of the prohibited activities described in WAC 326-02-040 and RCW 39.19.080.

(2) The decision of the office to suspend a contract is discretionary and will not be based on an unsupported allegation. Decisions to suspend shall be in the public interest, including the government's interest in doing business with firms that are responsible and the interest in preserving competition.

NEW SECTION

WAC 326-02-080 SUSPENSION OF CERTIFICATION. The certification of a business certified under chapter 39.19 RCW and these regulations may be suspended for engaging in any of the activities prohibited by RCW 39.19.080 and WAC 326-02-040, upon a showing that immediate action is necessary to prevent harm to the public welfare.

NEW SECTION

WAC 326-02-090 PROCEDURES FOR SUSPENSION, HEARING PROVIDED. (1) If the director determines that suspension of certification of a firm is necessary to prevent immediate harm to the public welfare, the suspended person or firm will be notified by personal service or certified mail, return receipt requested, of the suspension and the reasons therefor. The suspension shall take effect immediately upon receipt of the notice. The suspended person or firm will be entitled to a hearing pursuant to chapter 326-08 WAC, but a written request for hearing must be made within twenty days of receipt of the notice of suspension.

(2) After the hearing, the administrative law judge may recommend that:

- (a) Suspension of certification remain in effect for up to one year;
- (b) The suspension be removed; or
- (c) That the firm be decertified.

AMENDATORY SECTION (Amending Order 83-3, filed 10/28/83)

WAC 326-20-140 DUTY TO COOPERATE. The owners shall have the duty to cooperate fully in the office's investigation of the application, including promptly submitting any additional information requested by the office. In addition to any other penalties provided by law, the submission of false information to the office in connection with an application for certification or renewal of certification shall be grounds for denial of certification, or decertification.

NEW SECTION

WAC 326-20-173 EXPIRATION OF CERTIFICATION UPON DEATH OR DISABILITY OF OWNER OF CERTIFIED BUSINESS. (1) Upon death or commencement of long-term disability of the minority or woman owner of a business certified by the office, the guardian of the disabled owner, the executor of the owner's estate, or other person shall notify OMWBE in writing within thirty days of the death or documented disability. All notifications of long-term disability shall be documented by a statement from a qualified physician.

(2) "Long-term disability," for purposes of this section, shall mean the permanent inability to work, or inability to control the day-to-day operations of the business for a period of three consecutive months (ninety days or more), including both mental or physical incompetence.

(3) The certification of a firm shall expire thirty days after receipt by the office of a notice of a death or documented disability of the owner of a certified firm. State agencies may continue to count the firm towards goal attainment only for those contracts awarded prior to the date of death or onset of disability. Upon expiration of certification, the office shall notify the firm that it has been decertified. The decertification decision will be considered final for purposes of WAC 326-08-015.

(4) The office shall be notified of any transfer of ownership or substantial ownership interest which occurs within the six months following the death or onset of disability. The office may require the new owners to provide additional information, including requiring submission of a new application form. If transfer of ownership or substantial ownership interest occurring within six months of the date of death or date of documented disability results in majority ownership or control by nonfemales or nonminorities, where applicable, the firm shall be decertified by the office.

WSR 88-18-007

PROPOSED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed August 26, 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 family leave, chapter 296-130 WAC. The 1988 legislature, in chapter 236, Laws of 1988, amended chapter 49.12 RCW in an effort to establish minimum standards for family leave. The legislature gave the department the authority and responsibility to enforce the statute and required it to adopt rules. The proposed rules are intended to implement the new law. WAC 296-130-010 states a declaration of purpose; 296-130-020 defines terms used in the chapter; 296-130-030 provides a statement of employee rights; 296-130-040 outlines prohibited actions; 296-130-050 provides for poster requirements for the department and employers; 296-130-060 through 296-130-070 set out the procedures for issuance of notices of infraction, appeal notices and hearing on appeal; 296-130-080 establishes penalty amounts; and 296-130-500 provides that collective bargaining may create leave benefits in excess of the applicable minimum under the provisions of the chapter.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 31, 1988.

The authority under which these rules are proposed is RCW 43.22.270 and chapter 236, Laws of 1988, (RCW 49.12.—).

The specific statute these rules are intended to implement is chapter 236, Laws of 1988, (RCW 49.12.—).

This notice is connected to and continues the matter in Notice No. WSR 88-14-105 filed with the code reviser's office on July 6, 1988.

Dated: August 26, 1988
By: Joseph A. Dear
Director

WSR 88-18-008
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed August 26, 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 prevailing wages, chapter 296-127 WAC. The 1988 legislature amended chapter 49.28 RCW which addresses hours of work and conditions of labor on public work projects. The proposed rule is intended to implement the amended law.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 15, 1988.

The authority under which these rules are proposed is RCW 43.22.270 and chapter 49.28 RCW.

The specific statute these rules are intended to implement is chapter 49.28 RCW.

This notice is connected to and continues the matter in Notice No. WSR 88-14-106 filed with the code reviser's office on July 6, 1988.

Dated: August 26, 1988
By: Joseph A. Dear
Director

WSR 88-18-009
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Filed August 26, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

- New WAC 356-05-451 Agency shop.
- New WAC 356-05-452 Agency shop representative.
- New WAC 356-05-456 Agency shop nonassociation fee.
- New WAC 356-05-461 Agency shop representation fee.
- Amd WAC 356-42-010 Membership in employee organization.
- Amd WAC 356-42-043 Union shop requirements.
- Amd WAC 356-42-045 Union shop elections.
- Amd WAC 356-42-050 Contents of written agreements.
- Amd WAC 356-42-060 Unfair labor practices for management.
- Amd WAC 356-42-070 Unfair labor practices for employee organizations.
- Rep WAC 356-05-450 Union shop.
- Rep WAC 356-05-455 Union shop fee.
- Rep WAC 356-05-460 Union shop representative;

that the agency will at 10:00 a.m., Thursday, September 8, 1988, in the Board Hearings Room, Department

of Personnel, 521 South Capitol Way, Olympia, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 6, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-15-059 filed with the code reviser's office on July 18, 1988.

Dated: August 25, 1988
By: Leonard Nord
Secretary

WSR 88-18-010
ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Order 307—Filed August 26, 1988]

Be it resolved by the State Personnel Board, acting at 521 South Capitol Way, Olympia, WA, that it does adopt the annexed rules relating to:

- Amd WAC 356-42-020 Determination of bargaining unit.
- New WAC 356-42-042 Election provisions—General.
- Amd WAC 356-42-043 Union shop requirements.
- Amd WAC 356-42-045 Union shop elections.
- New WAC 356-42-049 Disclaimer of interest—Notice—Automatic termination of exclusive representation.
- Amd WAC 356-42-055 Arbitration—Grievance—Procedure.
- Amd WAC 356-42-082 Filing unfair labor practice charge.
- New WAC 356-42-105 Requests for mediation and arbitration.

This action is taken pursuant to Notice No. WSR 88-15-058 filed with the code reviser on July 18, 1988. These rules shall take effect at a later date, such date being October 1, 1988.

This rule is promulgated pursuant to RCW 41.06.150 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 16, 1988.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 147, filed 9/16/80)

WAC 356-42-020 DETERMINATION OF BARGAINING UNIT. (1) Determination, alteration, or modification of an appropriate bargaining unit shall be

made by the personnel board upon petition from an employee organization, or upon the board's own motion after 20 days' notice has been given to the appointing authority and to affected employees and their representatives.

(2) Prior to an employee organization petitioning the personnel board for creation or modification of a bargaining unit, the petitioning employee organization will confer with the appointing authority on the proposed unit creation or unit modification.

(3) If an appointing authority has reason to believe that an existing bargaining unit in the appointing authority's agency or department is no longer appropriate, the appointing authority may request the personnel board to consider modification of the bargaining unit. However, if there is an employee organization certified as exclusive bargaining representative for that unit, the appointing authority will first confer with the certified employee organization on the proposed modification prior to presenting the request to the personnel board. The personnel board may choose to consider such unit modification questions and would act on its own motion as designated in WAC 356-42-020(1).

(4) In determining a bargaining unit, the personnel 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 representatives.

(c) Extent of organization among the employees.

(d) Desires of the employees.

(5) Any petition filed hereunder should set forth all pertinent facts and supporting reasons, as comprehensively as possible, to aid the personnel board in its determination.

(6) ((After a)) At the hearing on a petition, the personnel board shall make an oral determination regarding the proposed action. Thereafter, the board shall enter an appropriate order containing findings of fact and conclusions of law reflecting the 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.

(7) Bargaining units normally shall not include both supervisory and nonsupervisory employees unless such inclusion is justified by application of the criteria identified in subsection (4) of this section. Employees will not be excluded from a bargaining unit based solely on their supervisory status where supervisors have historically been included in the unit.

NEW SECTION

WAC 356-42-042 ELECTION PROVISIONS—GENERAL. (1) To provide that certification/decertification and union shop elections are truly representative of the desires of the employees and that all employees eligible to vote have every opportunity to do so, employee participation in these elections will be encouraged to the greatest extent possible.

(2) The director or designee shall administer all elections and be responsible for the processing and adjudication of all disputes that arise as a consequence of elections.

(3) Upon being notified by the director or designee that a valid petition for an election has been received, the affected appointing authority shall submit to the director or designee and the petitioning party and/or exclusive representative a list of all employees included in the bargaining unit as of the preceding payroll period. This list shall contain the employees' names, job classifications, work locations, and home mailing addresses. For purposes of an election, the director or designee shall also provide such listing to an affected employee organization which has submitted proof that it represents at least ten percent of the employees in the bargaining unit and/or to a group of affected employees who have submitted a written request signed by at least ten percent of the employees in the unit.

(4) Upon receipt of a valid petition for an election, the director or designee shall conduct a preelection conference which shall include representatives of the appointing authority, and representatives of the employee organization and/or petitioning party. At the preelection conference, determinations will be made on such matters as method of balloting, date(s) of election, absentee voting, eligibility of voters, locations, personnel at each election site, campaign activities, and any other matter that should be resolved concerning that election. Following the preelection conference, the director or designee will establish rules, regulations and procedures for holding the election.

(5) At least ten days prior to the scheduled date, the director or designee will distribute a notice of election for posting in the work areas of affected employees. Such notice will contain information regarding the date(s), time(s) and location(s) of balloting, the rules, regulations and procedures established for the election, and a sample ballot.

(6) To the extent feasible, as determined by the director or designee, on-site voting shall take place during the employees' regular work schedules. Eligible voters shall be given ample opportunity to vote during work time while the polls are open.

(7) An employee who cannot appear at the voting site on the date of the vote, may vote by absentee ballot. A request for an absentee ballot must be submitted to the director or designee prior to the close of voting at the employee's voting site. To be counted, absentee ballots must be postmarked within five calendar days thereafter and must be received by the department of personnel within ten calendar days of the close of the polls.

(8) Employees on leave of absence without pay for the entire calendar month preceding the start of the balloting shall not be eligible to vote.

(9) Rules governing campaign activities shall be determined at the preelection conference. Employees included in the affected bargaining unit and representatives of the petitioning party and/or the affected employee organization shall have the right to conduct such activities on the employer's grounds during work hours

so long as the work of the employee and the operation of the employer are not disturbed.

(10) Electioneering shall not be permitted within twenty-five feet of the posted election area during the hours of voting or at any place after the close of the polls.

(11) Each party to an election may have one observer present during on-site voting to assist the election agent in identifying eligible voters. An employee who serves as such an observer shall be released with pay from duties normally performed during his/her work hours.

(12) The department of personnel will maintain the official voter eligibility list and will provide a copy of that list to each party. The official observer for either party may bring a copy of that list to the on-site polling place(s) for his/her own use, provided such use does not interfere with the conduct of the election.

(13) Within five working days of the date of the tally of the ballots, the petitioning party, the affected employee organization, or an employee in the bargaining unit may file objections to the election. Such objections must be in writing and must be received by the director within the five working day period. The director or designee shall investigate and determine an appropriate remedy if the objection is found to be meritorious.

(14) Any violation of these rules should be immediately reported to the director or designee. Upon receiving a complaint, the director or designee will immediately investigate; and if necessary, take steps to cause the violation to stop. If it is found by the director or designee that violations of these rules or the preelection agreements have affected the outcome of the election, the director may invalidate the election, order a new election, or take other appropriate remedial action.

AMENDATORY SECTION (Amending Order 57, filed 7/31/73)

WAC 356-42-043 UNION SHOP REQUIREMENTS. (1) Once an employee organization has been certified to a bargaining unit as union shop representative, all employees included in that unit, except for those employees who qualify for nonmembership on the basis of bona fide religious objection as stated in WAC 356-42-043(2), shall be required to become members of the employee organization within 30 calendar days following their start of employment or 30 calendar days after an employee organization wins certification as union shop representative, whichever is later. The 30 calendar days starts the first day of the employee's employment within the bargaining unit which has a certified union shop representative or starts the date of the director's certification of the election results, whichever is later.

(2) Employees who have a bona fide religious objection precluding them from membership in an employee organization, based on religious tenets or teachings, and who are members of the church or religious body holding such tenets or teachings, may satisfy the union shop requirement by paying to the union shop representative a union shop fee. This fee is an amount equivalent to the regular dues of the union shop representative, minus any monthly premiums for union sponsored insurance programs.

(3) Employees who wish the right of nonassociation from an employee organization, as provided in WAC 356-42-043(2), must submit their request to the union shop representative. If the union shop representative rejects the employee's request or fails to respond within ten working days, either the employee or the union shop representative may submit the issue to the director or his designee who shall investigate and confer with the parties in an effort to resolve the dispute. If agreement is not reached, the director shall issue a written decision which shall be final.

(4) Once an employee has qualified to pay the union shop fee, the employee may designate that the fee go to that program or programs within the functions of the union shop representative in harmony with the employee's individual conscience.

(5) An employee who pays a union shop fee shall be entitled to full and complete representation rights.

(6) Once an employee organization has been certified as union shop representative, the affected bargaining unit employees shall be required to pay membership dues or union shop fees to that employee organization. Payment of dues or fees may be required on a monthly or other periodic basis. Such employees shall not be required to make payment of initiation fees, reinstatement fees, or any other fees or fines. All employees included in a bargaining unit to which an employee organization is certified as union shop representative, and who are members of the certified employee organization, will have full and complete rights as members within that employee organization.

(7) Failure of an employee to become a member of the union shop representative or make payment of the union shop fee within 30 calendar days following the employee's start of employment or within 30 calendar days after an employee organization has been certified as union shop representative, whichever is later, shall cause that employee to be dismissed as hereinafter provided.

(8) Employees on leave of absence without pay for an entire calendar month shall not be required to pay dues or union shop fees to the union shop representative during that month. When an employee returns from leave of absence to employment and pay status within the bargaining unit, he shall be considered included in the bargaining unit and required to pay the union dues or union shop fee.

(9) Once an employee organization has been certified by the director as a union shop representative, the affected appointing authority shall provide the employee organization with a monthly list of the employees in the bargaining unit.

(10) Upon written notification by the union shop representative that an employee has not complied with the union shop requirements, the appointing authority shall give written notification to the employee of 15 calendar days' notice of his or her dismissal for failure to join the union or pay union shop fees. If an employee complies with the union shop requirements within those 15 calendar days, the dismissal action shall be rescinded.

(11) The appointing authority shall notify affected employees of existing union shop provisions prior to their

hire, promotion, or transfer into a bargaining unit where such provisions are in effect.

AMENDATORY SECTION (Amending Order 69, filed 9/30/74)

WAC 356-42-045 UNION SHOP ELECTIONS.

~~(1) ((PURPOSE— To provide that union shop elections are truly representative of the desires of the employees and that all employees eligible to vote have every opportunity to do so, employee participation in these elections will be encouraged to the greatest extent possible.~~

~~(2) The director or designee shall administer all union shop elections and be responsible for the processing and adjudication of all disputes that arise as a consequence of union shop elections.~~

~~(3)) An employee organization is eligible to petition for a union shop representation election if the employee organization is certified as exclusive bargaining representative for a bargaining unit in accordance with WAC 356-42-030.~~

~~(2) Upon ((submission of a timely filed)) receipt of a valid petition ((by an employee organization, which is)) from the certified exclusive bargaining representative ((for a bargaining unit)), the director or designee shall order a union shop representation election. A petitioning employee organization will be certified as union shop representative((;)) if a majority of the employees who are included in the bargaining unit vote in favor of the union shop.~~

~~((4) An employee organization is eligible to petition for a union shop representation election if it is certified as exclusive bargaining representative in accordance with WAC 356-42-030.~~

~~(5) Upon being notified by the director or designee that a valid petition for a union shop election has been received, the affecting appointing authority shall submit to the director or designee and the petitioning employee organization a list of all employees included in the bargaining unit as of the preceding payroll period. This list shall contain the employee's names, job classifications, work locations, and mailing addresses.~~

~~(6) Upon receipt of a valid petition for a union shop election, the director or designee shall conduct a pre-election conference which shall include the director or designee, the representatives of the appointing authority, and the representatives of the petitioning employee organization. At the pre-election conference determinations will be made on such matters as absentee voting, eligibility of voters, locations, personnel at each election site, campaign activities and any other matter, that should be resolved concerning that election. Following the pre-election conference, the director or designee will establish rules, regulations and procedures for the holding of each election.~~

~~(7) All on-site voting shall take place during the employee's regular work schedule and all eligible voters shall be given ample opportunity to vote during their work time.~~

~~(8) Employees on leave of absence without pay for the entire calendar month preceding the start of the balloting shall not be eligible to vote.~~

~~(9) Rules governing campaign activities shall be determined at the pre-election conference. Employees included in the affected bargaining unit and representatives of the petitioning employee organization, shall have the right to conduct such activities on the employer's grounds during work hours so long as the work of the employee and the operation of the employer is not disturbed.~~

~~((10)) (3) The petitioning employee organization shall take great care to avoid making untrue statements concerning union shop election issues.~~

~~((11) Within five calendar days of the date of the tally of ballots, the petitioning employee organization or an employee in the bargaining unit may file objections to the election. The director or designee shall investigate and determine an appropriate remedy if the objection is found to be meritorious.~~

~~((12)) (4) The appointing authority shall cooperate with the director or designee to assure that eligible employees have a maximum opportunity to vote in union shop elections.~~

~~((13)) (5) The appointing authority, supervisors, and other representatives of management shall remain neutral on the questions, merits and issues of the union shop and the petitioning employee organization for the purposes of union shop elections; except that such individuals who are members of the bargaining unit shall have the right to express their personal opinions and beliefs regarding the issues when their positions are included in the bargaining unit. If an objection is made by the petitioning employee organization or by an employee included in the bargaining unit to written or oral statements made by the appointing authority, supervisors or other representatives of management, the director or designee shall investigate the objection and determine the appropriate remedy if the objection is found to be meritorious.~~

~~((14)) (6) When the board, pursuant to WAC 356-42-020, adds a new classification of employees into an existing bargaining unit which has a union shop provision in place, such action shall effect an automatic request for a new union shop certification election to determine the desires of the employees of the new unit unless fewer than twelve months have elapsed since the last union shop election and:~~

~~(a) The same employee organization is the certified union shop representative for each of the units being combined; or~~

~~(b) The results of the union shop election previously held still represent a majority vote in favor of the union shop provision in the new unit; or~~

~~(c) A majority of the incumbents in the positions to be added have signed a petition indicating acceptance of the union shop condition.~~

~~(7) No union shop election petition will be honored within twelve months following a prior union shop election or a prior union shop decertification election.~~

~~((15) An employee who cannot appear at the voting site on the date of the vote, may vote by absentee ballot. A request for an absentee ballot must be submitted to the director or designee prior to the close of voting at the employee's voting site.~~

~~(16) Any violation of these rules should be immediately reported to the director or designee. Upon receiving a complaint, the director or designee will immediately investigate, and if necessary, take steps to cause the violation to stop. If it is found by the director or designee that violations of these rules or the preelection agreements have affected the outcome of the election, the director may invalidate the election, order a new election, or take other appropriate remedial action.)~~

NEW SECTION

WAC 356-42-049 **DISCLAIMER OF INTEREST—NOTICE—AUTOMATIC TERMINATION OF EXCLUSIVE REPRESENTATION.** (1) If an employee organization with a current certification as exclusive representative of employees in a bargaining unit seeks to disclaim any interest in continuing to represent the affected employees as their exclusive representative, the employee organization may file a notice of disclaimer of interest and provide copies of the notice to the employees of the bargaining unit.

(2) The notice shall be filed on a form as specified and provided by the director and shall specifically state the date on which the employee organization will cease to be or act as the exclusive representative of the bargaining unit. The notice will be filed and provided to the bargaining unit not less than sixty days nor more than ninety days prior to the effective date of the disclaimer as provided in the notice.

(3) If a valid collective bargaining agreement exists for the unit, any disclaimer of interest will not be valid prior to the expiration date of the agreement.

(4) Following the proper filing of the notice, notification of employees and the expiration of the waiting period and effective date provided in the notice, the employee organization will automatically cease to be the exclusive bargaining representative of the unit.

AMENDATORY SECTION (Amending Order 211, filed 11/20/84)

WAC 356-42-055 **ARBITRATION—GRIEVANCE—PROCEDURE.** Whenever arbitration of a grievance is requested of the personnel board pursuant to an agreement as authorized by WAC 356-42-050(2), the procedure set forth below shall apply:

(1) The request for arbitration shall be in the form of a complaint. It shall be filed on a form supplied by the personnel board, or in a writing containing the same information as required on the form within thirty calendar days or less from the date the director of personnel or designee indicates in writing that the mediation is at impasse. The request shall state the following:

(a) The name, address and telephone number of the party filing the request, and the name, address and telephone number of any principal representative.

(b) The name, address and telephone number of the opposing party, and, if known, the opposing party's principal representative.

(c) Clear and concise statements of the facts upon which the grievance is based, including times, dates, places and participants in occurrences.

(d) A listing of the applicable sections of the collective bargaining agreement, rules, policies, etc., upon which the grievance is based and which are claimed to be violated. A copy of the collective bargaining agreement or of the pertinent sections of the agreement shall be attached to the request for arbitration.

(e) A statement of the relief sought.

(f) The signature and, if any, the title of the person filing the request for arbitration.

(2) By mutual agreement the parties to the grievance may extend the thirty-day time frame for requesting arbitration established in subsection (1) of this section. Agreements to extend the time frame shall be reported in writing by the parties to the director of personnel.

(3) A copy of the original grievance and ~~((copies of subsequent written statements of the grievance and))~~ the agency's last written response ~~((s-dated prior to submission of the grievance to mediation))~~ to the grievance shall be attached to the request for arbitration.

(4) The personnel board's hearings coordinator shall review the request for arbitration to determine compliance with subsection (1) of this section. If the personnel board's hearings coordinator determines the request to be incomplete, he or she shall notify the person filing the request of the portions of the request which need to be supplemented or changed to comply with subsection (1) of this section. When the personnel board's hearings coordinator is satisfied that the request substantially complies with subsection (1) of this section he or she shall mail, or otherwise cause to be served, the request on the opposing party(ies). Any refusal by the personnel board's hearings coordinator to serve the request for arbitration on the opposing party is reviewable by the personnel board upon motion of the requesting party.

(5) Within ~~((twenty))~~ thirty calendar days of service of the request for arbitration, or within such longer period as the personnel board may allow, the party receiving the ~~((same))~~ request shall answer the allegations of fact and contentions set forth in the request by admitting, denying, or setting forth doubt as to the truth ~~((of))~~ or falsity of any particular alleged fact or contention. The answer shall be served on the grievant or, if represented, on the grievant's representative, at the same time it is filed with the personnel board ~~((and served on the grievant, or, if represented, on the grievant's representative, all within the time provided))~~. Failure to answer an allegation of fact within the time required, or admission of a fact in the answer, shall constitute a waiver by the answering party of the right to contest the fact in the arbitration proceeding, unless for good cause shown, the personnel board provides otherwise. At the discretion of the personnel board for good cause shown, the request or the answer may be amended at any time prior to the end of the arbitration hearing.

(6) After receipt of the answer, or if no answer is timely filed, the personnel board's hearings coordinator shall set the matter for arbitration. At least twenty days notice shall be given of the time and date of the arbitration unless both parties agree to a shorter time.

(7) The grievant shall have the burden of proof and shall go forward with the evidence.

(8) Upon stipulation between the parties, the board may grant the grievant's request to waive the right to a hearing and thereafter require the parties to submit written evidence upon which the board may act without a hearing.

AMENDATORY SECTION (Amending Order 177, filed 10/26/82)

WAC 356-42-082 FILING UNFAIR LABOR PRACTICE CHARGE. (1) A charge or charges that any employing agency or employee organization has committed an unfair labor practice, as defined in these rules and RCW 41.56.150, may be filed with the personnel board by any employee, group of employees, employee organization, employing agency, or their authorized agents.

(2) Unfair labor practice charges shall be filed with the director of personnel (~~(, as secretary to the personnel board, at the principal office of the department of personnel)~~) within six months of the date on which the charging party reasonably could have known of the alleged unfair labor practice.

(3) Unfair labor practice charges shall be in writing in the form of a complaint of unfair labor practices, or on a form provided by the personnel board or its designee. The charge shall contain the following:

(a) The name, address and telephone number of the charging party, and the name, address and telephone number of the party's principal representative, if any.

(b) The name, address and telephone number of the party against whom the charge is being filed, and, if known, the principal representative of the charged party.

(c) Clear and concise statements of the facts constituting the alleged unfair labor practice(s), including times, dates, places and participants in occurrences.

(d) A listing of the specific unfair labor practice(s) alleged to have been committed including reference to the applicable subsection(s) of the statute and regulation defining unfair labor practices. If the charging party is not represented, this subsection may be left blank pending the investigation of the charge.

(e) A statement of the relief sought by the charging party.

(f) The signature and, if any, the title of the person filing the charge.

NEW SECTION

WAC 356-42-105 REQUESTS FOR ARBITRATION. A request for arbitration per WAC 356-42-055 shall not be allowed if the grievant(s) involved has the same charges or issues pending before the personnel board for processing per WAC 356-42-082 or before the personnel appeals board for processing per Title 358 WAC.

WSR 88-18-011

ADOPTED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Order R-288, Docket No. U-88-1798-R—Filed August 26, 1988—
Eff. October 1, 1988]

In the matter of adopting WAC 480-120-089 relating to information delivery services and blocking of residential lines to block access to such service.

This action is taken pursuant to Notice Nos. WSR 88-13-098, 88-16-036 and 88-16-073 filed with the code reviser on June 21, 1988, July 29, 1988, and August 2, 1988, respectively. The rule change hereinafter adopted shall take effect pursuant to RCW 34.04.040(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 88-16-036 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, August 1, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of these notices, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to July 22, 1988, and orally at 9:00 a.m., Wednesday, July 27, 1988, and Monday, August 1, 1988, in the Commission's Hearing Room above noted. At the July 27, 1988, and August 1, 1988, meetings the commission considered the rule change proposal. Written comments were received from GTE Northwest, Inc., Pacific Northwest Bell Telephone Company, United Telephone Company of the Northwest, and the Washington Independent Telephone Association. Oral comments were presented by Edward T. Shaw, on behalf of PNB d/b/a U.S. West Communications, Penny White, for GTE Northwest, Theodore D. Schultz, for WITA, Glenn Randolph-Harris, for United Telephone Company, and Rosemary Davis, for Continental Telephone Company of the Northwest.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-089 should be adopted to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-120-089 as adopted will implement chapter 123, Laws of 1988, which, in essence, requires that residential telephone customers be provided free blocking of access to information delivery services, as well as notice that such blocking is available, and that all related costs be borne by information providers.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-120-089 as set forth in Appendix A, be adopted as a rule of the Washington Utilities and Transportation Commission to take effect October 1, 1988.

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

DATED at Olympia, Washington, this 24th day of August, 1988.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

NEW SECTION

WAC 480-120-089 INFORMATION DELIVERY SERVICES. (1) "Information delivery services" means telephone recorded messages, interactive programs, or other information services that are provided for a charge to a caller through an exclusive telephone number prefix.

(2) "Information providers" means the persons or corporations that provide the information, prerecorded message, or interactive program for the information delivery service.

(3) "Interactive program" means a program that allows a caller, once connected to the information provider's announcement machine, to access additional information by using the caller's telephone.

(4) Telecommunications companies offering information delivery services shall provide to each residential telephone subscriber the opportunity to block access to all information delivery services offered through the local exchange company. The first such request shall be fulfilled at no charge to the subscriber. Subsequent requests for blocking (e.g., after a subscriber has unblocked such access) must be afforded, but a charge may be assessed. This charge for blocking shall cover its fully allocated costs, and shall be tarified.

(5) To insure that all costs of complying with chapter 123, Laws of 1988, shall be borne by the information providers, the telecommunications company offering information delivery services shall:

(a) File with the commission an annual report showing all expenses related to compliance with the section, and related to provision of information delivery services. Expenses include, but are not limited to, the expense of conducting a cost study to determine the appropriate charge for blocking, provision of customer notification of the availability of blocking, and the expense of developing accounting procedures to comply with this section.

(b) The annual report shall fully allocate all investment associated with complying with this section, and associated with provision of information delivery service, and;

(c) Report all information delivery service and blocking service revenues as separate revenue items.

(6) The local exchange company shall inform residential telephone subscribers of the availability of the blocking service through a single-topic bill insert and through publication of a notice in a conspicuous location in the consumer information pages of the local white pages telephone directory. The notice and bill insert shall clearly inform residential telephone subscribers of their rights under the law and shall, at a minimum, include the following information:

(a) Under Washington law you have the right to request free blocking of access to information delivery services on your residential telephone line. Information delivery services are services provided for a fee by telephone recorded messages, or other information services which you get by using a special telephone number. These special telephone numbers are often called "976" or "960" numbers. Blocking is the way that you can prevent these types of calls from being made on your residential telephone line.

(b) You are entitled to free blocking on your residential telephone line the first time you request it. If you later decide to "unblock", you can do so, but you may be charged for any blocking after that.

(c) To request blocking of access to information delivery services on your residential telephone line, call your local telephone company at the following number: _____, and request blocking.

(d) The Washington utilities and transportation commission is given the authority to enforce this law. If you want more information, please write to the commission at the address listed below, or call the commission during working hours at its toll-free number: 1-800-562-6150.

Washington Utilities and Transportation
Commission
Consumer Affairs Section
1300 South Evergreen Park Drive S.W.
Olympia, WA 98504

WSR 88-18-012**ADOPTED RULES****UTILITIES AND TRANSPORTATION
COMMISSION**

[Order R-289, Cause No. TCH-2189—Filed August 26, 1988]

In the matter of amending WAC 480-40-010, 480-40-020, 480-40-030, 480-40-040, 480-40-050, 480-40-060, 480-40-070 and 480-40-075; repealing WAC 480-40-033, 480-40-036, 480-40-039, 480-40-080 and 480-40-090; and adopting WAC 480-40-110, 480-40-120, 480-40-130 and 480-40-140.

This action is taken pursuant to Notice No. WSR 88-15-072 filed with the code reviser on July 20, 1988. The rule change hereinafter adopted shall take effect pursuant to RCW 34.04.040(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 88-15-072 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, August 24, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to August 19, 1988, and orally at 9:00 a.m., Wednesday, August 24, 1988, in the Commission's Hearing Room above noted. At the August 24, 1988, meeting the commission considered the rule change proposal. Written comments were received from Washington Stage Lines, Bremerton-Kitsap Airporter, Inc., and Pacific Northwest Transportation Services, Inc. Oral comments were presented by James Fricke, Pacific Northwest Transportation Services, Inc., and Richard Reininger of Washington Stage Lines.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that the rules set forth in the above heading should be amended, adopted, and repealed to read as set forth in Appendix A shown below and by this reference made a part hereof. The amendment, adoption, and repeal of these rules will detariff charter party carriers of passengers, change the standards for entry, but require safety, fitness, and proof of minimum financial responsibility.

ORDER

WHEREFORE, IT IS ORDERED That the rules as set forth in Appendix A, be amended, adopted, and repealed as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rules, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

DATED at Olympia, Washington, this 26th day of August, 1988.

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

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-72, filed 4/23/75)

WAC 480-40-010 DEFINITIONS. (1) Unless the language or context indicates that a different meaning is

intended, the following words, terms, and phrases shall, for the purpose of these regulations, be given the meaning hereinafter subjoined to them:

(2) The word "state" means the state of Washington.

(3) The word "commission" means the Washington utilities and transportation commission.

(4) "Person or persons" means an individual, a corporation, association, joint stock association, and partnership, their lessees, trustees or receivers.

(5) "Public highway" includes every public street, road or highway in this state.

(6) "Motor vehicle" means every self-propelled vehicle with seating capacity for seven or more persons excluding the driver.

(7) Subject to the exclusions of RCW 81.70.030, "charter party carrier of passengers" means every person engaged in the transportation of ~~((persons by motor vehicle for compensation whether in common or contract carriage over any public highway in this state.~~

~~(8) The term "charter party," as used in these regulations means a group of persons who, pursuant to a common purpose and under a single contract, and at a fixed charge for the vehicle have acquired the exclusive use of passenger-carrying motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.~~

~~(9) "Accommodations" as used herein means either~~

~~(a) Registered additional seats which the charter party may desire in excess of the number necessary for the party for extra convenience or comfort of the party, or~~

~~(b) Registered additional number of seats (either left in the charter coaches, or removed at the charter party's request) for the storage of baggage or other paraphernalia being carried in the custody of the party.~~

~~(10) "Charter coach." A motor vehicle assigned to the exclusive use of a party or person.~~

~~(11) "Charter trip or charter movement." Transportation furnished by a carrier in a charter coach authorized herein, beginning at the time and place for which the charter coach is ordered and ending at the place of destination.~~

~~(12) As used herein, "hour" is each sixty minutes, or any portion thereof, beginning at the time the charter coach is ordered to be at the place of origin and ending at the time the charter coach is finally released by the charter party.~~

~~(13) As used herein, a "day" is each twenty-four "hours," beginning at the time the charter coach is ordered to be at the place of origin and ending at the time the charter coach is finally released by the charter party.~~

~~(14) "Applicable equipment points." On any particular charter movement, the equipment point nearest the place of origin shall be the applicable equipment point for vehicles utilized up to the total number of vehicles held out to be available at that point; the equipment point next nearest the place of origin shall then become the applicable equipment point for the remainder of such vehicles utilized up to the total number of such vehicles held out to be available at that point; thereafter, progressively more distant equipment points shall, in turn, become applicable equipment points up to the number of~~

such vehicles held out at each, until sufficient equipment has been provided for the entire charter movement.

(15) "Equipment point." Equipment point, as used in a tariff, means a place specifically named by a carrier as a point at which vehicles are held out to be available for charter movements.

(16) "Live mileage or live miles." Live mileage, as used herein, means the mileage traversed by a charter coach between the place of origin and the place of destination. After the charter coach has departed from the place of origin, any mileage involved in the servicing of equipment shall not be included as deadhead mileage.

(17) "Place of origin." The term "place of origin," as used herein, means the place where the charter party orders the charter coach to be at the start of the charter trip.

(18) "Place of destination." The term "place of destination," as used herein, means the place where the charter coach is vacated and released by the charter party. PROVIDED, That no deadhead mileage will be charged for movements within the city limits of an incorporated city when such is designated as an equipment point.

(19) "Waiting time." Any period of time in excess of one-half hour during which the charter coach is not in motion, at the request, with the consent, or for the convenience of the charter party. PROVIDED, That waiting time does not include normal rest stops, meal stops, or layover time for repairs)) a group of persons who, pursuant to a common purpose and under a single contract, have acquired the use of a motor bus to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.

(8) This chapter does not apply to:

(a) Persons operating motor vehicles wholly within the limits of incorporated cities;

(b) Persons or their lessees, receivers, or trustees insofar as they own, control, operate, or manage taxicabs, hotel buses or school buses, when operated as such;

(c) Passenger vehicles carrying passengers on a non-commercial enterprise basis;

(d) Operators of charter boats operating on waters within or bordering this state.

AMENDATORY SECTION (Amending Order R-12, filed 11/28/69)

WAC 480-40-020 LICENSES. ((†)) No motor vehicle shall be operated upon the public highways of this state by any charter party carrier of passengers until the owner or person lawfully in control thereof shall have complied with the laws of this state pertaining to motor vehicle licenses and the rules and regulations of the commission governing the operation of motor vehicles upon the public highways.

AMENDATORY SECTION (Amending Order R-61, filed 12/19/73)

WAC 480-40-030 CERTIFICATES. (1) No ((charter party carrier shall operate, establish, or begin

operation for the purpose of transporting persons on the)) person may operate, establish, or engage in the business of a charter party carrier of persons over any public highway((s-of)) in this state, without first having obtained a certificate from the commission.

(2) No certificate will be issued to persons operating under a trade name, unless a certificate of said trade name is filed in accordance with the provisions of chapter 19.80 RCW, and a certified copy thereof filed with the commission.

(3) Certificates must be kept on file at the main office of the owner except when directed to be transmitted to the commission, and shall be subject at all times to inspection by the authorized representatives of the commission.

(4) Any certificate to operate a motor propelled vehicle for the transportation of persons for compensation obtained upon any application by any false affidavit or representation shall be subject to revocation and cancellation by the commission.

(5)(a) No certificate nor any right thereunder ((shall)) may be leased, assigned, or otherwise transferred or encumbered unless authorized by the commission. Requests for such authority shall be on forms to be furnished by the commission, giving all information therein requested, sworn to before a notary and accompanied by filing fee named in ((WAC 480-40-030(9))) subsection (7) of this section.

(b) No charter party certificate or right to conduct any of the service therein authorized shall be leased, assigned or otherwise transferred except in its entirety unless the portion thereof not to be leased, assigned, or otherwise transferred is to be immediately cancelled((: PROVIDED, HOWEVER, short term leases under portions of such certificates in the nature of operating agreements, may be approved upon a showing that the same are in the public interest)).

(6) (a) All applications for original certificates (including extensions of certificates), ((temporary certificates, renewal or reinstatements of certificates)) shall be on forms to be furnished by the commission, giving all information therein requested, sworn to before a notary and accompanied by application fee named in ((WAC 480-40-030(9))) subsection (7) of this section.

((7) All holders of certificates shall file, after May 15, and not after June 15 of each year, an application for renewal of the certificate. If such filing is made after June 15 the application shall be considered as an application for reinstatement, and the certificate shall expire at the close of June 30 and operations thereunder shall cease and may not be resumed unless and until reinstatement is ordered by the commission. Certificates issued prior to July 1, 1969 under the 1969 amendments to chapter 81.70 RCW, shall expire or be subject to renewal at the close of June 30, 1970. Except as provided above all certificates will expire each year at the close of June 30.

(8) An application for a temporary certificate shall be filed separately from an application for certificate, extension or reinstatement, and shall be accompanied by the required fee, EXCEPT, That when applications for an original certificate have been filed on or before June

11, 1969, or when applications for renewal have been filed on or before June 15 of any given year, and the commission is unable to dispose of said original application by June 11, 1969, or a renewal application on or before June 30 of a given year, the commission may, at its discretion, grant all or a portion of the application on a temporary basis without the filing of an additional application and the payment of additional fee.

(9)) (b) A certificate shall be issued to any qualified applicant authorizing, in whole or in part, the operations covered by the application if it is found that the applicant is fit, willing, and able to perform properly the service and to conform to the provisions of the laws governing charter party carriers of passengers and the rules and regulations of the commission.

(c) Before a certificate is issued, the commission shall require the applicant to meet certain safety requirements and show proof of minimum financial responsibility as set forth in this chapter.

(7) Miscellaneous fees:

Original application for certificate ...	\$(200.00)
	150.00
Application for extension of certificate	(200.00)
	150.00
(Application for temporary certificate	35.00
Application for renewal or reinstatement of certificate	25.00)
Application to lease, assign, or otherwise transfer or (otherwise) encumber a certificate	150.00
Application for issuance of duplicate certificate	(3.00)
	5.00

(~~10~~) (8) All applications for the issuance of a duplicate certificate must be accompanied by affidavit of the holder thereof setting forth that the original certificate has been lost or destroyed.

(9) The commission may cancel, revoke, or suspend any certificate issued under this chapter on any of the following grounds:

(a) The violation of any of the provisions of chapter 81.70 RCW;

(b) The violation of an order, decision, rule, regulation, or requirement established by the commission pursuant to the law governing charter party carriers of passengers;

(c) Failure of a charter party carrier of passengers to pay a fee imposed on the carrier within the time required by law;

(d) Failure of a charter party carrier to maintain required insurance coverage in full force and effect; or

(e) Failure of the certificate holder to operate and perform reasonable service.

(10) After the cancellation or revocation of a certificate, or during the period of its suspension, it is unlawful for a charter party carrier of passengers to conduct any operations as such a carrier.

(11) Whenever an order is entered by the commission cancelling or revoking a previous order granting a certificate or cancelling or revoking a certificate already issued ((or denying renewal of a certificate, or whenever a certificate has expired without being renewed)), and subsequently an application is made ((for reinstatement of such order or certificate)), such application shall be filed in the manner required as for ((renewal of a certificate together with all additional information as will support reinstatement)) the original.

(12) Remittances shall be made by money order, bank draft, or check, made payable to the Washington utilities and transportation commission.

AMENDATORY SECTION (Amending Order R-110, filed 10/19/77)

WAC 480-40-040 LIABILITY AND PROPERTY DAMAGE INSURANCE. (1) Within ten days after the date of the order granting an application for certificate, and before such certificate shall issue, the applicant shall file with the commission, evidence of liability and property damage insurance having been written by a company authorized to write such insurance in the state of Washington covering each motor vehicle used or to be used by such applicant in the following sums:

(1) Passenger seating capacity	16 or	17
	less	or more
(2) Minimum amount for bodily injuries to or death of one person.	\$100,000	\$100,000
(3) Minimum amount for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of not less than \$100,000 for bodily injuries to or death of one person).	\$300,000	\$500,000
(4) Minimum amount for loss or damage in any one accident to property of others.	\$50,000	\$50,000

	Effective 6/9/88	Effective 6/9/88	Effective 7/1/90	Effective 7/1/90
(1) Passenger seating capacity	16 or less	17 or more	16 or less	17 or more
(2) Minimum amount for bodily injuries to one person	\$100,000	\$100,000	\$100,000	\$100,000

	Effective 6/9/88	Effective 6/9/88	Effective 7/1/90	Effective 7/1/90
(3) <u>Minimum amount for bodily injuries to all persons injured in any one accident</u>	\$500,000	\$2,500,000	\$1,000,000	\$5,000,000
(4) <u>Minimum amount for loss or damage in any one accident to property of others</u>	\$50,000	\$50,000	\$50,000	\$50,000

Failure to file and keep such insurance in full force and effect shall be cause for dismissal of an application or cancellation of a certificate.

(2) Evidence of insurance shall be submitted on a "uniform motor carrier bodily injury and property damage liability certificate of insurance," filed in triplicate with the commission.

(3) All liability and property damage insurance policies issued to charter party carriers of passengers shall carry a "uniform motor carrier bodily injury and property damage liability endorsement."

AMENDATORY SECTION (Amending Order R-12, filed 11/28/69)

WAC 480-40-050 SELF INSURANCE. (1) Every charter party carrier of passengers which qualifies as a self-insurer under the provisions as set forth in ((RCW 81.68.065)) section 9, chapter 30, Laws of 1988, may upon proper application to the commission be exempt from all provisions relative to liability and property damage insurance under the rules and regulations as herein set forth: PROVIDED, HOWEVER, That with said application shall be filed a certified copy of the order of the Interstate Commerce Commission showing that the said applicant has qualified under the Interstate Commerce Act as a self-insurer; and a further certification that said company was at the time of the application to the Washington utilities and transportation commission operating under the said self-insuring authority; and that the same is now in full force and effect.

(2) Every charter party carrier qualified and acting under the self-insurer provisions of ((RCW 81.68.065)) section 9, chapter 30, Laws of 1988, who may thereafter have all rights as self-insurer cancelled by the Interstate Commerce Commission, shall coincidentally upon the effective date of the order cancelling such right, file with the Washington utilities and transportation commission the proper liability and property damage insurance or surety bond as provided for in WAC 480-40-040(1).

AMENDATORY SECTION (Amending Order R-12, filed 11/28/69)

WAC 480-40-060 EQUIPMENT OF MOTOR VEHICLES. (1) Motor vehicles shall be equipped in

accordance with existing state laws, and the rules and regulations of the commission.

(2) For the purpose of identification and information of the public, all motor vehicles, including substitute or emergency vehicles, while being operated under certificate, shall have displayed on each side of such vehicle in a conspicuous place and of such size as to be easily discernible at a distance of at least fifty feet, the number of the certificate under which such vehicle is being operated, preceded by the letters W.U.T.C. Thus:

" W.U.T.C.
CH-..... "

((Motor vehicles operating under a Certificate of Public Convenience and Necessity pursuant to chapter 81.68 RCW and thus already displaying a W.U.T.C. number are exempt from this regulation.)) In the event a certificate is revoked or cancelled or the equipment sold the carrier shall immediately remove its certificate number from its vehicles.

(3) Motor vehicles used in the transportation of passengers shall have displayed thereon the company name and number of such vehicle printed in letters of sufficient size and so placed as to be easily discernible.

(4) ((Each motor vehicle used in the transportation of passengers shall have displayed on the front thereof an appropriate sign indicating such vehicle is being operated in "charter" or "special" service in letters not less than three inches in height.

(5)) All motor vehicles shall be maintained in a safe and sanitary condition and shall be at all times subject to inspection by the commission's duly authorized representatives.

((6) All motor vehicles used in the transportation of passengers and having a covered top or top up, shall maintain a light or lights of not less than two candle power each, within the vehicle and so arranged as to light up the whole of the interior thereof, except that portion occupied by the driver.

(7) All motor vehicles used in the transportation of passengers shall be equipped with a standard speedometer or tachometer which shall be maintained in good working order.

(8) Passenger carrying vehicles shall be equipped with a suitable heating system sufficient to keep the same at a comfortable temperature for its patrons.

(9) All motor vehicles used in the transportation of passengers shall be equipped with a fire extinguisher of pump or stored pressure type, suitable for attachment to motor vehicles and bearing the label of approval by the Underwriters Laboratories, Incorporated, and shall be kept in good working condition at all times.))

AMENDATORY SECTION (Amending Order R-244, Cause No. TV-1913, filed 11/7/85)

WAC 480-40-070 OPERATION OF MOTOR VEHICLES. (1) All motor vehicles shall be operated in accordance with the requirements of existing state laws and no driver or operator thereof shall operate the same in any other than a careful and prudent manner, nor at any greater speed than is reasonable or proper, having

due regard to the traffic and use of the highway by others, or so as to endanger the life and limb of any person.

(2) Qualifications of drivers. Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing qualifications of drivers prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 383, part 391, excluding paragraphs (a) and (b) of section 391.2, section 391.69, subparagraph (2) of paragraph 391.71(a), and subparagraph (4) of paragraph 391.71(b); as well as and including all appendices and amendments thereto, in effect on January 1, 1983, are adopted and prescribed by the commission to be observed by all charter party carriers of passengers operating under chapter 81.70 RCW except:

(a) ~~((The minimum age requirement for drivers prescribed in subparagraph (1) of paragraph 391.11(b) shall be eighteen years of age.~~

(b)) With respect to the limited exemption prescribed in section 391.61, the time period identified therein shall be the period of time prior to the effective date of this rule.

((c)) (b) With respect to the limited exemptions prescribed in sections 391.65 and 391.71, the time periods identified in these sections shall have as a starting date the effective date of this rule.

(3) ~~((No driver or operator of a motor vehicle carrying passengers shall smoke any cigar, cigarette, tobacco or other substance in such vehicle during the time he is driving the vehicle.~~

(4) ~~No driver or operator of a motor vehicle shall create any disturbance or unnecessary noise to attract persons to the vehicle.~~

(5)) The rules and regulations relating to drivers' logs and drivers' hours of service adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, Part 395, as well as and including all appendices and amendments thereto in effect on January 1, ~~((1985))~~ 1988, are adopted and prescribed by the commission to be observed by all charter party carriers of passengers operating under chapter 81.70 RCW ~~((, except that the radius distance identified in paragraph (f) of section 395.8 shall be one hundred miles)).~~

((6) ~~No motor vehicle used in the transportation of persons shall carry more persons than one hundred fifty percent of its rated carrying capacity but no passenger shall be required to stand for a distance in excess of twenty miles. The commission may amend, rescind or grant exceptions to this rule in the event of emergency.~~

(7) ~~Except when specially authorized by the commission, no motor vehicle used in the transportation of passengers shall be operated or driven with any trailer or other vehicle attached thereto, except in case a vehicle becomes disabled while on a trip and is unable to be operated by its own power, such disabled vehicle may be towed without passengers to the nearest point where repair facilities are available. No right-hand drive vehicle shall be used except by special authorization of the commission and then only when equipped as directed by it.~~

~~(8))~~ (4) Accidents occurring in this state arising from or in connection with the operations of any charter party carrier of passengers operating under chapter 81.70 RCW resulting in an injury to any person, or the death of any person shall be reported by such carrier to the commission as soon as possible, but in no event later than twelve hours after the occurrence of the accident. The occurrence of such accidents shall be reported to the commission by telephone at the following numbers: 1-800-562-6150; or if the call is made from out of the state: ~~((1-206-753-6411))~~ 1-206-586-1119. Copies of written reports of all accidents, including those described in this section, shall be maintained in the main office of the carrier subject to inspection by the commission.

~~((9) Charter party carriers transporting passengers shall maintain busses in a clean and sanitary condition and shall make such stops as shall be necessary to care properly for the comfort of their patrons.~~

~~(10))~~ (5) Whenever the designations "director, bureau of motor carrier safety," "director, regional motor carrier safety office," "regional highway administrator," and "federal highway administration" are used in the respective parts of Title 49, Code of Federal Regulations, as described in subsections (2) and ~~((5))~~ (3) of this section, such designations for the purpose of this rule shall mean the "Washington utilities and transportation commission."

AMENDATORY SECTION (Amending Order R-198, Cause No. TCH-1685, filed 2/23/83)

WAC 480-40-075 EQUIPMENT—SAFETY. In addition to other laws and regulations of this state, all motor vehicles operating under chapter 81.70 RCW shall comply with the following:

(1) Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing motor carrier safety prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 390.17, part 392, excluding section 392.2 and paragraph (c) of section 392.1; part 393, excluding paragraph (b) of section 393.1, and sections 393.13, 393.14, 393.15, 393.16, 393.76, 393.100, 393.102, 393.104, 393.106; part 396, except that with respect to section 396.11 no driver vehicle inspection report need be filed if no defects are found, and excluding paragraph (b) of section 396.1; part 397, excluding section 397.21 and paragraph (c) of section 397.1; as well as and including all appendices and amendments thereto, in effect on January 1, ~~((1983))~~ 1988, are adopted and prescribed by the commission to be observed by all charter party carriers of passengers operating under chapter 81.70 RCW.

(2) Whenever the designations "director, bureau of motor carrier safety," "director, regional motor carrier safety office," "regional highway administrator," and "federal highway administration" are used in the respective parts of Title 49, Code of Federal Regulations, as described in subsection (1) of this section, such designations for the purpose of this rule shall mean the "Washington utilities and transportation commission."

NEW SECTION**WAC 480-40-110 REGISTERED CARRIERS.**

(1) Carriers engaged exclusively in interstate or foreign commerce are declared to be registered carriers. Those operating under authority issued by the Interstate Commerce Commission shall have their registration number prefixed by "CH". Registered carriers need only comply with such rules and regulations as specifically refer to them or to equipment operated exclusively in interstate commerce across or between points in the state and points outside of the state.

(2) By reference, the Washington utilities and transportation commission hereby adopts the rules promulgated by the National Association of Regulatory Utility Commissioners and adopted by the Interstate Commerce Commission under PL 89-170 and codified as Part 1023 of Title 49, Code of Federal Regulations.

(3) Registered carriers may meet insurance requirements by filing with the Washington utilities and transportation commission a certificate of insurance.

NEW SECTION

WAC 480-40-120 REGISTRATION OF INTERSTATE AUTHORITY. (1) It shall be unlawful for any charter party carrier of passengers to perform a transportation service for compensation upon the public highways of this state without first having secured appropriate authority from the Interstate Commerce Commission, if such authority is required, and without first having registered such authority, if any, with the commission.

(2) Such registration shall be granted upon application, without hearing, upon payment of the appropriate filing fee. Applications to register ICC operating authority with the commission shall be accompanied by the fee of twenty-five dollars for charter party carriers of passengers who have not previously filed currently effective applications for such registration.

NEW SECTION**WAC 480-40-130 IDENTIFICATION CARDS.**

(1) No motor vehicle operated by a charter party carrier of passengers upon the highways of this state shall be so operated without having available within the vehicle a valid identification cab card properly signed and with appropriate stamp affixed or equivalent thereof. Such identification card shall be subject to inspection by the commission's representatives at all times.

(2) An application for sufficient number of identification stamps shall be filed with the commission, accompanied by the necessary stamp and regulatory fee. The cost of the stamp shall be three dollars.

(3) The regulatory fee shall be seven dollars per vehicle. Under section 15, chapter 30, Laws of 1988, the annual regulatory fee shall be established by the commission but not to exceed the cost of supervising and regulating such carriers.

(4) In lieu of the payment of a full regulatory fee for each vehicle operated upon the public highways of the

state of Washington, the regulatory fee may, at the request of the carrier, be paid on the basis of the following option:

Lump sum regulatory fee payment. Carriers who operate fleets in excess of fifty motor power vehicles upon the public highways of the state of Washington may elect to pay a lump sum regulatory fee based on the number of vehicles operated during the previous year, at the regulatory fee established by general order of the commission entered before November 1st of any year.

(5) Charter party carriers of passengers engaged exclusively in casual or occasional interstate or foreign commerce across or between points in the state and points outside the state may, as an alternative to all other requirements of this chapter, obtain a single trip transit permit, valid for ten days authorizing one trip, entering or across the state. This permit will be issued upon payment of a fee of ten dollars. The carrier must provide the name and policy number or binder of the insurance company with whom the carrier has insurance which meets the provisions of WAC 480-40-040.

(6) No refund will be made on unused stamps.

(7) Any "lost stamps" will be replaced only at full stamp and regulatory fee: PROVIDED, HOWEVER, That in unusual circumstances the commission may, by order, waive all or a portion of the replacement cost.

(8) Each carrier shall obtain from the Washington utilities and transportation commission or from the National Association of Regulatory Utility Commissioners a sufficient number of blank identification cab cards to satisfy its requirements.

(9) All identification cab cards and stamps issued for a particular calendar year expire January 31 of each succeeding year. However, a stamp may be issued for the ensuing calendar year on or after the first day of October preceding, and may be used from the date of issue.

(10) An identification cab card may be reassigned to a substitute vehicle (power unit) only when the original vehicle has been destroyed or is being permanently withdrawn from the ownership or possession of the permittee.

NEW SECTION

WAC 480-40-140 CARDS—RETURN REQUIRED—LOSS OF; IMPROPER USE OF CARDS OR STAMPS. (1) Upon revocation of a permit or cessation or abandonment of service under a permit, or when equipment is repossessed, the holder thereof shall immediately return to the commission the original permit, together with identification cab cards.

(2) The loss of identification cab cards and/or stamps shall be immediately reported to the commission.

(3) The use of an identification cab card by any person or firm other than the carrier to whom the stamp was issued is unlawful.

(4) The use of an identification cab card without the appropriate stamp firmly affixed is unlawful.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 480-40-033 EQUIPMENT OPERATED.
 WAC 480-40-036 RECORDS.
 WAC 480-40-039 TARIFFS.
 WAC 480-40-080 FEES AND GROSS OPERATING REVENUE.
 WAC 480-40-090 RULES AND REGULATIONS.

WSR 88-18-013
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-87—Filed August 26, 1988]

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 restrictions in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Puget Sound and Canadian chinook stocks. Openings in Areas 7B and 7C provide opportunity for gillnet gear to harvest non-Indian allocation of chinook destined for the Nooksack Samish region of origin. Openings in Area 7E provide opportunity to harvest non-Indian allocation of chinook stocks destined for the East Sound Hatchery facility. Restrictions in Area 7E provide protection for milling stocks. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks. It is in the public interest to harvest available salmon; there is inadequate time to promulgate permanent regulations.

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 August 26, 1988.

By Judith Merchant
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-47-909 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC, effective 5:00 AM Monday August 29 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 open periods and restrictions:

- * Areas 4B, 5, 6, 6A, 6C, 7, 7A – Under control of Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.
- * Areas 7B and 7C – Gillnets using 7-inch minimum mesh may fish from 6:00 PM Monday (8/29) to 9:00 AM Tuesday (8/30), and from 6:00 PM Tuesday (8/30) to 9:00 AM Wednesday (8/31).
- * Area 7E – Gillnets using 7-inch minimum mesh may fish from 6:00 PM Monday (8/29) to 9:00 AM Tuesday (8/30), and from 6:00 PM Tuesday (8/30) to 9:00 AM Wednesday (8/31), and from 6:00 PM Wednesday (8/31) to 9:00 AM Thursday (9/1). Purse seines may fish from 5:00 AM to 9:00 PM Monday (8/29), and from 5:00 AM to 9:00 PM Tuesday (8/30), and from 5:00 AM to 9:00 PM Wednesday (8/31). This Area 7E opening excludes those waters east of a line projected from Tongue Pt. to Juniper Pt. to the point immediately south of Juniper Pt.
- * Areas 6B, 6D, 7D, 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 5:00 AM Monday August 29:

WAC 220-47-908 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-82)

WSR 88-18-014
EMERGENCY RULES
DEPARTMENT OF NATURAL RESOURCES
 [Order 544—Filed August 26, 1988]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the banning of all burning on lands protected by the Department of Natural Resources in the state.

I, Brian J. Boyle, 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 due to the dryness of the forest fuels and the existence of numerous fires on lands protected by the Department of Natural Resources and the total commitment of available resources it is necessary to

curtail the use of fire to prevent forest fires from occurring whereby life and property would be in danger.

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

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.315 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 26, 1988.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-090 BURNING BAN. Effective midnight, Friday, August 26, 1988 through midnight, Tuesday, August 30, 1988, all burning and the privileges authorized by RCW 76.04.205 for the use of fire are suspended and the use of fire is absolutely prohibited on all forest land protected by the Department of Natural Resources in the state: PROVIDED, That fires contained in established campfire pits, approved by the Department, located in state, county, municipal, or other campgrounds and the use of barbecues or camp stoves in state, county, municipal, or other campgrounds are exempt from this burning ban.

WSR 88-18-015

NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF TRANSPORTATION
(Transportation Commission)
[Memorandum—August 26, 1988]

The Washington State Transportation Commission has changed their regular meeting dates as follows:

- October 20, 1988, to October 21, 1988
- November 17, 1988, to November 10, 1988

These meetings will begin at 9:30 a.m., and will be held in Room 1D2, Transportation Building, Olympia, Washington.

WSR 88-18-016

NOTICE OF PUBLIC MEETINGS
STATE BOARD OF EDUCATION
[Memorandum—August 29, 1988]

The State Board of Education schedule of meeting dates and locations for the 1988 calendar year, filed with the state code reviser on August 7, 1987 (WSR 87-17-008), is amended as follows:

On September 29-30, 1988, the regular meeting of the State Board of Education will convene at 9:00 a.m. in the Great Northern Room of the Ellensburg Inn, Ellensburg, Washington. In addition, a study session will

be held Wednesday evening, September 28, 1988, convening at 7:00 p.m. in the Columbia Room at the Ellensburg Inn, Ellensburg, Washington.

The location of the November 30-December 3, 1988, meeting has been changed from the Ballroom at the Hyatt House, Seattle, to the Windward Room at the Seattle Hilton, Sixth and University, Seattle.

WSR 88-18-017

NOTICE OF PUBLIC MEETINGS
STATE BOARD OF EDUCATION
[Memorandum—August 29, 1988]

SCHEDULE OF MEETING DATES AND LOCATIONS
1989 CALENDAR YEAR

January 25-27, 1989	Quinault Room Tyee Hotel Olympia
March 29-31, 1989	Library Educational Service District 121 Seattle
May 17-19, 1989	Boardroom Bellingham School District Bellingham
July 20-22, 1989	Alpine Room Enzian Motor Inn Leavenworth
September 27-29, 1989	Vancouver School District Vancouver
November 29- December 2, 1989	Convention Center Spokane

WSR 88-18-018

ADOPTED RULES
HIGHER EDUCATION PERSONNEL BOARD
[Order 172—Filed August 29, 1988—Eff. October 1, 1988]

Be it resolved by the Higher Education Personnel Board, acting at Western Washington University, Bellingham, Washington, that it does adopt the annexed rules relating to:

Amd	WAC 251-14-020	Employee organization filing requirements.
Amd	WAC 251-14-052	Union shop representative election.
Amd	WAC 251-14-058	Union shop requirements.
Amd	WAC 251-10-170	Dismissal—Union shop—Notice—Recision.
New	WAC 251-01-258	Nonassociation fee.
New	WAC 251-01-367	Representation fee.
Amd	WAC 251-01-445	Union shop.
Rep	WAC 251-01-455	Union shop representation fee.

This action is taken pursuant to Notice Nos. WSR 88-06-075 and 88-13-112 filed with the code reviser on March 2, 1988, and June 22, 1988. These rules shall take effect at a later date, such date being October 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 August 4, 1988.

By John A. Spitz
Director

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, by-laws, 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 representative for a bargaining unit which has chosen to be a union 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.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-14-052 UNION SHOP REPRESENTATIVE ELECTION. (1) The director shall order a union 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. If the employee organization does not already have the opinion of counsel required by WAC 251-14-020(2) on file with the director, the petition shall not be considered complete until such an opinion is provided.

(2) The director shall, upon receipt of a petition for a union shop representative election, inform all affected employees of the union 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 shop (~~and mandatory membership in an employee organization~~).

(9) The director will certify the employee organization as the union shop representative if a majority of employees in the bargaining unit vote in favor of requiring membership in the employee organization to be a condition of employment.

(10) Another union 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 shop representative election.

AMENDATORY SECTION (Amending Order 98, filed 7/22/82, effective 9/1/82)

WAC 251-14-058 UNION SHOP REQUIREMENTS. (1) When a majority of employees within a bargaining unit determine by election to require as a condition of employment membership in the employee organization designated as the exclusive bargaining representative, all employees included in that bargaining unit are required to (~~become members of~~) pay to such employee organization the regular dues of the 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 shop representative election, whichever is later.

(2) Membership in the employee organization is satisfied by the payment of monthly or other periodic dues, or representation fees, 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 non-association 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 a member(s. 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 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 included 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 object to payment for activities of the exclusive representative which are supported by regular dues and which are not related to representation of the employees in the bargaining unit may pay a representation fee in lieu of regular dues. The representation fee is to be calculated by the representative in accordance with applicable constitutional and statutory requirements. See WAC 251-01-367.

(8) A condition of employment for an employee employed in a bargaining unit where an employee organization is the exclusive union shop representative(;) is membership in that employee organization or the regular payment of a union 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 shop representative election, whichever is later, constitutes cause for dismissal per the provisions of WAC 251-10-170.

~~((8))~~ (9) The union shop representative shall inform the appointing authority, in writing, of those employees who have not complied with (~~(WAC 251-14-058)~~) this section.

~~((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 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 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 SHOP—NOTICE—RECISION. Appointing authorities shall dismiss an employee(;) who is employed within a bargaining unit that has a certified union shop representative(;) when notified by the union shop representative of the employee's failure to comply with union shop requirements per WAC 251-14-058. The employee shall be (~~(furnished with a written notice of the dismissal)~~) given the opportunity to respond to the representative's notification as provided in WAC 251-10-108 before the notice of dismissal is given. If, thereafter, notice is necessary, it shall be furnished in writing to the employee 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 union shop representative has not complied with WAC 251-14-020(2) or the representation fee or nonassociation fee requirements of WAC 251-14-058.

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 a union shop exclusive representative. This fee is equivalent to regular dues of the employee organization less any included monthly premiums for union-sponsored insurance programs.

NEW SECTION

WAC 251-01-367 REPRESENTATION FEE. A fee in lieu of regular dues which an employee may pay to a union shop exclusive representative. The fee shall constitute an employee's proportionate fair share of the direct costs of negotiating and administering the collective bargaining agreement and of settling grievances, appeals, and disputes, and also the expenses of activities or undertakings normally or reasonably employed to implement or effectuate the duties of the organization as exclusive representative. This fee shall not include the cost of political or ideological activities, or any other activity of the organization, unrelated to the organization's duties as exclusive representative.

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-445 UNION SHOP. A union membership provision which, as a condition of employment,

requires all employees within a bargaining unit to (~~become members of~~) pay monthly or other periodic dues to an employee organization, or to pay a representation fee or nonassociation fee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 251-01-455 UNION SHOP REPRESENTATION FEE.

WSR 88-18-019
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-88—Filed August 29, 1988]

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 these regulations are adopted pursuant to the decision of the August 17, 1988, Columbia River Compact. Run size estimates for Columbia River salmon and steelhead stocks indicate that harvestable numbers of these species are available in the area above Bonneville Dam. Action to open the treaty fishery has to be taken immediately in order to harvest these fish, and there is inadequate time to follow the permanent rule adoption procedures.

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

This rule is promulgated pursuant to RCW 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 August 29, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-32-05100H COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (1) *Notwithstanding the provisions of WAC 220-32-051 and WAC 220-32-052, effective immediately, it is unlawful for a person to take or possess salmon or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except that those individuals possessing treaty*

fishing rights under the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish from 6:00 a.m. August 29 to 6:00 p.m. September 3, 1988.

(2) *During the seasons specified in subsection 1, it is unlawful:*

(a) *To retain for commercial purposes sturgeon less than 48 inches or greater than 72 inches in length.*

(b) *To remove the head or tail from a sturgeon prior to its sale to a wholesale dealer licensed under RCW 75.28.300.*

(c) *To sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of the sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300*

(3) *Notwithstanding the provisions of WAC 220-32-058, closed area at the mouth of:*

(a) *Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between approximately 0.8 miles downriver from the west bank at the end of the breakwall at the west end of the port of Hood River to 1/2 mile upriver from the east bank.*

(b) *Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of of the boat ramp.*

(c) *Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.*

(d) *Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.*

(e) *Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to the boundary markers located 3/4 of a mile from the mouth of the Big White Salmon River.*

(f) *Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.*

(g) *Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.*

(h) *Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to three-quarters mile downstream from the western shoreline.*

(i) *Spring Creek is those waters of the Columbia River extending to midstream at right angles to the thread*

of the Columbia River between a boundary marker located 3/4 of a mile downstream from the mouth of the Big White Salmon River to a point one and one half mile downstream from the western shoreline.

(4) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile rapids.

(b) Area 1G shall include those waters of the Columbia River upstream from a line drawn between a point one mile above the fishway exit on the Washington shore and a point one mile above the fishway exit on the Oregon shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H shall include those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, to a fishing boundary marker on the Washington shore and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100G COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (88-84)

WSR 88-18-020
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Order 2679—Filed August 30, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to discharge planning, amending WAC 248-18-445.

This action is taken pursuant to Notice No. WSR 88-13-102 filed with the code reviser on June 21, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.41.030 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 70.41 RCW.

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

APPROVED AND ADOPTED August 26, 1988.

By Leslie F. James, Director
 Administrative Services

NEW SECTION

WAC 248-18-445 DISCHARGE PLANNING. Hospitals shall:

(1) Establish and maintain a system for discharge planning and designate a person responsible for system management and implementation;

(2) Establish written policies and procedures to:

(a) Identify patients needing further nursing, therapy, or supportive care following discharge from the hospital;

(b) Develop a documented discharge plan for each identified patient including:

(i) Coordinate with patient and family or caregiver, as appropriate;

(ii) Coordinate with appropriate members of the health care team; and

(iii) Coordinate with the receiving agency or agencies, when necessary.

(c) Notify referral agencies, minimally to include verbal contact and communication regarding:

(i) Relevant patient history;

(ii) Specific care requirements including equipment, supplies, and medications needed; and

(iii) Date care is to be initiated.

(d) For those patients identified under subsection (2)(a) of this section, assess and document needs and implement discharge plans to the extent possible by the hospital.

WSR 88-18-021
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Order 2680—Filed August 30, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 248-18-001 Definitions.

Amd WAC 248-18-440 Records and reports—Medical record system.

This action is taken pursuant to Notice No. WSR 88-13-101 filed with the code reviser on June 21, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.41.030 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 70.41 RCW.

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

APPROVED AND ADOPTED August 26, 1988.

By Leslie F. James, Director
 Administrative Services

Reviser's note: The material contained in this filing will appear in the 88-19 issue of the Register as it was received after the applicable

closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 88-18-022
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2681—Filed August 30, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to special supplemental food program for women, infants and children (WIC), amending chapter 388-19 WAC.

This action is taken pursuant to Notice No. WSR 88-15-077 filed with the code reviser on July 20, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 43.20A.550.

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

APPROVED AND ADOPTED August 26, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-020 FOOD VENDOR PARTICIPATION. (1) The department shall authorize food vendors who may redeem WIC food instruments or otherwise provide supplemental foods to WIC participants. Unauthorized vendors who redeem WIC food instruments are subject to the penalties specified in WAC 388-19-035.

(2) Application procedure.

(a) Food vendors shall submit an application to the department, including a price list for authorized WIC food. Forms used in the application process are contained in the state plan which is submitted annually to the United States Department of Agriculture Food and Nutrition Services regional office.

(b) The department may require vendor applicants to provide information regarding gross food sales and inventory records for WIC-approved foods.

(c) The department shall conduct a documented on-site visit prior to, or at the time of, initial authorization of a new vendor, for the purpose of evaluating the inventory of WIC foods and providing training in rules and regulations of WIC transactions.

(d) The department shall issue contracts for a maximum period of two years. All contracts expire on December 31 of even-numbered years. No new applications will be accepted after July 1 in even-numbered

years, except in the case of an ownership change at a location where there is a documented need. The department has the authority to limit acceptance of new applications to other specific times as well.

(3) The department shall authorize an appropriate number and distribution of food vendors to assure adequate participant convenience and access, and to assure the department can effectively manage review of these vendors. The department has the authority to limit the number of authorized food vendors in any given geographic area or statewide. Selection is based on the following conditions:

(a) At least six WIC participants shall request a food vendor location unless the vendor is a:

(i) Pharmacy needed as a supplier of special infant formulas; or

(ii) Retail grocery store in an isolated area.

In either case, the need shall be documented by the local WIC agency.

(b) Food vendors shall stock representative items from all food categories on the authorized WIC food list that apply to the vendor's classification. No waivers shall be granted unless there is an insufficient number of authorized vendors in a given service area. Minimum quantities specified on the authorized WIC food list shall be stocked before a contract is offered to the food vendor;

(c) Prices of individual food items shall not exceed one hundred twenty percent of the statewide average price (~~accepted from WIC authorized food vendors at the end of the last odd-numbered year~~);

(d) The food vendor shall possess a valid Washington state tax registration number;

(e) The food vendor shall be willing to submit to monitor visits and to provide invoices and shelf prices upon request;

(f) The store shall be open for business at least eight hours per day, six days per week.

(4) The department shall give written notification of denial, stating the reason, and advising the food vendor of the vendor's right of appeal. The department may deny authorization to a:

(a) Food vendor who has redeemed WIC food instruments without authorization; or

(b) Store which has had more than two owners during a two-year contracting period; or

(c) Food vendor who has not implemented corrective action imposed by the department as a result of a monitoring visit; or

(d) Food vendor who has not completed payment of an imposed fine.

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-045 WIC FOOD VENDOR—ADMINISTRATIVE REVIEW—CONTRACT DISPUTE RESOLUTION(~~(=ADMINISTRATIVE HEARING)~~). (1) Administrative review.

(a) A food vendor whose application to participate in the WIC program is denied has the right to administrative review which is an informal meeting with the vendor to discuss the facts related to the denial.

(b) A request for an administrative review shall be in writing and:

- (i) State the issue raised;
- (ii) State the grounds for contesting the aggrieving department action;
- (iii) State the law and allegations of fact on which the appeal relies;
- (iv) Contain the appellant's current address and telephone number, if any; and
- (v) Have a copy of the adverse department notice attached.

(c) A request for an administrative review shall be made by personal service on the office of parent-child health services headquarters office or by certified mail addressed to the Office of Parent-Child Health Services, Mail Stop LC-12C, Olympia, Washington 98504. The request shall be made within thirty days of the date the vendor received the notice of adverse action. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the office of parent-child health services properly addressed and with no postage due.

(d) The chief, office of parent-child health services, or the chief's designee, shall conduct the administrative review. The time limit for making the determination is thirty days from the date the request for an administrative review was received by the office. The time shall be extended by as many days as the vendor requests, assents to, or causes a delay in the proceedings.

(e) Administrative review is the sole administrative remedy the department offers a food vendor WIC contract applicant.

(2) Contract dispute resolution.

(a) A WIC food vendor who is disqualified from participating in the program or who is aggrieved by any other adverse action the department takes which affects participation, has the right to a dispute resolution. This shall not apply to a nonrenewal of the contract.

(b) A request for a dispute resolution shall be in writing and:

- (i) State the issue raised;
- (ii) State the grounds for contesting the aggrieving department action;
- (iii) State the law and allegations of fact on which the appeal relies;
- (iv) Contain the contractor's current address and telephone number, if any; and
- (v) Have a copy of the adverse department notice attached.

(c) A request for a dispute resolution shall be made by personal service on the office of contracts management in Olympia or by certified mail addressed to the Office of Contracts Management, Mail Stop OB-22N, Olympia, Washington 98504. The request shall be made within thirty days of the date the contractor received the notice of adverse action. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the office of contracts management properly addressed and with no postage due.

(d) The time limit for making the determination is thirty days from the date the request for a dispute resolution was received by the office of contracts management. The time shall be extended by as many days as the contractor requests, assents to, or causes a delay in the proceedings.

~~((3) Administrative hearing.~~

~~(a) An applicant dissatisfied with the administrative review determination has the right to an administrative hearing. A contractor dissatisfied with the dispute resolution has the right to an administrative hearing. Administrative hearings in the WIC program shall comply with 7 CFR 246.18. The hearing shall be governed by this subsection and chapters 10-08 and 388-08 WAC. If any provision of subsection (3) of this section conflicts with chapter 388-08 WAC, the provision in this section applies. The decision-making procedure shall be the initial decision, petition for review, and review decision procedure.~~

~~(b) A request for an administrative hearing must be in writing and:~~

- ~~(i) State the issue raised;~~
- ~~(ii) State the grounds for contesting the aggrieving department action;~~
- ~~(iii) State the law and allegations of fact on which the appeal relies;~~
- ~~(iv) Contain the appellant's current address and telephone number, if any; and~~
- ~~(v) Have a copy of the administrative review or dispute resolution determination attached.~~

~~(c) A request for an administrative hearing must be made by personal service on the DSHS office of hearings in Olympia or by certified mail addressed to the DSHS Office of Hearings, P.O. Box 2465, Olympia, Washington 98504-2465. The request must be made within thirty days of the date the applicant or contractor received the adverse determination. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the office of hearings properly addressed and with no postage due.~~

~~(d) The time limit for making the determination is sixty days from the date the request for a hearing was received by the office of hearings. The time shall be extended by as many days as the appellant requests, assents to, or causes a delay in the proceedings.)~~

(e) The contract dispute resolution is the sole administrative remedy the department offers a WIC contractor.

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-050 WIC ~~((FOOD VENDOR APPEAL))~~ CONTRACTOR—CONTINUED PARTICIPATION PENDING ((ADMINISTRATIVE HEARING DECISION)) CONTRACT DISPUTE RESOLUTION. (1) If the action being appealed is a temporary disqualification of a WIC authorized vendor, that vendor shall cease redeeming WIC checks effective on the date specified in the sanction notice. The vendor shall not accept WIC food instruments during the appeal

period. Payment shall not be made for any food instruments accepted by a vendor during a period of disqualification.

(2) The department may in its discretion permit the contractor to continue participating in the WIC program pending the proceedings when implementing the action would unduly inconvenience WIC participants.

WSR 88-18-023
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2682—Filed August 30, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to maximum cost standards, amending WAC 388-42-150.

This action is taken pursuant to Notice No. WSR 88-15-009 filed with the code reviser on July 8, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED August 26, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2563, filed 12/2/87)

WAC 388-42-150 MAXIMUM COST STANDARDS.

(1) Mortuary services—Actual costs, but not to exceed:

- (a) Essential services only \$ ~~((263))~~ 273
- (b) Essential services plus funeral/memorial service \$ ~~((602))~~ 626

(2) Burial services—Actual costs, but not to exceed:

- (a) Burial only, no plot included \$ ~~((329))~~ 342
- (b) Burial with plot included, single or multiple interment . . \$ ~~((380))~~ 395

(3) Cremation services—Actual costs, but not to exceed:

- (a) Cremation only \$ ~~((164))~~ 162
- (b) Cremation and disposition \$ ~~((234))~~ 243

(4) These standards include all applicable taxes.

(5) These standards shall be effective ~~((September 1, 1987))~~ September 1, 1988.

WSR 88-18-024
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 2683—Filed August 30, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to family independence program, amending chapter 388-77 WAC.

This action is taken pursuant to Notice No. WSR 88-14-081 filed with the code reviser on July 1, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in chapter 74.21 RCW.

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

APPROVED AND ADOPTED August 29, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-005 GENERAL PROVISIONS. (1) The department of social and health services adopts the following rules under authority of chapter 74.21 RCW.

(2) In those areas not expressly covered by chapter 388-77 WAC, it is the intent of the department that applicants/enrollees of the family independence program (FIP) be subject to and covered by the Washington Administrative Code applicable to:

- (a) The aid to families with dependent children program (AFDC) for the Title IV-A portion of FIP; and
- (b) The food stamp program for the food assistance portion of FIP.

(3) The department shall apply fair hearing rules in chapter 388-08 WAC to all decisions related to eligibility, participation, and work and training activities for the Title IV-A portion of FIP. The department shall follow the food stamp program for hearings related to the food assistance portion of FIP.

(4) The department shall designate those geographic areas where FIP is to be implemented.

(5) The department shall enroll eligible households residing in a designated FIP geographic area ~~((in FIP))~~ at application~~((;))~~ (for applications submitted after June 30, 1988) at the annual grant face-to-face eligibility review, and at such other times as designated by the department, except:

(a) An applicant who has received AFDC within ninety days prior to application shall not be converted to FIP. If eligible, the household shall be authorized AFDC;

(b) AFDC recipients shall, at the annual face-to-face review, have the option to enroll in FIP or remain on AFDC.

(6) FIP enrollees transferring from a FIP to a non-FIP geographic area shall have the option to retain their FIP status if there is a FIP CSO in the county to which they transferred. Such enrollees wishing to remain in FIP shall report to, have their eligibility maintained by and services provided by, the FIP CSO in the county to which they transferred.

(7) Prior to denial or termination of FIP benefits, the department shall determine eligibility for other financial assistance, medical assistance, and food stamps.

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-015 APPLICATIONS AND ASSESSMENT. Application requirements for the Title IV-A portion of FIP shall be the same as for AFDC in WAC 388-38-030 through 388-38-200 and the same as the food stamp program for FIP food assistance except:

(1) FIP enrollees shall be asked to voluntarily cooperate in the FIP assessment at application or at conversion to FIP;

(2) FIP applicants shall submit a ((completed FIP application)) written request for benefits; and

(3) FIP enrollees may receive services at a local office outside the geographic area in which he or she lives as provided in WAC 388-77-005(6).

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-270 SUPPORT. (1) FIP applicants/enrollees shall be subject to the provisions of chapters 388-11, 388-13, and 388-14 WAC to the same extent as applicants/recipients of AFDC except as provided in subsection (2) of this section.

(2) All FIP grant and child care expenditures paid to or on behalf of a FIP enrollee, except medical, the cash value of food stamps, and child care expenditures provided under WAC 388-77-737 are covered by the assignment of support under WAC 388-14-200.

(3) An enrollee who fails to cooperate with the office of support enforcement without good cause, as provided for the AFDC program, shall be removed from the Title IV-A portion of the grant and a protective payee shall be established.

(a) An enrollee or enrollees not in the assistance unit, but in the household who has failed to cooperate shall have his or her gross income allocated to the assistance unit.

(b) Applicable incentives, even if attributable to the person who failed to cooperate, shall be provided to the household based on the number of persons remaining in the household.

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-500 INCOME—DETERMINATION OF NEED. (1) An applicant is not eligible for FIP cash assistance if nonexempt gross monthly income less disregards, as specified in AFDC, exceeds the payment standard and authorized additional requirements for AFDC in effect at the time of application:

(a) The department shall not apply the one hundred eighty-five percent gross income test in WAC 388-28-484(7) to the income of FIP applicants; and

(b) For the purpose of subsection (1) of this section, an applicant shall not have been a recipient of AFDC or an enrollee of FIP for ninety days prior to application.

(2) For FIP enrollees, the AFDC one hundred eighty-five percent gross income test and the AFDC payment standard test shall not apply.

(3) Unless the household qualifies for a hold-harmless payment, an enrollee shall not be eligible for IV-A FIP cash assistance if nonexempt monthly income less disregards exceeds the totals of:

(a) The payment standard for AFDC for the appropriate household size;

(b) Applicable incentives; and

(c) Authorized additional requirements.

(4) An enrollee shall not be eligible for FIP cash assistance when nonexempt income less deductions exceeds the benchmark plus applicable incentives and authorized additional requirements unless the household qualifies for a hold-harmless payment. For the purpose of subsection (4) of this section, the food assistance amount used in the benchmark shall be calculated at eighty percent of the thrifty food plan.

(5) The department shall determine the exempt or nonexempt status of all income.

NEW SECTION

WAC 388-77-530 INCOME—NONRECURRING LUMP SUM PAYMENTS. (1) For purposes of FIP food assistance, the department shall treat nonrecurring lump sums according to the food stamp program.

(2) For purposes of FIP Title IV-A cash assistance, the department shall treat nonrecurring lump sums as:

(a) Income in the month of receipt. If the income is less than one month's needs, the department shall budget against the payment month. If the income makes the household ineligible for FIP cash assistance, the department shall terminate assistance effective the first of the month the income was received; and

(b) A resource after the month of receipt.

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-600 STANDARDS OF ASSISTANCE—HOLD HARMLESS. (1) The department shall ensure no applicant or enrollee of FIP receives less financial assistance than he or she would otherwise have been entitled to receive as a sum of the AFDC and food stamp programs under the rules in effect January 1, 1988, and as adjusted to reflect all increases in:

(a) The federal food stamp allotment and deductions; and

(b) The Washington state payment standard for AFDC.

(2) The department shall compare the amount the household would have received under the AFDC program (excluding the allowance for the child care) with the FIP IV-A payment. If the AFDC payment amount

is greater, the department shall issue a supplement to bring the FIP IV-A payment up to the amount the household would have received on AFDC.

(3) Notwithstanding subsection (2) of this section, the department shall allow the AFDC child care deduction in the hold harmless computation for the month of conversion to FIP and the month following.

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-610 STANDARDS OF ASSISTANCE—INCENTIVE STANDARDS. (1) The department shall provide enrollees who are teen parents in high school or enrollees who are employed with incentive benefits as follows:

(a) Five percent of the benchmark standard for pregnant or parenting teenage parents under twenty-two years of age who stay in:

(i) High school and progress toward graduation; and

(ii) Participate, when available, in parenting education approved by the office of the superintendent of public instruction or the department.

(b) Fifteen percent of the benchmark standard for enrollees working half time;

(c) Thirty-five percent of the benchmark standard for enrollees working full-time.

(2) The department shall provide other FIP enrollees participating in education or training programs approved by ESD or the department with incentive benefits equaling five percent of the benchmark standard.

(3) Self-employed enrollees shall be entitled to fifteen percent or thirty-five percent of the benchmark standard based on hours worked as computed by dividing the enrollee's net income by the federal minimum wage.

(4) Participation in job search skills development or job search activities shall not qualify an enrollee for an incentive under WAC 388-77-610.

(5) The department shall not allow more than one incentive per assistance unit. The incentive shall be allowed at the highest level for which the assistance unit qualifies.

(6) The department shall round incentive payments down to the nearest dollar.

(7) The department shall provide incentives for employment to correspond with the budgeting of income. Incentives for training shall be provided using prospective budgeting.

(8) For the purposes of the incentive computation, the food assistance amount used in the benchmark shall be calculated at eighty percent of the thrifty food plan. The department shall round the product of the calculation of the eighty percent of the thrifty food plan down to the nearest dollar.

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-900 OVERPAYMENTS. The department shall assess and recover overpayments of FIP

benefits in the same manner and under the same authority as overpayments in prior programs. All grant, incentive, child care, food assistance, and medical overpayments provided under FIP shall be subject to recovery.

(1) FIP overpayments may be recovered from non-FIP grants.

(2) Non-FIP overpayments may be recovered from FIP grants.

(3) FIP food assistance overpayments may be recovered from only food stamps or FIP food assistance. For FIP food assistance, the department shall follow procedures for a:

(i) Food stamp overpayment; and

(ii) Fraud hearing.

(4) For ineligibility resulting from increased earned income, the department shall not establish an overpayment for the month in which the increase occurred if the increase was timely reported.

WSR 88-18-025

ADOPTED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Order 2684—Filed August 30, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New	WAC 388-49-191	Household composition—Family independence program.
Amd	WAC 388-77-820	Food assistance.

This action is taken pursuant to Notice No. WSR 88-14-080 filed with the code reviser on July 1, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in chapter 74.21 RCW.

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

APPROVED AND ADOPTED August 26, 1988.

By Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-49-191 HOUSEHOLD COMPOSITION—FAMILY INDEPENDENCE PROGRAM.

(1) The department shall consider the following as separate households:

(a) Individuals receiving Family Independence Program (FIP) benefits; and

(b) Persons, not receiving FIP benefits, living with individuals receiving FIP benefits.

(2) Persons, not receiving FIP benefits, living with individuals receiving FIP benefits shall be subject to chapter 388-49 WAC.

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-820 FOOD ASSISTANCE. The department shall determine eligibility and benefit amounts for food cash assistance according to the food stamp program in chapter 388-49 WAC, except:

(1) For enrollees, disregard the following additional types of income in determining the food stamp benefit amount:

- (a) The FIP incentive and the value of child care provided under FIP;
- (b) Higher education benefits;
- (c) Earned income tax credit;
- (d) Retroactive FIP benefits;
- (e) The first fifty dollars of any child support payments received in the month;
- (f) Earnings of a child under eighteen years of age; and
- (g) Self-employment income used for capital expenditures which are included as part of a self-sufficiency plan.

(2) For enrollees, pay the food stamp cash equivalent as a grant;

(3) For enrollees, verify eligibility factors as in WAC 388-77-045;

(4) Consider households with all FIP members as categorically eligible for food stamp cash assistance;

~~(5) ((Determine eligibility and benefit amount for nonassistance households with a FIP member or members according to chapter 388-49 WAC:~~

~~(a) FIP members will receive a prorated amount of benefits as food cash assistance;~~

~~(b) Non-FIP members will receive a prorated amount of benefits in food stamps))~~ The household composition for food assistance purposes shall include only those persons in the FIP assistance unit as determined by WAC 388-77-210.

WSR 88-18-026
NOTICE OF PUBLIC MEETINGS
INVESTMENT BOARD
 [Memorandum—August 30, 1988]

The location of the October 10, 1988, regular meeting of the State Investment Board has been changed from the Unigard Financial Center to the Frank Russell Co., 909 A. Street, Tacoma, WA 98402.

WSR 88-18-027
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
WATER QUALITY AUTHORITY
 [Memorandum—August 27, 1988]

Listed below are the meeting locations for the meetings of the Puget Sound Water Quality Authority for the remainder of 1988. At the September 22 meeting, the authority will decide on the dates and locations for 1989.

September 22, 1988
 Rooms A and B
 Building 9
 National Oceanic and Atmospheric
 Administration
 7600 Sand Point Way N.E.
 Seattle
 9:30 a.m.

October 19, 1988
 Highlands Library
 2902 N.E. 12th Street
 Renton
 9:30 a.m.

November 16, 1988
 Tacoma City Council Chambers
 Municipal Building
 First Floor
 748 Market Street
 Tacoma
 9:30 a.m.

December 21, 1988
 Auditorium
 Mason County Public Utility
 District #3
 311 Cota Street
 Shelton
 9:30 a.m.

WSR 88-18-028
ADOPTED RULES
EVERETT COMMUNITY COLLEGE

[Order 88-8-3, Resolution No. 88-8-1—Filed August 30, 1988]

Be it resolved by the board of trustees of the Washington Community College District V, acting at Everett Community College, that it does adopt the annexed rules relating to disclosure of student information, WAC 132E-121-010.

This action is taken pursuant to Notice No. WSR 88-13-096 filed with the code reviser on June 21, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to chapter 28B.19 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 15, 1988.

By Robert J. Drewel
 President

Chapter 132E-121 WAC
**COLLEGE PROCEDURES ON DISCLOSURE OF
 STUDENT INFORMATION**

WAC

132E-121-010 Disclosure of student information.

NEW SECTION

WAC 132E-121-010 DISCLOSURE OF STUDENT INFORMATION. Unless the student specifically requests otherwise, designated officials* of the college will routinely respond to requests for the following directory information about a student:

- Student's name.
- Major field of study.
- Extracurricular activities.
- Height and weight of athletic team members.
- Dates of attendance.
- Degrees and awards received.
- Other institutions attended.

No other information is to be given without the consent of the student involved (if eighteen years of age or older). The dean of student services will be responsible for reviewing unusual requests for information and assisting in the interpretation of the provisions of the Buckley Amendment.

* Designated officials of the college are those employees with routine access to the information.

WSR 88-18-029

EMERGENCY RULES

DEPARTMENT OF NATURAL RESOURCES

[Order 545—Filed August 30, 1988]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the banning of all burning on lands protected by the Department of Natural Resources in the state.

I, Brian J. Boyle, 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 due to the dryness of the forest fuels and the existence of numerous fires on lands protected by the Department of Natural Resources and the total commitment of available resources it is necessary to curtail the use of fire to prevent forest fires from occurring whereby life and property would be in danger.

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

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.315 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 30, 1988.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-090a BURNING BAN. Effective midnight, Tuesday, August 30, 1988 through midnight, Thursday, September 15, 1988, all burning and the privileges authorized by RCW 76.04.205 for the use of fire are suspended and the use of fire is absolutely prohibited on all forest land protected by the Department of Natural Resources in the state: PROVIDED, That fires contained in established campfire pits, approved by the Department, located in state, county, municipal, or other campgrounds and the use of barbecues or camp stoves in state, county, municipal, or other campgrounds, and mills complying with an existing approved burning permit from the Department are exempt from this burning ban.

REPEALER

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

WAC 332-26-081 OUTDOOR BURNING RESTRICTIONS

WAC 332-26-082 BURNING BARREL RESTRICTIONS

WAC 332-26-083 BURNING SUSPENSION

WAC 332-26-086 BURNING SUSPENSION

WAC 332-26-087 BURNING SUSPENSION

WAC 332-26-088 OUTDOOR BURNING RESTRICTIONS

WAC 332-26-089 BURNING BARREL RESTRICTIONS

WAC 332-26-090 BURNING BAN

WSR 88-18-030

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 88-90—Filed August 30, 1988]

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

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the allotted catch of 6,000 chinook for the management period prior to September 15 has been taken. Sufficient chinook harvest must be saved to be caught during the coho management period. There is insufficient time to follow permanent rule adoption procedures.

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

This rule is promulgated pursuant to RCW 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 August 30, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-40-02100I WILLAPA HARBOR GILLNET SEASON. *Notwithstanding the provisions of WAC 220-40-021, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes from any Willapa Harbor Salmon Management and Catch Reporting Area except as provided for in this section:*

Area 2G – *Open 6:00 p.m. September 7 to 6:00 p.m. September 8, 1988; 6 1/2 inch maximum mesh.*

Open 6:00 p.m. September 15 to 6:00 p.m. October 14, 1988; 6 1/2 inch maximum mesh.

Area 2H – *Open 6:00 p.m. September 21 to 11:59 p.m. November 19, 1988; 6 1/2 inch maximum mesh.*

Areas 2J and 2K – *Open 6:00 p.m. September 22 to 6:00 p.m. September 23, 1988; 6 1/2 inch maximum mesh.*

Open 6:00 p.m. September 26 to 6:00 p.m. September 27, 1988; 6 1/2 inch maximum mesh.

Open 6:00 p.m. September 29 to 6:00 p.m. September 30, 1988; 6 1/2 inch maximum mesh.

Area 2M – *Open 6:00 p.m. September 21 to 6:00 p.m. October 14, 1988; 6 1/2 inch maximum mesh.*

(2) *It is unlawful to fish for salmon in Willapa Harbor using gillnet gear longer than 1,500 feet in length or containing mesh less than 5 inches.*

(3) *It is unlawful to fish for or possess salmon taken with gillnet gear in that portion of Willapa Harbor Area 2J between Long Island and the North Beach Peninsula, south of a line drawn true east-west through Marker Piling 18 after 6:00 p.m. October 7.*

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02100H WILLAPA HARBOR GILLNET SEASON. (88-85)

WSR 88-18-031
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2689—Filed August 30, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Child support—Obligations, amending chapter 388-11 WAC.

This action is taken pursuant to Notice No. WSR 88-14-138 filed with the code reviser on July 6, 1988. 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 275, Laws of 1988, and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 30, 1988.

By Leslie F. James, Director
Administrative Services

Reviser's note: The material contained in this filing will appear in the 88-19 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 88-18-032
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION
[Filed August 31, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Transportation intends to adopt, amend, or repeal rules concerning motorist information signs, chapter 468-70 WAC;

that the agency will at 10:00 a.m., Monday, October 17, 1988, in the Boardroom, 1D2, Transportation Building, Olympia, Washington, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 47.42.046 and 47.42.047.

The specific statute these rules are intended to implement is chapter 469, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 1, 1988.

Dated: August 30, 1988

By: Ed W. Ferguson
Deputy Secretary

STATEMENT OF PURPOSE

Title: Chapter 468-70 WAC, Motorist information signs.

Result of Federal Law or Federal or State Court Action: No.

Statutory Authority: RCW 47.42.046, Specific information panels, interstate highways; and RCW 47.42.047, Specific information panels and tourist oriented directional signs, primary and scenic highways.

Summary of Rule: For interstate highways, this rule incorporates revised statutory on-premise sign restrictions which are an eligibility requirement for individual business signs. The maximum height requirement for on-premise signs is deleted for signs not visible from interstate highways. Language is also added to allow the department to waive the maximum height requirement for on-premise signs visible from rural interstate highways. For interstate, primary, and scenic highways, a revision is included to require prepayment of individual business sign installation fees. Previously, such fees have been postpaid.

Reason for Rule: Chapter 469, Laws of 1987, in part, amended the statutory requirements for on-premise signs relative to individual business sign eligibility along interstate highways. With regard to payment of individual business sign installation fees, established policy provides that the department's services are to be prepaid.

For Further Information: Mr. D. B. Ingham, State Operations and Maintenance Engineer for the Department of Transportation, Room 1C-7, Transportation Building, phone 753-6014, is responsible for the drafting and implementation of this rule.

Proponents of Rule: The Washington State Department of Transportation.

Agency Comments or Recommendations: This rule will amend the WAC to accurately reflect state law and department policy.

AMENDATORY SECTION (Amending Order 106, filed 12/16/86)

WAC 468-70-070 PERMITS AND PROCEDURE. (1) No business signs will be installed on information panels prior to issuance of a permit by the department. Permits will be issued by the department in accordance with ~~((these rules and regulations))~~ this chapter.

(2) Permit applications will be accepted at the appropriate department of transportation district office in care of the district administrator. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) One permit application will be for all the signing that the applicant will qualify for at a single interchange or intersection.

(4) Application, forms for which may be obtained from the department, shall contain the following information:

(a) Name and address of the owner of the business to be advertised.

(b) The highway for which the applicant seeks signing.

(c) A description of the interchange or intersection for which the business sign is to be installed.

(d) A statement of location including exact travel distance from the interchange or intersection and precise roads used for access.

(e) An agreement to limit the height of any on-premise sign to no greater than ~~((+5))~~ fifteen feet higher than the roof of the main building, for businesses located within one mile of an interchange or intersection. (Not applicable along interstate highways if the sign is not visible to the highway.)

Pursuant to RCW 47.42.046, for on-premise signs visible along rural interstate highways the department may waive the fifteen-foot height requirement, on a case-by-case basis, where granting the waiver will not preclude another business having an on-premise sign which complies with the fifteen-foot height requirement from receiving business signs.

(f) Such other information as may be required by the department.

(5) Each permit application will include a sketch, drawing or picture of the message to be placed on the business signs. The department shall have final approval of the design of the business sign and may modify such submissions to achieve uniformity.

(6) A standard application processing fee of seventy-five dollars will accompany each application. Such fee will be returned if an application is denied or if after approval the activity is not signed for reasons caused by the department.

(7) Any party aggrieved by an application determination of the department shall be accorded hearing rights before the secretary of transportation or his designee pursuant to chapter 34.04 RCW.

(8) Fabrication and installation of business signs:

(a) Once an application is approved, the department will request the business to provide the signs for installation. Such signs shall be built to the department's specifications prescribed by WAC 468-70-060(~~(;~~ and after)). Prior to installation the business shall be billed and pay for the installation cost ((as)) prescribed in WAC 468-70-080.

(b) When requested by a business, the department will manufacture business signs composed of standard solid color background with standard die cut or silk screened highway sign letters used for messages. The department does not manufacture business signs having nonstandard colors, nonstandard letters, or pictorial business symbols or trademarks. The manufacturing and installation fees for signs manufactured by the department are prescribed in WAC 468-70-080.

(9) Business sign annual permit, maintenance, and replacement:

(a) For a business which provides its own signs to the department, an annual permit fee of ten dollars shall be charged.

Maintenance replacement signs shall be provided by the business, when requested by the department to replace weather worn signs. After installation the business will be billed for the installation cost as prescribed in WAC 468-70-080.

(b) For signs manufactured and maintained by the department, an annual maintenance fee shall be paid, as prescribed in WAC 468-70-080, for each business sign.

(c) Annual permit renewal and maintenance fees shall be paid by February 1 of the calendar year it is due. These fees will not be prorated for fractions of the year in the event of business sign removal or coverage. Failure to pay the annual fee by February 1 of the year due will cause the permit to expire and the business signs will be removed from the back panels.

(10) In the event of change of ownership or operation, assignment of permits in good standing shall be effective only upon receipt of assignment by the department.

(11) Revocation and expiration:

(a) After hearing before the secretary of transportation or his designee, as required by chapter 34.04 RCW (Administrative Procedure Act) and the rules and regulations of the department adopted pursuant thereto, any permit may be revoked by the secretary or the secretary's designee who has conducted the hearing for any of the following reasons:

(i) For the making of any false or misleading statements in the application for any permit, whether or not the same is material to or relied upon by the department in the issuance of such permit when such false or misleading statement or information shall remain uncorrected after the expiration of thirty days following written notification thereof.

(ii) For allowing or suffering any on-premise sign to remain that does exceed the height requirements set forth in the act or ~~((these regulations))~~ this chapter.

(iii) For failure to provide the services and/or facilities required by WAC 468-70-050 and ~~((468-70-070 of these regulations))~~ this section.

(b) If a permit is revoked or is allowed to expire, a new application may be accepted by the department and the application must meet the requirements of any other new application.

WSR 88-18-033
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION
 [Filed August 31, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Transportation intends to adopt, amend, or repeal rules concerning "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), chapter 468-95 WAC;

that the agency will at 10:00 a.m., Monday, October 17, 1988, in the Boardroom, 1D2, Transportation Building, Olympia, Washington, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 47.36.030, Traffic control devices—Specifications to be furnished to counties and cities.

The specific statute these rules are intended to implement is RCW 46.61.581, Indication of parking space for disabled persons.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 1, 1988.

Dated: August 30, 1988

By: Ed A. Ferguson
 Deputy Secretary

STATEMENT OF PURPOSE

Title: Chapter 468-95 WAC, "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD).

Result of Federal Law or Federal or State Court Action: No.

Statutory Authority: RCW 47.36.030, Traffic control devices—Specifications to be furnished to counties and cities.

Summary of Rule: This rule incorporates into the MUTCD, revised statutory requirements for identifying parking spaces for disabled persons.

Reason for Rule: Chapter 74, Laws of 1988, amended RCW 46.61.581 to delete the requirement for painted perimeters around parking spaces for disabled persons. The mandated mounting height of signs identifying disabled persons parking spaces was also amended from between 48 and 60 inches to between 36 and 84 inches to comply with the MUTCD.

For Further Information: Mr. D. B. Ingham, State Operations and Maintenance Engineer for the Department of Transportation, Room 1C-7, Transportation Building, phone 753-6014, is responsible for the drafting and implementation of this rule.

Proponents of Rule: The Washington State Department of Transportation.

Agency Comments or Recommendations: This WAC amendment will provide that parking spaces for disabled persons be identified with signs as prescribed by state law.

AMENDATORY SECTION (Amending Order 93, filed 12/17/84)

WAC 468-95-020 PARKING FOR THE DISABLED IN URBAN AREAS. Pursuant to RCW 46.61.581 the following modifications to the MUTCD are established:

(1) A paragraph is added to MUTCD Section 2B-31, Urban Parking and Stopping Signs (R7 series). "A parking space or stall for a physically disabled person shall be indicated by a vertical sign with the international symbol of access, whose colors are white on a blue background, described under RCW 70.92.120 and the notice ((^(A))) State Disabled Parking Permit Required.((^(A)))."

(2) A paragraph is added to MUTCD Section 2B-32, Placement of Urban Parking Signs. "Signs indicating a parking space or stall for a physically disabled person shall be installed between ((~~forty-eight and sixty~~)) thirty-six and eighty-four inches off the ground."

((~~(3)~~) A paragraph is added to MUTCD Section 3B-16, Parking Space Markings. "A parking space or stall for a physically disabled person shall be indicated by a painted white line, at least six inches in width, on the improved surface delineating the perimeter of the parking space or stall."^(A)

A compliance date of March 8, 1986, is also established by RCW 46.61.581.))

WSR 88-18-034
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION
 [Filed August 31, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Transportation intends to adopt, amend, or repeal rules concerning outdoor advertising control, chapter 468-66 WAC;

that the agency will at 10:00 a.m., Monday, October 17, 1988, in the Boardroom, 1D2, Transportation Building, Olympia, Washington, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 47.42.060.

The specific statute these rules are intended to implement is chapter 469, Laws of 1987, and chapter 98, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 1, 1988.

Dated: August 30, 1988

By: Ed A. Ferguson
 Deputy Secretary

STATEMENT OF PURPOSE

Title: Chapter 468-66 WAC, Outdoor advertising control.

Result of Federal Law or Federal or State Court Action: No.

Statutory Authority: RCW 47.42.060, Rules for signs visible from interstate and scenic systems.

Summary of Rule: This rule deletes the eligibility requirement for temporary agricultural directional signs that agricultural products be harvested or produced at the sale location, adds a highway fatality marker demonstration program, and adds limitations for on-premise sign advertising excerpted from the Code of Federal Regulations.

Reasons for Rule: This rule is promulgated pursuant to chapter 469, Laws of 1987, which in part deleted the "harvested or produced" sign eligibility requirement, pursuant to chapter 98, Laws of 1988, which mandated implementation of a highway fatality marker demonstration program, and to further define allowable on-premise advertising for more efficient outdoor advertising control enforcement.

For Further Information: Mr. D. B. Ingham, State Operations and Maintenance Engineer for the Department of Transportation, Room 1C7, Transportation Building, phone 753-6014, is responsible for the drafting and implementation of this rule.

Proponents of Rule: The Washington State Department of Transportation.

Agency Comments or Recommendations: This rule will amend the WAC to reflect state law and to further define allowable on-premise advertising consistent with federal law.

AMENDATORY SECTION (Amending Order 99, filed 12/17/85)

WAC 468-66-010 DEFINITIONS. The following terms when used in ~~((these regulations))~~ this chapter shall have the following meanings:

(1) "Abandoned." A sign for which neither sign owner nor land owner claim any responsibility.

(2) "Act" shall mean the Highway Advertising Act of 1961, as amended and embodied in chapter 47.42 RCW.

(3) "Centerline of the highway" means a line equidistant from the edges of the median separating the main-traveled ways of a divided highway, or the centerline of the main-traveled way of a nondivided highway.

(4) "Commercial and industrial areas" means any area zoned commercial or industrial by a county or municipal code, or if unzoned by a county or municipal code, that area occupied by three or more separate and distinct commercial and/or industrial activities within a space of five hundred feet and the area within five hundred feet of such activities on both sides of the highway. The area shall be measured from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activity and not from the property lines of the parcels upon which such activities are located. Measurements shall be along or parallel to the edge of the main-traveled way of the highway. The following shall not be considered commercial or industrial activities:

(a) Agricultural, forestry, grazing, farming, and related activities, including, but not limited to, wayside fresh produce stands;

(b) Transient or temporary activities;

(c) Railroad tracks and minor sidings;

(d) Signs;

(e) Activities more than six hundred and sixty feet from the nearest edge of the right of way;

(f) Activities conducted in a building principally used as a residence.

Should any commercial or industrial activity, which has been used in defining or delineating an unzoned area, cease to operate for a period of six continuous months, any signs located within the former unzoned area shall become nonconforming and shall not be maintained by any person after May 10, 1974.

(5) "Commission" means the Washington state transportation commission.

(6) "Discontinued." A sign shall be considered discontinued if, after receiving notice of absence of advertising content for three months, the permit holder fails to put advertising content on the sign within three months of the notice.

(7) "Entrance roadway" means any public road or turning roadway including acceleration lanes, by which traffic may enter the main-traveled way of a controlled access highway from the general road system within the state, including rest areas, view points, and sites used by the general public, irrespective of whether traffic may also leave the main-traveled way by such road or turning roadway.

(8) "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish.

(9) "Exit roadway" means any public road or turning roadway including deceleration lanes, by which traffic may leave the main-traveled way of a controlled access highway to reach the general road system within the state, including rest areas, view points, and sites used by the general public, irrespective of whether traffic may also enter the main-traveled way by such road or turning roadway.

(10) "Interstate system" means any state highway which is or does become part of the national system of interstate and defense highways as described in section 103(d) of Title 23, United States Code.

(11) "Legible" means capable of being read without visual aid by a person of normal visual acuity.

(12) "Maintain" means to allow to exist. A sign loses its right to remain as a nonconforming sign if its size is increased more than fifteen percent over its size on the effective date of the Scenic Vistas Act on May 10, 1971, or the effective date of control of a given route, whichever is applicable.

(13) "Main-traveled way" means the traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways, entrance roadways, exit roadways, or parking areas.

(14) "Person" means this state or any public or private corporation, firm, partnership, association, as well as any individual, or individuals.

(15) "Primary system" means any state highway which is or does become part of the federal-aid primary system as described in section 103(b) of Title 23, United States Code.

(16) "Scenic system" means:

(a) Any state highway within any public park, federal forest area, public beach, public recreation area, or national monument;

(b) Any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic system; or

(c) Any state highway or portion thereof, outside the boundaries of any incorporated city or town, designated by the legislature as a part of the scenic and recreational highway system except for the sections of highways specifically excluded in section 2, chapter 62, Laws of 1971 ex. sess.

(17) "Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the interstate system or other state highway.

(18) "Trade name" shall include brand name, trademark, distinctive symbol, or other similar device or thing used to identify particular products or services.

(19) "Traveled way" means the portion of a roadway for the movement of vehicles, exclusive of shoulders.

(20) "Turning roadway" means a connecting roadway for traffic turning between two intersection legs of an interchange.

(21) "Visible" means capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

(22) "Electronic sign" means an outdoor advertising sign, display, or device whose message may be changed by electrical or electronic process, and includes the device known as the electronically changeable message center for advertising on-premise activities (WAC 468-66-070).

(23) "Public service information" means a message on an electronic sign which provides the time, date, temperature, weather, or similar information.

(24) "Temporary agricultural directional sign" means a sign on private property adjacent to state highway right of way to provide directional information to places of business offering for sale seasonal agricultural products (~~((harvested or produced on the property where the sale is taking place))~~).

AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-66-050 CLASSIFICATION OF SIGNS. Signs shall be classified as follows:

(1) Type 1—Directional or other official signs or notices.

(a) Signs and notices erected and maintained by public offices or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in federal, state, or local law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by state law and

erected by state or local government agencies or nonprofit historical societies may be considered official signs.

(b) Service club and religious notices, whose message shall contain only the name of a nonprofit service club or religious organization, its address and the time of its meeting or service.

(2) Type 2—For sale or lease sign. A sign not prohibited by state law which is consistent with the applicable provisions of these regulations and which advertises the sale or lease only of the parcel of real property upon which the sign is located. The name of the owner of the property offered for sale or lease or the owner's agent shall not be displayed more conspicuously than the words "for sale" or "for lease." Not more than one such sign advertising the sale or lease of a parcel of property shall be permitted in such manner as to be visible to traffic proceeding in any one direction on an interstate system, primary system or scenic system highway.

(3) Type 3—On-premise sign. A sign advertising an activity conducted on the property on which the sign is located. The sign shall be limited to identifying the establishment or the principal or accessory products or services offered on the property. A sign consisting principally of a brand name, trade name, product, or service incidental to the principal products or services offered on the property, or bringing rental income to the property owner, is not considered an on-premise sign. Not more than one such sign, visible to traffic proceeding in any one direction on an interstate system, primary system, or scenic system highway may be permitted more than fifty feet from the advertised activity.

Signs reading "future site of" or similar wording will be allowed as an on-premise sign without any activity being apparent on the site for one year from date of installation provided the following conditions have been met:

(a) The department of transportation has received a letter of notification of intent from the owner of the proposed advertised activity.

(b) The sign shall not inform of activities conducted elsewhere.

(c) The maximum size of a future site sign shall not be greater than one hundred fifty square feet.

The sign must be removed at the end of the one year time period if the advertised activity has not become operational.

(4) Type 4—Signs within twelve air miles of advertised activities. Signs not prohibited by state law which are consistent with the applicable provisions of these regulations and which advertise activities conducted within twelve air miles of such signs.

(5) Type 5—Signs in the specific interest of the traveling public. Signs authorized to be erected or maintained by state law which are consistent with these regulations and which are designed to give information in the specific interest of the traveling public.

(6) Type 6—Signs lawfully in existence on October 22, 1965, determined by the department of transportation, subject to the approval of the United States Secretary of Transportation, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance the preservation of which would be consistent with the purposes of chapter 47.42 RCW.

(7) Type 7—Public service signs located on school bus stop shelters, which:

(a) Identify the donor, sponsor or contributor of said shelters;

(b) Contain safety slogans or messages which do not pertain to the donor and occupy not less than sixty percent of the area of the signs. In addition to this area limitation the donor identification portion of the sign may not appear more prominently than the safety slogan message;

(c) Contain no other message;

(d) Are located on school bus shelters which are authorized or approved by city, county, or state law, regulation or ordinance, off the state highway right of way. School bus shelters shall not exceed 10 feet in length, 10 feet in width or 8 feet in height and shall be constructed with the upper 4 feet of the sides perpendicular to the roadway being occupied by the sign. The remainder is to be constructed of a see through nature. No school bus shelter shall be located along fully controlled access highways as specifically referenced in WAC 468-58-030;

(e) Do not exceed 32 square feet in area. Not more than one sign on each shelter may face in any one direction. The sign shall not protrude above the roof line or beyond the sides of the shelter;

(f) Signs erected pursuant to a permit issued by the department of transportation as provided in RCW 47.42.120 and 47.42.130 and the regulations issued thereunder. A permit shall be required for each individual sign face.

(8) Type 8—Temporary agricultural directional signs, with the following restrictions:

(a) Signs shall be posted only during the period of time the seasonal agricultural product is being sold;

(b) Signs shall not be placed adjacent to the interstate highway system unless the sign qualifies as an on-premise (Type 3) sign;

(c) Signs shall not be placed within an incorporated city or town, but may be placed in unzoned areas and areas zoned for agricultural, commercial, and industrial activities;

(d) Premises on which the seasonal agricultural products are sold must be within fifteen miles of the state highway, and necessary supplemental signing on local roads must be provided before the installation of the signs on the state highway;

(e) Signs must be located so as not to restrict sight distances on approaches to intersections, or restrict the visibility of other authorized signs;

(f) The minimum spacing between sign structures shall be three hundred feet. For the purposes of this subsection, a back-to-back sign and a V-type sign shall be considered one sign structure (spacing is independent of off-premise (Type 4) signs).

AMENDATORY SECTION (Amending Order 107, filed 12/16/86)

WAC 468-66-140 PERMITS. (1) No signs except Type 1, Type 2, or Type 3 signs shall be erected or maintained adjacent to interstate system, primary system, or scenic system highways without a permit issued by the department of transportation. Permits for erection and maintenance of signs adjacent to the interstate system, primary system, or scenic system will be issued by the department of transportation in accordance with ~~((these rules and regulations))~~ this chapter.

(2) Applications for permits (except for Type 8 signs) will be accepted only at the Department of Transportation Headquarters Office, Olympia, Washington. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) Application forms shall contain:

(a) The name and address of the owner of the sign;

(b) A statement and the signature of the owner or occupant of the land on which the sign is to be erected or maintained indicating that he has consented thereto;

(c) A statement of the precise location where the sign is to be erected or maintained;

(d) A statement of the proposed size and shape of the sign. An application for a Type 5 sign to be erected along the interstate system shall contain a description of the copy to be placed on the sign;

(e) Such other information as may be required by the department;

(f) For Type 8 signs, application forms must be submitted to the appropriate department of transportation district office and submittals must include, in addition to (a) through (e) of this subsection, an exact description of the location of the temporary agricultural business activity, a description of the proposed sign copy, identification of the products sold ~~((and)),~~ expected weeks/months of sales, and assigned tax number ~~((, and a certification that the products being sold were harvested or produced on the property where the sale is taking place))~~.

After approval of the application by the transportation district office, the sign may be erected at the beginning of the sale season and must be removed at the end of the sale season. Approved applications shall be valid for five consecutive years from the date of application approval. A new application must be submitted and approved prior to erection of a sign at a location where the five-year validation has expired.

For any Type 8 sign not in compliance with ~~((these regulations))~~ this chapter, the department of transportation shall request the attorney general on its behalf to institute legal proceedings to cause such sign to be removed as an illegal sign without payment of compensation.

Subsections (5) through (10) of this section do not apply to Type 8 signs.

(4) Applications shall be accompanied by a fee of ten dollars for each sign.

(5) Permits shall be for the calendar year and shall be renewed annually upon payment of said fee for the new year without the filing of a new application except as provided in WAC 468-66-090. Fees shall not be prorated for fractions of the year. Any moneys paid to the department of transportation for a sign permit shall be credited first to the payment of any annual permit or renewal fee for such sign due for any prior year. The department shall not accept payment for the current year renewal fee until all due and unpaid permit and renewal fees for prior years have been paid.

(6) Prior to December 1 of each year the department of transportation shall notify in writing the owner of every sign for which a permit

is required under RCW 47.42.120 and this ((~~rule~~)) section but for which no sign permit was obtained or renewed for the then current calendar year, that all unpaid permit and renewal fees for such sign and the renewal fee for such sign due in the calendar year to commence on the following January 1 shall be due and payable not later than the following February 1. The notice shall further state that if all such fees have not been paid by February 1, legal proceedings will be instituted to cause removal of such sign as an illegally maintained sign.

(7) Following the notice specified in subsection (6) of this section, if all due and unpaid permit and renewal fees are not received for any sign for which a permit is required by the date specified, the department of transportation shall request the attorney general on its behalf to institute legal proceedings to cause such sign to be removed as an illegal sign without the payment of compensation therefor.

(8) Changes in size, shape, or position of a permitted sign shall be reported to the department of transportation at Olympia at least ten days before a change is to be made. In the case of Type 5 signs permitted along the interstate system, changes in copy shall be reported to the department at Olympia at least ten days before a change is to be made.

(9) Assignment of permits in good standing shall be effective only upon receipt of assignment by the department of transportation.

(10) Every permit issued by the department shall be assigned a separate identification number, and it shall be the duty of each permittee to fasten to each sign a weatherproof label, not larger than six square inches, which shall be furnished by the department and on which shall be plainly visible the said permit number. The permittee shall also place his name in a conspicuous position on the front or back of each sign.

(11) A permit issued under ((~~these rules~~)) this chapter does not relieve the permittee from the duty to comply with all local rules, regulations, and ordinances pertaining to signs and sign structures.

NEW SECTION

WAC 468-66-175 HIGHWAY FATALITY MARKERS. Pursuant to RCW 47.42.180, the district administrator or his designee shall administer the highway fatality marker demonstration program in accordance with the rules prescribed in this section.

(1) "Highway fatality marker" means a nonreflective white cross, having an installed vertical dimension not to exceed three feet and a horizontal member not to exceed two feet, with these members not to exceed one inch by two inches nominally, placed at or near the location of a traffic fatality occurring after December 31, 1982. Also, one demonstration sign giving information about the fatality marker program, not to exceed thirty-two square feet and of professional quality, may be installed as part of the markers. Each marker represents one life lost.

(2) Highway fatality markers may be installed along state route number 26 between the cities of Vantage and Colfax, state route number 270 from the city of Pullman to the Washington and Idaho border, and state route number 195 between the cities of Colfax and Pullman.

(3) The markers and sign shall be installed on private property as close as practicable to the highway right of way, and placed in a manner to maximize the marker's visibility without obstructing drivers' view of the roadway or traffic control devices.

(4) By letter of permit, the district administrator authorizes the installation of fatality markers after receiving a written request from the legislative authority of any county, city or town, or other private individuals and groups located within the demonstration project area. Written requests must include a consent statement of the owner or lessee of the land on which the marker is to be placed. The message to be placed on the demonstration sign must receive the concurrence of the district administrator.

(5) Upon request, the department will provide information regarding the location of fatal traffic accidents occurring after December 31, 1982, within the demonstration area.

(6) An applicant with a letter of permit is responsible for the erection and maintenance of the marker. The applicant is also responsible for submitting a request to amend the existing permit.

(7) The permittee shall immediately remove markers that are unlawfully erected or are not in compliance with this section, or where removal is requested by the immediate family of the deceased.

(8) As soon as practicable, following the expiration of this section, the permittee or landowner shall remove the markers from view of the highway.

(9) This section shall expire December 31, 1992.

WSR 88-18-035

NOTICE OF PUBLIC MEETINGS HUMAN RIGHTS COMMISSION

[Memorandum—August 29, 1988]

The commissioners of the Washington State Human Rights Commission will hold a special commission meeting to discuss a response to questions posed by the Legislative Budget Committee. The meeting will be held by telephone conference call which will originate in the Olympia office of the Washington State Human Rights Commission, 402 Evergreen Plaza Building, 711 South Capitol Way, on August 31, 1988, beginning at 11:00 a.m.

WSR 88-18-036

NOTICE OF PUBLIC MEETINGS BOARD FOR VOCATIONAL EDUCATION

[Memorandum—August 29, 1988]

The Washington State Board for Vocational Education will meet on Thursday, September 22, 1988, beginning at 9:00 a.m. in the Student Union Building #17, Spokane Falls Community College, West 3410 Fort George Wright Drive, Spokane, WA.

People needing special accommodation please call Patsi Justice at (206) 753-5660.

WSR 88-18-037

EMERGENCY RULES STATE EMPLOYEES INSURANCE BOARD

[Resolution No. 88-3—Filed August 31, 1988]

Be it resolved by the State Employees Insurance Board acting at the Department of Personnel Board Room, 521 South Capitol Way, Olympia, WA, that it does adopt the annexed rules relating to the amending of WAC 182-12-115.

We, the State Employees Insurance Board, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the State Employees Insurance Board (SEIB) adopted certain amendments to its rules regarding eligible employees, retirees, and dependents. These amendments included the addition of coverage for dependent parents and a limitation upon coverage for dependent students to those under age 24. The director of the Office of Financial Management must approve actions of the SEIB that relate to contracts for state employee health insurance benefits. Section 31, chapter 107, Laws of 1988. The director has indicated that he shall not approve any contracts that contain rate increases for coverage of dependent parents. Thus, it is necessary to repeal the rule provision regarding dependent parent coverage. Because there will not be an addition of coverage for dependent

parents, the SEIB deems it appropriate to amend the provision limiting dependent student coverage to those persons under age 24. In order to effect these changes prior to the commencement of the open enrollment period on September 15, and thus timely clarify the status of employee benefit options, it is necessary to forgo the provision of all of the notice required for amendment of WAC 182-12-115. This amendment is adopted as an emergency rule in order for the SEIB to give effect to the director of financial management's decision and to clarify prior to the commencement of the open enrollment period the status of health benefit coverage for dependent parents and students.

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 State Employees Insurance Board as authorized in RCW 41.05.010.

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

APPROVED AND ADOPTED August 31, 1988.

By C. H. Shay
Assistant Benefits Manager

AMENDATORY SECTION (Amending Resolution No. 88-1, filed 5/26/88, effective 7/1/88)

WAC 182-12-115 ELIGIBLE EMPLOYEES, RETIREES, AND DEPENDENTS. The following definitions of eligible employees, retirees, and dependents of an eligible entity, as defined in WAC 182-12-111, shall apply for all SEIB approved plans except as otherwise stated in this chapter:

(1) "Permanent employees." Those who are scheduled to work at least half-time per month and are expected to be employed for more than six months. Such employees shall be eligible effective with their first day of employment.

(2) "Nonpermanent employees." Those who are scheduled to work at least half-time and are expected to be employed for no more than six months. Such employees shall be eligible effective the first day of the seventh calendar month of employment.

(3) "Seasonal employees." Those who work at least half-time per month during a designated season for a minimum of three months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible to enroll when they return to state employment for their second "season" of employment. Employees who work on a seasonal basis and do not elect to self pay during the break between seasons shall be treated as "new" employees on return to work in a following season.

(4) "Part-time faculty." Faculty who are employed on a quarter/semester to quarter/semester basis become eligible beginning with the second consecutive quarter/semester of half-time or more employment at one or

more state institutions of higher education, provided that:

(a) For determining eligibility, spring and fall may be considered consecutive quarters/semesters; and

(b) "Half-time or more employment" will be determined based on each institution's definition of "full-time"; and

(c) At the beginning of each quarter/semester, the employers of part-time faculty shall notify, in writing, all current and newly hired part-time faculty of their potential right to benefits under this section. The employee shall have the responsibility, each quarter, to notify the employers, in writing, of the employee's multiple employment. In no case will there be a requirement for retroactive coverage or employer contribution if a part-time faculty member fails to inform all of his/her employing institutions about employment at all institutions within the current quarter; and

(d) Where concurrent employment at more than one state higher education institution is used to determine total part-time faculty employment of half-time or more, the employing institutions will arrange to prorate the cost of the employer insurance contribution based on the employment at each institution. However, if the part-time faculty member would be eligible by virtue of employment at one institution, that institution will pay the entire cost of the employer contribution regardless of other higher education employment. In cases where the cost of the contribution is prorated between institutions, one institution will forward the entire contribution monthly to SEIB; and

(e) Once enrolled, if a part-time faculty member does not work at least a total of half-time in one or more state institutions of higher education, eligibility for the employer contribution ceases.

(5) "Appointed and elected officials." Legislators are eligible on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible on the date their term begins or they take the oath of office, whichever occurs first.

(6) "Judges." Justices of the supreme court and judges of the court of appeals and the superior courts become eligible on the date they take the oath of office.

(7) "Retirees and disabled employees." Eligible employees who terminate state service after becoming vested in a Washington state sponsored retirement system are eligible for retiree medical, dental and life coverages provided the person:

(a) Immediately begins receiving a monthly retirement income benefit from such retirement system; or

(b) If not retiring under the public employees retirement system (PERS), would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of PERS I or PERS II for the same period of employment; or

(c) Must take a lump sum benefit because their monthly benefit would have been under fifty dollars.

Employees who are permanently and totally disabled and eligible for a deferred monthly retirement income

benefit are likewise eligible, provided they apply for retiree coverage before their SEIB active employee coverage ends. Persons retiring who do not have waiver of premium coverage from any SEIB life insurance plan are eligible for retiree life insurance, subject to the same qualifications as for retiree medical coverage. Retirees and disabled employees are not eligible for an employer premium contribution. The Federal Civil Service Retirement System shall be considered a Washington state sponsored retirement system for Washington State University cooperative extension service employees who hold a federal civil service appointment and who are covered under the SEIB program at the time of retirement or disability.

(8) "Eligible dependents." The following are eligible as dependents under the medical and dental plans:

- (a) Lawful spouse.
- (b) Dependent children through age twenty.
- (c) Dependent children age twenty-one (~~through age twenty-three~~) and over who are dependent upon the employee/retiree for maintenance and support, and who are registered students in full-time attendance at an accredited secondary school, college, university, vocational school, or school of nursing. Dependent student eligibility continues year-round for those who attend three of the four school quarters and for the quarter following graduation provided the employee/retiree is covered at the same time.

(d) Dependent children of any age who are incapable of self-support due to developmental disability or physical handicap are also eligible, provided such condition occurs prior to age twenty-one or during the time the dependent was covered under an SEIB plan as a full-time student. Proof of such disability and dependency must be furnished prior to the dependent's attainment of age twenty-one or loss of eligibility for student coverage, and as periodically requested thereafter.

(e) "Children" includes natural children, stepchildren, adopted children, and approved foster children. A foster child must be under age twenty-one at the time of approval. "Children" also includes married children if dependent upon the employee/retiree within the meaning of the Internal Revenue Code.

(f) "Dependent parents." Under the uniform medical plan and the SEIB dental plans, parents of the employee/retiree or their spouse are eligible subject to Internal Revenue Code dependency status and qualification. Eligibility is subject to making application and verification. (Parents are not eligible under the SEIB HMO medical plans.)

WSR 88-18-038

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 88-20—Filed August 31, 1988]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to teacher assistance program, WAC 392-196-020, 392-196-045,

392-196-050, 392-196-052, 392-196-055, 392-196-060, 392-196-070, 392-196-072, 392-196-075 and 392-196-080.

This action is taken pursuant to Notice No. WSR 88-15-026 filed with the code reviser on July 12, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.67-.240 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules. APPROVED AND ADOPTED August 30, 1988.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-020 MENTOR TEACHER STIPEND—DEFINITION. As used in this chapter, the term "mentor teacher stipend" shall mean an amount paid by a school district to a mentor teacher for services as a mentor teacher including attendance at the superintendent of public instruction sponsored beginner-mentor teacher workshops. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-045 BEGINNING TEACHER STIPEND—DEFINITION. As used in this chapter, the term "beginning teacher stipend" shall mean an amount paid by a school district to a beginning teacher for ((three)) two days of attendance at the superintendent of public instruction sponsored beginner-mentor teacher workshops. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-050 BEGINNING TEACHER STIPEND—MINIMUM AMOUNT. The minimum amount of the beginning teacher stipend shall be ((two hundred forty)) one hundred sixty dollars.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-052 EXPERIENCED TEACHER PARTICIPATION. "Experienced teachers" shall not be required to participate in this program nor attend the superintendent of public instruction sponsored mentor workshops and shall not receive a stipend. Districts shall

be reimbursed for up to ~~((thirty-six))~~ twenty-four hours substitute teacher expenses (per team) associated with participation of experienced teachers if such funds are available after all nominated beginning teachers have been included.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-055 SPI SPONSORED BEGINNING AND MENTOR TEACHER WORKSHOP—DEFINITION. As used in this chapter, the term "superintendent of public instruction sponsored beginning and mentor teacher workshop" shall mean an in-service training program sponsored by the superintendent of public instruction for the purpose of providing professional training for mentor and beginning teachers in the methods and procedures for performing such roles with particular emphasis upon providing continuing and sustained support by the mentor teacher to a beginning teacher. Such workshops shall be no more than three days in length for the mentor and two days in length for the beginner, but need not be consecutive days, and shall not be held during school hours.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-060 SCHOOL DISTRICT APPLICATION TO SPI FOR PARTICIPATION IN THE TEACHER ASSISTANCE PROGRAM. Any district may apply to the superintendent of public instruction for participation in the teacher assistance program. The application shall require the superintendent of the district to provide the following assurances:

(1) The board of directors of the district has reviewed the requirements of this chapter and has agreed to the conditions therein.

(2) The mentor teacher shall be paid a mentor teacher stipend.

(3) The beginning teacher shall be paid a beginning teacher stipend.

(4) The mentor and beginning teacher shall be required to attend and shall be reimbursed by the district for travel expenses for attendance at the superintendent of public instruction sponsored beginner-mentor teacher workshops.

(5) ~~((The mentor teacher shall be released from classroom teaching responsibilities in order to observe and assist the beginning or experienced teacher in the classroom:~~

~~(6))~~ The mentor teacher, the beginning teacher, and the experienced teacher shall be released from ~~((classroom))~~ teaching responsibilities in order to jointly or separately observe ((and evaluate)) each other or observe colleagues in teaching situations.

~~((7))~~ (6) The total ~~((release))~~ released time from classroom teaching as required by subsection ~~((s))~~ (5) ~~((and (6)))~~ of this section shall be at least ~~((thirty-six))~~ twenty-four scheduled instructional hours per school year but no more than ~~((thirty-six))~~ twenty-four scheduled instructional hours shall be paid for with funds made available under this chapter.

~~((8))~~ (7) Mentor teachers shall not be involved in evaluations of their beginning or experienced teachers conducted pursuant to RCW 28A.67.065.

~~((9))~~ (8) The mentor teacher, beginning teacher, and experienced teacher shall be required to complete and forward to the superintendent of public instruction such evaluation reports of the teacher assistance program as requested by the superintendent of public instruction.

~~((10))~~ (9) Mentor teachers shall periodically inform their principals respecting the contents of training sessions and other program activities.

~~((11))~~ (10) The superintendent of the district shall supply the superintendent of public instruction, at times specified by the superintendent of public instruction, such information as requested regarding the teacher assistance program.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-070 SCHOOL DISTRICT SELECTION PROCESS AND STATE PRIORITIES. The selection process and priorities shall be as follows for the 1988-89 school year:

(1) ~~((For the 1987-88 school year the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts:~~

(2) For the 1988-89 school year and ensuing years the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts, subject to the availability of funds.

(3) Experienced and mentor teacher teams shall be nominated by local school districts only during the 1988-89 and ensuing school years, provided the legislature appropriates additional funds for their participation.

(4) If the local district nominations exceed the availability of appropriated funds for any year of the program, the priority shall be as follows:

(a) Beginning and mentor teacher teams.

(b) Experienced and mentor teacher teams.

(5) Experienced and mentor teacher teams shall be selected on the following priority basis, depending on the availability of appropriated funds:

(a) At least one team per district.

(b) At least one team for every one hundred teachers employed by the nominating district.

(c) Remaining teams shall be selected randomly by lot by ESD region.) Beginning teacher and mentor teams will be selected on the following basis:

(a) Beginning teacher and mentor assigned to the same building and teaching in the same endorsement area.

(b) Beginning teacher and mentor assigned to the same building and teaching in a related endorsement area (e.g., social studies-English or mathematics-science).

(c) Beginning teacher and mentor assigned to different buildings, but teaching in the same endorsement area.

(2) The process used to select beginner and mentor teacher teams shall be as follows:

(a) Applications received between July 15 and August 15 that meet the priority criteria set forth in subsection (1)(a) and (b) of this section will be accepted in accordance with the priority and the date the application is received in the office of the superintendent of public instruction subject to availability of funds.

(b) If funds are still available after the initial application period, a second application period will be established from August 15 to September 25. Selection priorities will remain the same as set forth herein.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-072 SUPERINTENDENT OF PUBLIC INSTRUCTION CONSULTATION. The superintendent of public instruction hereby establishes a teacher assistance task force of no more than ~~((eighteen))~~ twelve members representing teachers, educational staff associates, administrators, educational service districts, colleges and universities, and school directors. The superintendent shall:

(1) Appoint task force members from nominations submitted by the professional groups eligible to be represented on the task force;

(2) Consult with the task force for the purpose of obtaining their advice about teacher assistance program policies, operations, and evaluations;

(3) Convene the task force at least once annually.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-075 ANNUAL AMOUNT FOR DISTRIBUTION TO PARTICIPATING SCHOOL DISTRICTS. The superintendent of public instruction annually shall establish a dollar amount per beginning teacher-mentor teacher team for distribution to districts for support of the teacher assistance program. Such distribution shall be used by the district exclusively for the following:

(1) Mentor teacher stipends.

(2) Travel expenses of the mentor and beginning teachers for attendance at the superintendent of public instruction beginner-mentor teacher workshops.

(3) Substitute teacher salaries for ~~((release))~~ released time for mentor, ~~((beginning))~~ beginner, and experienced teachers.

(4) Beginning teacher stipends.

(5) Appropriate fringe benefits associated with mentor and beginning teacher stipends.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-080 DISTRIBUTION OF STATE MONEYS FOR THE TEACHER ASSISTANCE PROGRAM. The superintendent of public instruction shall issue grant awards ~~((in each))~~ for the 1988-89 school year for a maximum of ((two thousand fifty)) one thousand six hundred dollars per mentor-beginning teacher team.

WSR 88-18-039

ADOPTED RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT

[Order 88-04—Filed August 31, 1988]

I, Chuck Clarke, director of the Department of Community Development, do promulgate and adopt at the Department of Community Development, the annexed rules relating to early childhood education and assistance program, chapter 365-170 WAC.

This action is taken pursuant to Notice No. WSR 88-15-075 filed with the code reviser on July 20, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.34A-.060 which directs that the Department of Community Development has authority to implement the provisions of chapter 28A.34A RCW.

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

APPROVED AND ADOPTED August 30, 1988.

By Linda Dupont-Johnson
Deputy Director

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-010 AUTHORITY. These rules are adopted under the authority of RCW 43.63A.060 which provides that the director shall make such rules and regulations and do all other things necessary and proper to carry out the purposes of chapter 43.63A RCW. RCW 43.63A.065(2) provides that among its functions and responsibilities the department shall administer state and federal grants and programs which are assigned to the department by the governor or the legislature. These rules are also adopted under the specific authority delegated to the department under RCW 28A.34A.060 to adopt rules for the administration of the program. The program which these rules are designed to implement is found in chapter ~~((418, Laws of 1985))~~ 28A.34A RCW.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-030 DEFINITIONS. (1) "Applicant" means a public or private nonsectarian organization which applies for state early childhood education and assistance program assistance.

(2) "At risk" means children residing in low income families who are by virtue of their socio-economic status at risk of failure in the common school system.

(3) "Contract year" means the period July 1 through June 30 in which the program must operate.

(4) "Department" means the department of community development.

(5) "Direct service" means any educational, health, or social service for children which is designed to meet the program standards.

(6) "Director" means the director of the department of community development.

(7) "Early childhood education and assistance program" means the state-wide administrative activities carried out within the department of community development to allocate, award, and monitor state funds appropriated to assist local early childhood education and assistance programs.

(8) "Family" means all persons living in the same household who are (a) supported by the income of the parent(s) or guardian(s) of the child enrolling in the early childhood education and assistance program, and (b) related to the parent(s) or guardian(s) by blood, marriage, ~~((or))~~ adoption, or legal obligation to provide support.

(9) "Contractor" means an applicant which has been awarded state funds under the early childhood education and assistance program, and which has entered into a contract with the department of community development to provide an early childhood education and assistance program. Contractors may be local public or private organizations which are nonsectarian in their delivery of services.

(10) "Like educational services" means comprehensive programs providing educational, social, parent involvement, and health services funded by other sources ((that provide children with a learning environment and a varied experience which helps them develop socially, intellectually, physically, and emotionally in a developmentally appropriate manner toward an overall goal of social and educational competence)).

(11) "Low-income family" means a family whose total income before taxes for the twelve months or full calendar year, whichever period better reflects the current income of the family, prior to the enrollment of their child in the early childhood education and assistance program is equal to, or less than, federally established poverty guidelines as defined by the ~~((office of management and budget))~~ department of health and human services. The term also includes a family receiving aid to families with dependent children or participating in the Family independence program under chapter 74.21 RCW.

(12) "Nonsectarian" means that no aspect of early childhood education and assistance services will include any religious orientation.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-040 ~~((CONTRACTOR))~~ DETERMINATION OF FUNDING. Funds shall be allocated or awarded by the department consistent with the legislature's ((determines)) determination of the amount of funding available to award state-wide to early childhood education and assistance programs and any conditions imposed by the legislature on the use of such funds. Funds received from other sources will be administered according to the terms of the grant or award, if not inconsistent with the terms of this chapter, chapter 28A-34A RCW, and other applicable laws or rules.

~~((1)) Five percent of the total funds shall be used by the department for staff development funds for local~~

~~programs, longitudinal studies of participants and control groups, and unique costs associated with the start up of new programs.~~

~~(2) Five percent of the total funds shall be used by the department to administer, provide technical assistance, and monitor the local early childhood education and assistance programs.~~

~~(3) Up to sixty percent of the remaining funds shall be made available to successfully competitive programs in counties where twenty percent or fewer of the children found eligible to receive program services are being served.~~

~~(4) At least forty percent of the funds shall be made available to successfully competitive programs in counties where more than twenty percent of the eligible children are being served.)~~

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-050 ELIGIBILITY CRITERIA FOR APPLICANTS. (1) Public or private nonsectarian organizations are eligible to apply for funding as ((an)) early childhood education and assistance programs.

~~(2) ((Organizations along the Washington border in Idaho and Oregon who propose to serve children in Washington state are eligible to apply for funding.~~

~~(3)) A consortium of public or private nonsectarian organizations, or both, are eligible to apply.~~

~~((4))~~ (3) Organizations must have established appropriate internal fiscal controls and fund accounting procedures to assure the proper disbursement of, and accounting for, all funds provided.

~~((5))~~ (4) Using a form provided by the department, organizations must obtain acknowledgement of their application from local school districts within the proposed service area.

~~((6))~~ (5) Programs shall neither deny service to, nor otherwise discriminate in the delivery of services against, any person who otherwise meets the eligibility criteria for the program on the basis of race, color, religion, sex, age, national origin, citizenship, ancestry, physical or mental handicap or because such person is a recipient of federal, state, or local public assistance.

(6) Not less than ten percent of the available slots state-wide shall be reserved for children of migrant families, seasonal farmworker families, and Native American families living on or off reservation.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-060 ~~((APPLICATION))~~ PROCESS FOR ALLOCATING OR AWARDING FUNDS. (1) Funds shall be awarded on a competitive basis or allocated by the department.

(2) An applicant ((must make formal response using)) shall use forms issued and procedures established by the department.

(3) ((A rating team will review and rank the proposals and shall be composed of persons with expertise in early childhood education and program and fiscal management experience.

~~(4) The department shall have the final discretion to award funds.~~

~~(5)) The department shall notify ((successful applicants and shall provide to each of them)) all applicants of funding decisions. All recipients of funds shall be provided with a contract for signature. This contract must be signed by an official with authority to bind the ((applicant)) recipient and must be returned to the department prior to the award or allocation of any funds under this program.~~

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-070 ~~((AWARD OF CONTRACTS))~~ USE OF FUNDS. (1) ~~((Awards shall not exceed a level of two thousand seven hundred dollars per child enrolled in the program.~~

~~(2)) Department funds ((may)) shall not be used to supplant other existing funding sources.~~

~~((3)) (2) Administrative costs under this program are limited to fifteen percent of the total award.~~

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-080 ELIGIBILITY CRITERIA FOR CLIENTS. (1) A child ~~((must be four years old by August 31 of the contract year))~~ is eligible if:

(a) The child is not eligible for kindergarten as of August 31 of the contract year; and

(b) The child would benefit from a preschool program designed to help prepare children to enter the school system.

Consistent with the intent to prepare children for the common school system, priority shall be given on a state-wide basis to serving eligible four year old children.

~~(2) A child must be a member of a ((household with income at or below the federally established poverty level for the twelve months preceding enrollment)) low-income family as defined under WAC 365-170-030(11).~~

~~(3) A child may not otherwise be a participant in a federal or state program providing like educational services as defined under WAC 365-170-030(10).~~

~~(4) As many as ten percent of the available funded enrollment slots may be filled ((by "environmentally at risk" children who are eligible according to one or more of the following criteria:~~

~~(a) Developmentally handicapped as defined by OSPI WAC criteria;~~

~~(b) Served by other state or federal programs; and/or~~

~~(c) Reside in a family which does not meet federal poverty standards)) with children who do not meet the eligibility requirements under subsection (2) or (3) of this section but due to circumstances in their environment or in their performance need the program and would benefit from the program.~~

~~(5) Participants in the early childhood education and assistance program will not be charged fees for any services provided.~~

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-090 PROGRAM DESIGN. Standards for program design are based on a model of comprehensive services to participating children. These include educational services, health services (including medical, dental, nutrition, and mental health), and social services to families. Parents shall be given the opportunity to be involved in every aspect of the planning and implementation of services. Specific program requirements are contained in the program standards publication available from the department.

(1) Education component:

(a) Activities in the classroom, home visits, and group experiences will be planned and implemented to ensure that a supportive social and emotional climate exists, intellectual skills are developed, and physical growth is promoted.

(b) Activities in the classroom, home visits, or group experience will be individualized through the development of a curriculum which is developmentally appropriate and is relevant to and reflective of the needs of the population served.

(c) At a minimum, when the majority of the children speak a common language other than English, at least one teacher or aide who speaks their language must be available when children participate in classroom or group experiences.

(d) There will be a mental health professional to advise and assist in developmental screenings and assessments and observe children in the classroom setting and consult with teachers and other appropriate staff at least twice a year.

~~(e) ((Health (medical and dental) activities and practices are integrated into daily classroom and home visit activities.~~

~~(f) Meals and snack periods will be scheduled appropriately to meet children's needs.~~

~~(g)) The program will provide methods for enhancing the knowledge and understanding of both staff and parents of the educational and developmental needs and activities of children in the program.~~

~~((h)) (f) Staff and parents participating in the program shall be trained for and will use positive techniques of guidance, including redirection, anticipation, elimination of potential problems, positive reinforcement and encouragement((During program time staff and parents will not use corporal punishment or other humiliating or frightening discipline techniques)) during the actual hours of program operation while the child is participating in program activities supervised by program staff.~~

~~(g) Corporal punishment or other humiliating or frightening discipline techniques shall not be used during the actual hours of program operation while the child is participating in program activities supervised by program staff.~~

(2) Health component:

(a) There will be a health advisory committee composed of local medical, dental, and nutrition providers, program parents and staff to advise in program planning,

implementing, and evaluating program procedures and operations for medical, dental, mental health, and nutrition services. Existing committees may be modified or combined to carry out these activities.

(b) There will be informed prior written parent consent prior to the provision of any health (medical, dental, nutrition, or mental health) services.

(c) The program will provide for an organized health education program for staff, parents, and children which will be integrated into instructional activities in home based and center based programs.

(d) Food will be provided which will help meet a portion of the child's daily nutritional needs, recognizing individual differences and cultural patterns. The food service system, including the menus, shall be approved by a certified dietician or nutritionist as defined in chapter 18.138 RCW. The certified dietician or nutritionist shall be available to provide consultation and education on the nutritional needs of enrolled children.

~~((e))~~ Programs will participate in the United States Department of Agriculture Child Food and Nutrition Program((-

~~(f) Food preparation service operations will)) and shall comply with applicable local, state, and federal sanitation laws and regulations for storage, preparation, and service of food and health of food handlers.~~

~~((g) The program will have available a qualified nutritionist to provide regular or periodic supervision of the food services operation:))~~

(3) Social services component:

(a) Age and income-eligible children will be recruited for enrollment taking into account the demographic make-up of the community and the needs of the children and families according to approved written recruitment procedures that address both the identification of age and income-eligible children and local priorities within that same population.

(b) Needs will be assessed to assist families in identifying and using appropriate and available community resources.

(c) Programs will coordinate with existing community resources, including existing head start and other pre-school programs.

(4) Parent involvement component:

(a) The program will provide for parental involvement at a level not less than that provided under the federal head start program criteria which includes, but is not limited to, parents working with children in cooperation with staff, parents participating in the program, and parents planning for the operation of the program.

(b) The program will install a policy council composed of parents of children who are enrolled in the program, at a level not less than fifty percent and community representatives.

~~((c) A policy committee will be formed at the subcontractor level only if all program functions are subcontracted to another organization:~~

~~(d) Center committees will be established in each center composed of parents of enrolled children:))~~

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-100 ADMINISTRATIVE COMPONENT. (1) Services to children and their families will be delivered through one or more of the following options:

~~((1))~~ (a) Center base option: Children will participate in center activities ten or more hours per week distributed over three or more days. One and one-half hours of contact between parents and staff will be completed each month. At least two education-related home visits to families will be completed during the year. ~~((Classroom))~~ Class unit size will not exceed eighteen children with an adult:child ratio of 1:6. ~~((Based on unique local circumstances programs may submit a request for waiver of classroom size and adult:child ratio requirements to the department))~~ There shall be a lead teacher for every class unit.

~~((2))~~ (b) Home base option: Children will participate in weekly group experiences not to exceed four hours per session. Families will receive weekly one and one-half hour home visits by a home base educator. The case load for home ~~((visitors))~~ base educators will not exceed twelve children. The adult:child ratio for group experiences will not exceed 1:6.

~~((3))~~ (c) Locally designed option: Local programs may elect to design and propose other program options which would better meet the needs of individual children and families in their communities. A ~~((proposal for a))~~ locally designed option must: Contain rationale as to why the center based and home based options ~~((presented above))~~ in (a) and (b) of this subsection would not be practicable; must represent a more effective approach to meeting the needs of children in the specific community; be consistent with sound child development practices; and be consistent with described standards to ensure that all components of the early childhood education and assistance program are delivered. The department will determine whether the ~~((proposal for a))~~ locally designed option is acceptable on a case-by-case basis.

~~((4) Staff qualifications: Lead teachers in every classroom of children in a center base program will have one or more of the following credentials: An associate of arts degree in early childhood education with a minimum of two years of post-degree experience working in a preschool or kindergarten, or a baccalaureate degree in early childhood education or child development with a minimum of one year of post-degree experience working in a preschool or kindergarten. A lead teacher should have some experience working with families of low income:~~

~~(5) Home base teachers or family educators will have one or more of the following credentials: An associate of arts degree in human services and two years of experience or a baccalaureate degree in adult education or development, social work or psychology and one year of experience. All experience must be pertinent to direct involvement with families of low income:~~

~~(6) Organizations may submit a request to the department to waive the above staff qualifications which~~

must include a narrative justifying the local labor pool shortage.

(7) Staff will receive preemployment physical examinations, tuberculosis tests, and evaluation of any infection. Regular volunteers will be tested for tuberculosis.

(8)) (2) The following staff qualifications are required for lead teachers in a center based program:

(a) For lead teachers, experience with low-income families is desirable. Lead teachers shall meet the following qualifications except as provided in (b) of this subsection:

(i) At least a four-year degree in the field of early childhood education or child development from an accredited public or private institution of higher education and a minimum of one year of successful experience working in a preschool or kindergarten; or

(ii) A two-year degree in the field of early childhood education or child development from an accredited public or private institution of higher education with a minimum of two years of successful experience working in a preschool or kindergarten; or

(iii) A valid Washington state elementary teaching certificate with an endorsement in early childhood education or early childhood special education or a person with a valid Washington state teaching certificate who would meet the qualifications for an endorsement in early childhood education or early childhood special education.

(b) If the organization is unable to find a lead teacher with the qualifications required under (a)(i), (ii), or (iii) of this subsection due to a local labor pool shortage documented by the organization, the organization may employ a lead teacher with the following qualifications:

(i) A teaching certificate and a minimum of one year of successful experience working with preschool age children; or

(ii) A minimum of a two-year degree from an accredited public or private institution of higher education and a minimum of two years successful experience working with preschool age children; or

(iii) A child development associate credential.

(c) The organization shall establish a written professional development plan for each lead teacher who does not meet the qualifications under (a) of this subsection. The plan shall also provide for observation of such lead teacher by a person meeting the qualifications of (a) of this subsection for a minimum of one class period a month, consultation, and advice and assistance regarding the observation and consultation as needed. The plan shall be completed within three years. Implementation of the plan and progress made towards completion of the plan will be reviewed by the organization.

(3) The following staff qualifications are required for home base educators in a home base program:

(a) For home base educators, successful experience pertinent to direct involvement with low-income families is desirable. Home base educators shall meet the following qualifications except as provided in (b) of this subsection:

(i) At least a four-year degree in the field of adult education or development, social work, psychology, early

childhood education, or child development from an accredited public or private institution of higher education and a minimum of one year of successful relevant experience; or

(ii) A two-year degree in the field of adult education or development, social work, psychology, early childhood education, or child development from an accredited public or private institution of higher education and demonstrated ability to work with groups of preschool age children and a minimum of two years of successful relevant experience; or

(iii) A valid Washington state elementary teaching certificate with an endorsement in early childhood education or early childhood special education or a person with a valid Washington state teaching certificate who would meet the qualifications for an endorsement in early childhood education or early childhood special education.

(b) If the organization is unable to find a home base educator with the qualifications required under (a)(i), (ii), or (iii) of this subsection due to a local labor pool shortage documented by the organization, the organization may employ a home base educator with the following qualifications:

(i) A teaching certificate and demonstrated experience in working with preschool age children; or

(ii) A minimum of a two-year degree from an accredited public or private institution of higher education and a minimum of two years of successful relevant experience; or

(iii) A child development associate credential.

(c) The organization shall establish a written professional development plan for each home base educator who does not meet the qualifications under (a) of this subsection. The plan shall also provide for observation of such home base educator by a person meeting the qualifications of (a) of this subsection for a minimum of one home visit or peer group experience period a month, consultation, and advice and assistance regarding the observation and consultation as needed. The plan shall be completed within three years. Implementation of the plan and progress made towards completion of the plan will be reviewed by the local organization.

(4) Criminal history checks including fingerprinting will be performed for all staff hired after January 1, 1988, and having unsupervised contact with children.

(5) Facility:

(a) Facilities will provide for a physical environment conducive to learning and reflective of the needs of children.

(b) Facilities will comply with an annual fire, health, and safety inspection by local officials.

(c) The outdoor play area of the facility will be fenced to prevent children from leaving the premises unless the organization can demonstrate that the outdoor play area does not present a hazard to children's welfare and that adequate supervision will be provided when children are in the outdoor play area.

(d) The facility will contain a minimum of thirty-five square feet of indoor space per child available for the care of children (exclusive of bathroom, hall, kitchen,

and storage). There will be a minimum of seventy-five square feet per child outdoors.

(e) Adequate provision will be made to ensure the facility provides for accessibility, safety, and comfort of handicapped children.

~~((9))~~ (6) Transportation:

~~((a))~~ Vehicles owned and/or operated by the program for the purposes of transporting children to and from program activities will meet ~~((safety standards as set forth by the office of the superintendent of public instruction or the department of health and human services and will comply with annual safety inspections))~~ all applicable local ordinances and state and federal laws, rules, and regulations.

~~((b))~~ Drivers of personal vehicles used to transport children to and from program activities must maintain adequate insurance coverage and carry a current driver's license. Drivers operating vehicles transporting six or more children will have an intermediate endorsement on their driver's license.

~~(10))~~ (7) Suspected abuse:

Suspected incidents of child abuse and/or neglect by parents, staff, or others must be reported by program staff within forty-eight hours to an appropriate law enforcement agency or the department of social and health services in accordance with RCW 26.44.030.

(8) The department may grant waivers for any of the provisions under subsections (1) through (3) and (5) of this section if a contractor can demonstrate that the intent of subsections (1) through (3) and (5) of this section will be met and can demonstrate that the requested waiver is consistent with the purposes of this chapter and chapter 28A.34A RCW. All requests for waivers shall be in writing and be granted on a case-by-case basis.

WSR 88-18-040

PROPOSED RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT

[Filed August 31, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Community Development intends to adopt, amend, or repeal rules concerning hazardous chemical emergency response planning and community right-to-know reporting, chapter 118-40 WAC. The proposed regulations set out the organizational mechanisms and operating procedures by which the state will comply with federal requirements pertaining to hazardous chemical emergencies and public access to hazardous chemical storage information.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 9, 1988.

The authority under which these rules are proposed is RCW 38.52.030(2), 38.52.050 (1), (3) and 43.63A.060.

The specific statute these rules are intended to implement is Title III of the Superfund Amendments and Reauthorization Act of 1986 (P.L. 99-499).

This notice is connected to and continues the matter in Notice No. WSR 88-15-074 filed with the code reviser's office on July 20, 1988.

Dated: August 31, 1988

By: Chuck Clarke
Director

WSR 88-18-041

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 88-89—Filed August 31, 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 Chinook salmon are available to be harvested in the Humpulips and Chehalis rivers. Coho salmon stocks on the Chehalis side of Grays Harbor are not returning sufficient fish to meet their escapement goal. It is in the public interest to harvest the available chinook salmon and protect the depressed stocks of coho salmon. There is insufficient time to follow permanent rule adoption procedures.

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

This rule is promulgated pursuant to RCW 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 August 31, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000G SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-190, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the waters of Grays Harbor, except as provided for in this section:

(1) Effective October 1, 1988 until further notice, Bag Limit A in those waters of Westport Boat Basin.

(2) Barbed hooks are allowed.

NEW SECTION

WAC 220-57-14000H CHEHALIS RIVER. Notwithstanding the provisions of WAC 220-57-140:

(1) Effective September 1, 1988 until further notice, Special Bag Limit of six salmon not more than two of which may be chum salmon. Chinook over 28 inches in length and coho over 20 inches in length must be released in those waters downstream from the Porter Bridge to the Fuller Bridge.

(2) Effective September 1 to September 30, 1988 Bag Limit A - except that all coho over 20 inches in length must be released in those waters downstream from the Fuller Bridge to the U.P.R.R. Bridge in Aberdeen.

(3) Effective October 1, 1988 until further notice Bag Limit A - except that all coho over 20 inches in length and all chinook greater than 28 inches in length must be released in those waters downstream from the Fuller Bridge to the U.P.R.R. Bridge in Aberdeen.

NEW SECTION

WAC 220-57-23000D ELK RIVER. Notwithstanding the provisions of WAC 220-57-230:

(1) Effective immediately through September 30, 1988, Bag Limit C in those waters downstream from confluence of west and middle forks to Highway 105 Bridge.

(2) Effective October 1, 1988 until further notice Bag Limit A in those waters downstream from confluence of west and middle forks to Highway 105 Bridge, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

(3) Grays Harbor rules apply downstream from Highway 105 Bridge.

NEW SECTION

WAC 220-57-28000H HOQUIAM RIVER (WEST AND EAST FORKS) Notwithstanding the provisions of WAC 220-57-280:

(1) Effective immediately through September 30, 1988 Bag Limit C those waters of the main Hoquiam River and the West Fork Hoquiam River downstream from the bridge on the Dekay Road.

(2) Effective October 1, 1988 until further notice, Bag Limit A in those waters of the main Hoquiam River and West Fork downstream from the bridge on the Dekay Road, except that chinook salmon over 28 inches in length and coho salmon over 20 inches in length must be released.

(3) East Fork - Effective immediately through September 30, 1988 Bag Limit C in those waters downstream from the abandoned flat car bridge below the mouth of Berryman Creek.

(4) Effective October 1, 1988 until further notice, Bag Limit A in those waters downstream from the abandoned flat car bridge below the mouth of Berryman Creek, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

NEW SECTION

WAC 220-57-28500L HUMPTULIPS RIVER. Notwithstanding the provisions of WAC 220-57-285:

(1) Effective immediately to January 31, 1989, Bag Limit C in those waters downstream from confluence of east and west forks to the Highway 101 Bridge.

(2) Effective September 1, 1988 until further notice, Bag Limit A in those waters downstream from Highway 101 Bridge to the mouth of Jessie Slough.

NEW SECTION

WAC 220-57-30000E JOHNS RIVER. Notwithstanding the provisions of WAC 220-57-300:

(1) Effective immediately through September 30, 1988, Bag Limit C in those waters downstream from old M&B Logging Camp Bridge at upper boundary of Johns River Habitat Management Area to Highway 105 Bridge.

(2) Effective October 1, 1988 until further notice, Bag Limit A in those waters downstream from old M&B Logging Camp Bridge at upper boundary of Johns River Habitat Management Area to Highway 105 Bridge, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

NEW SECTION

WAC 220-57-52000H WISHKAH RIVER. Notwithstanding the provisions of WAC 220-57-520:

(1) Effective immediately through September 30, 1988, Bag Limit C in those waters downstream from the mouth of the West Fork.

(2) Effective October 1, 1988 until further notice, Bag Limit A in those waters downstream from the mouth of the West Fork, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

NEW SECTION

WAC 220-57-52500H WYNOOCHEE RIVER. Notwithstanding the provisions of WAC 220-57-525:

(1) Effective immediately through September 30, 1988, Bag Limit C in those waters downstream from the mouth of Schaefer Creek.

(2) Effective October 1, 1988 until further notice Bag Limit A in those waters downstream from the mouth of Schaefer Creek, except that all chinook salmon over 28 inches in length and all coho salmon over 20 inches in length must be released.

WSR 88-18-042
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-91—Filed August 31, 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 harvestable non-Indian allotment of sockeye have been taken. The balance of sockeye in the Lake Washington system are needed for spawning. There is insufficient time to follow permanent rule adoption procedures.

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

This rule is promulgated pursuant to RCW 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 August 31, 1988.

By Judith Merchant
for Joseph R. Blum
Director

REPEALER

The following sections of the Washington Administrative code are repealed effective one hour after official sunset on September 5, 1988.

WAC 220-57A-17500B LAKE WASHINGTON. (88-51)

WAC 220-57A-18000A WASHINGTON SHIP CANAL, LAKE WASHINGTON (INCLUDING LAKE UNION) (88-70)

WSR 88-18-043
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-92—Filed August 31, 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 harvestable numbers of chinook and coho salmon are available pursuant to the Pacific Fisheries Management Council. There is insufficient time to follow permanent rule adoption procedures.

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

This rule is promulgated pursuant to RCW 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 August 31, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000F SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-190, effective immediately until further notice it is unlawful to fish for salmon in Punchcard Areas 3 and 4, Pacific Ocean waters, and Washington waters west of the Buoy 10 line except as provided for in this section:

(1) In those waters north of a line projected due west from the mouth of the Queets River and west of the mouth of the Sekiu River:

(a) Open to salmon angling 12:01 a.m. until 11:59 p.m. September 2, 1988.

(b) Bag Limit - 2 salmon. Minimum size limits: Chinook - 24 inches in length. Coho - 16 inches in length.

(c) Gear Restrictions: It is unlawful to use any terminal gear other than gear with barbless single hooks.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-19000E SALTWATER SEASONS AND BAG LIMITS. (88-78)

WSR 88-18-044
ADOPTED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Order 88-20—Filed August 31, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt the annexed rules relating to RCW 43.22.270 and chapter 236, Laws of 1988 (RCW 49.12.—) which is an act relating to family care.

This action is taken pursuant to Notice No. WSR 88-18-007 filed with the code reviser on August 26, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.22.270 and chapter 236, Laws of 1988, and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 31, 1988.

By Joseph A. Dear
Director

Chapter 296-130 WAC
FAMILY CARE

WAC

296-130-010	Declaration of purpose.
296-130-020	Definitions.
296-130-030	Employee rights.
296-130-040	Prohibited action.
296-130-050	Posting.
296-130-060	Notices of infraction.
296-130-065	Service on employers.
296-130-070	Appeal of infraction notice.
296-130-080	Penalty assessment.
296-130-500	Collective bargaining not impaired.

NEW SECTION

WAC 296-130-010 **DECLARATION OF PURPOSE.** It is in the public interest for employers to accommodate employees by providing reasonable leaves from work for family reasons. This chapter serves to establish a minimum standard allowing an employee to use the employee's accrued sick leave to care for a child of the employee.

NEW SECTION

WAC 296-130-020 **DEFINITIONS.** (1) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees. Employer also includes the state, any state institution, any state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation.

(2) "Employee" means a worker who is employed in the business of an employer. "Employee," for the purposes of this chapter, also includes workers performing in an executive, administrative, professional, or outside sales capacity.

(3) "Employ" means to engage, suffer, or permit to work.

(4) "Accrued sick leave" means leave which the employee has accumulated by earning a certain number of hours or days per month or per year which the employee is entitled to use to continue his or her normal compensation during absences due to illness, accident, or other conditions which require medical treatment or supervision, and which is provided for by a collective bargaining agreement, employer/employee agreement, employer policy, ordinance, or civil service rule.

It does not include annual leave, vacation leave, or personal leave. It does not include any benefit which includes leave granted by short-term or long-term disability plans except in a case where those plans include a separate and identifiable component which allows the employee to accumulate by earning a certain number of

hours or days per month or per year which the employee is entitled to use to continue his or her normal compensation in absence due to illness, accident, or other conditions which require medical treatment or supervision which is provided for by a collective bargaining agreement, employer/employee agreement, employee/employer policy, ordinance, or civil service rule. In a case where a short-term or long-term disability plan includes a separate and identifiable component which allows the employee to accumulate leave by earning a certain number of hours or days per month or per year which the employee is entitled to use to continue his or her normal compensation in absence due to illness, accident, or other conditions which require medical treatment or supervision, only that separate identifiable portion shall be considered accrued sick leave.

(5) "Child of the employee" means any child under the age of eighteen who is:

- (a) The natural offspring of the employee;
- (b) The adopted child of the employee;
- (c) The natural or adopted child of the employee's spouse; or
- (d) Is under the employee's legal guardianship, legal custody, or foster care.

(6) "Health condition that requires treatment or supervision" shall include:

(a) Any medical condition requiring medication that the child cannot self medicate;

(b) Any medical or mental health condition which would endanger the child's safety or recovery without the presence of a parent or guardian; or

(c) Any condition warranting preventive health care such as physical, dental, optical or immunization services, when a parent must be present to authorize and when sick leave may otherwise be used for the employee's preventive health care.

(7) "Infraction" means an alleged violation of RCW 49.12.____ (chapter 236, Laws of 1988) as cited by the department.

(8) "Administrative law judge" means any person appointed by the chief administrative law judge, as defined in RCW 34.12.020(2) to preside at contested cases convened under RCW 49.12.____ (chapter 236, Laws of 1988).

(9) "Department" means the department of labor and industries.

NEW SECTION

WAC 296-130-030 **EMPLOYEE RIGHTS.** An employer shall allow an employee to use the employee's accrued sick leave, when such benefit exists, to care for the child of the employee under the age of eighteen with a health condition that requires treatment or supervision as defined in WAC 296-130-020(6). In all other instances the same benefits and requirements that would govern the employee's personal use of accrued sick leave shall apply to the use of sick leave for the child's treatment or supervision. Nothing in this section requires an employer to provide sick leave.

NEW SECTION

WAC 296-130-040 PROHIBITED ACTION. No employer shall discharge or in any other way discriminate against or penalize any employee because he/she sought any information about family leave provisions, has filed a complaint alleging a violation of the chapter or exercised any right granted under the law. Nothing in this section however, shall prohibit an employer from applying its attendance policies.

NEW SECTION

WAC 296-130-050 POSTING. (1) The department shall furnish each employer a poster describing an employee's rights and an employer's obligations provided in this chapter.

(2) The employer shall keep posted a current edition department poster stipulating the provisions of this chapter. The employer shall display this poster in a conspicuous place.

(3) The employer shall post its leave policies, if any, in a conspicuous place accessible to the employees at the employer's place of business.

(4) The posting requirement for employees whose leave policies are specified by individual contracts may be satisfied by stating that leave for such employees will be governed by the terms of such contracts.

(5) Employers with informal leave policies which are established on a case-by-case basis may satisfy the posting requirement by posting a statement explaining that policy.

NEW SECTION

WAC 296-130-060 NOTICES OF INFRACTION. The department may issue a notice of infraction to an employer who violates RCW 49.12.____ (chapter 236, Laws of 1988). The employment standards supervisor shall direct that notices of infraction contain the following when issued.

(1) A statement that the notice represents a determination that the infraction has been committed by the employer named in the notice and that the determination shall be final unless contested;

(2) A statement that the infraction is a noncriminal offense for which imprisonment shall not be imposed as a sanction;

(3) A statement of the specific violation which necessitated issuance of the infraction;

(4) A statement of the penalty involved if the infraction is established;

(5) A statement informing the employer of the right to a hearing conducted pursuant to chapter 34.04 RCW if requested within twenty days of issuance of the infraction;

(6) A statement that at any hearing to contest the notice of infraction the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed, and that the employer may subpoena witnesses including the agent that issued the notice of infraction;

(7) If a notice of infraction is personally served upon a supervisory or managerial employee of a firm or corporation, the department shall within ten days of service send a copy of the notice by certified mail to the employer;

(8) Constructive service may be made by certified mail directed to the employer named in the notice of infraction.

NEW SECTION

WAC 296-130-065 SERVICE ON EMPLOYERS. (1) If an employer is a corporation or a partnership, the department need not serve the employer personally. In such a case, if no officer or partner of a violating employer is present, the department may issue a notice of infraction to any supervisor or managerial employee.

(2) If the department serves a notice of infraction on a supervisory or managerial employee, and not on an officer, or partner of the employer, the department shall mail by certified mail a copy of the notice of infraction to the employer. The department shall mail a second copy by ordinary mail.

NEW SECTION

WAC 296-130-070 APPEAL OF INFRACTION NOTICE. (1) If an employer desires to contest the notice of infraction issued, the employer shall file two copies of a notice of appeal with the department at the office designated on the notice of infraction, within twenty days of issuance of the infraction.

(2) The department shall conduct a hearing in accordance with chapter 34.04 RCW and chapter 10-08 WAC.

(3) Employers may appear before the administrative law judge through counsel, or may represent themselves. The department shall be represented by the attorney general.

(4) All relevant evidence shall be admissible in a hearing convened pursuant to RCW 49.12.____ (chapter 236, Laws of 1988). Admission of evidence is subject to RCW 34.04.100 and 34.04.105 of the Administrative Procedure Act of Washington.

(5) The administrative law judge shall issue a proposed decision that includes findings of fact, conclusions of law, and if appropriate, any legal penalty. The proposed decision shall be served by certified mail or personally on the employer and the department. The employer or department may appeal to the director within thirty days after the date of issuance of the proposed decision. If none of the parties appeals within thirty days, the proposed decision may not be appealed either to the director or the courts.

(6) An appellant must file with the director an original and four copies of its notice of appeal. The notice of appeal must specify which findings and conclusions are erroneous. The appellant must attach to the notice the written arguments supporting its appeal.

The appellant must serve a copy of the notice of appeal and the arguments on the other parties. The respondent parties must file with the director their written

arguments within thirty days after the date the notice of appeal and the arguments were served upon them.

(7) The director shall review the proposed decision in accordance with the Administrative Procedure Act, chapter 34.04 RCW. The director may: Allow the parties to present oral arguments as well as the written arguments; require the parties to specify the portions of the record on which the parties rely; require the parties to submit additional information by affidavit or certificate; remand the matter to the administrative law judge for further proceedings; and require a departmental employee to prepare a summary of the record for the director to review. The director shall issue a final decision that can affirm, modify, or reverse the proposed decision.

(8) The director shall serve the final decision on all parties. Any aggrieved party may appeal the final decision to superior court pursuant to RCW 34.04.130 unless the final decision affirms an unappealed proposed decision. If no party appeals within the period set by RCW 34.04.130, the director's decision is conclusive and binding on all parties.

NEW SECTION

WAC 296-130-080 PENALTY ASSESSMENT. An employer found to have committed an infraction under RCW 49.12.____ (chapter 236, Laws of 1988) may be assessed the maximum penalty of a fine of two hundred dollars for the first noncompliance violation. An employer that continues to violate the terms of the statute may be subject to a fine not to exceed one thousand dollars for each violation.

NEW SECTION

WAC 296-130-500 COLLECTIVE BARGAINING NOT IMPAIRED. Nothing in this chapter shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish leave benefits in excess of the applicable minimum under the provisions of this chapter.

WSR 88-18-045

EMERGENCY RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Order 88-20—Filed September 1, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at the General Administration Building, Olympia, Washington 98504, the annexed rules relating to:

- New WAC 296-130-010 Declaration of purpose.
- New WAC 296-130-020 Definitions.
- New WAC 296-130-030 Employee rights.
- New WAC 296-130-035 Employee complaints.
- New WAC 296-130-040 Prohibited action.
- New WAC 296-130-050 Posting.
- New WAC 296-130-060 Notices of infraction.
- New WAC 296-130-065 Service on employers.
- New WAC 296-130-070 Appeal of infraction notice.

- New WAC 296-130-080 Penalty assessment.
- New WAC 296-130-500 Collective bargaining not impaired.

I, Joseph A. Dear, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is RCW 43.22.270 passed by the 1988 Washington state legislature and which became effective September 1, 1988, require the implementation of rules. Permanent rules will be adopted on September 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 43.22.270 and chapter 236, Laws of 1988, and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Department of Labor and Industries as authorized in RCW 43.22.270 and chapter 236, Laws of 1988.

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

APPROVED AND ADOPTED September 1, 1988.

By Joseph A. Dear
Director

**Chapter 296-130 WAC
FAMILY CARE**

- WAC 296-130-010 Declaration of purpose.
- 296-130-020 Definitions.
- 296-130-030 Employee rights.
- 296-130-035 Employee complaints.
- 296-130-040 Prohibited action.
- 296-130-050 Posting.
- 296-130-060 Notices of infraction.
- 296-130-065 Service on employers.
- 296-130-070 Appeal of infraction notice.
- 296-130-080 Penalty assessment.
- 296-130-500 Collective bargaining not impaired.

NEW SECTION

WAC 296-130-010 DECLARATION OF PURPOSE. It is in the public interest for employers to accommodate employees by providing reasonable leaves from work for family reasons. This chapter serves to establish a minimum standard allowing an employee to use the employee's accrued sick leave to care for a child of the employee.

NEW SECTION

WAC 296-130-020 DEFINITIONS. (1) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession,

or activity in this state and employs one or more employees. Employer also includes the state, any state institution, any state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation.

(2) "Employee" means a worker who is employed in the business of an employer. "Employee," for the purposes of this chapter, also includes workers performing in an executive, administrative, professional, or outside sales capacity.

(3) "Employ" means to engage, suffer, or permit to work.

(4) "Accrued sick leave" means leave which the employee has accumulated by earning a certain number of hours or days per month or per year which the employee is entitled to use to continue his or her normal compensation during absences due to illness, accident, or other conditions which require medical treatment or supervision, and which is provided for by a collective bargaining agreement, employer/employee agreement, employer policy, ordinance, or civil service rule.

It does not include annual leave, vacation leave, or personal leave. It does not include any benefit which includes leave granted by short-term or long-term disability plans except in a case where those plans include a separate and identifiable component which allows the employee to accumulate by earning a certain number of hours or days per month or per year which the employee is entitled to use to continue his or her normal compensation in absence due to illness, accident, or other conditions which require medical treatment or supervision which is provided for by a collective bargaining agreement, employer/employee agreement, employee/employer policy, ordinance, or civil service rule. In a case where a short-term or long-term disability plan includes a separate and identifiable component which allows the employee to accumulate leave by earning a certain number of hours or days per month or per year which the employee is entitled to use to continue his or her normal compensation in absence due to illness, accident, or other conditions which require medical treatment or supervision, only that separate identifiable portion shall be considered accrued sick leave.

(5) "Child of the employee" means any child under the age of eighteen who is:

- (a) The natural offspring of the employee;
- (b) The adopted child of the employee;
- (c) The natural or adopted child of the employee's spouse; or
- (d) Is under the employee's legal guardianship, legal custody, or foster care.

(6) "Health condition that requires treatment or supervision" shall include:

- (a) Any medical condition requiring medication that the child cannot self medicate;
- (b) Any medical or mental health condition which would endanger the child's safety or recovery without the presence of a parent or guardian; or
- (c) Any condition warranting preventive health care such as physical, dental, optical or immunization services, when a parent must be present to authorize and

when sick leave may otherwise be used for the employee's preventive health care.

(7) "Infraction" means an alleged violation of RCW 49.12.____ (chapter 236, Laws of 1988) as cited by the department.

(8) "Administrative law judge" means any person appointed by the chief administrative law judge, as defined in RCW 34.12.020(2) to preside at contested cases convened under RCW 49.12.____ (chapter 236, Laws of 1988).

(9) "Department" means the department of labor and industries.

NEW SECTION

WAC 296-130-030 EMPLOYEE RIGHTS. An employer shall allow an employee to use the employee's accrued sick leave, when such benefit exists, to care for the child of the employee under the age of eighteen with a health condition that requires treatment or supervision as defined in WAC 296-130-020(6). In all other instances the same benefits and requirements that would govern the employee's personal use of accrued sick leave shall apply to the use of sick leave for the child's treatment or supervision. Nothing in this section requires an employer to provide sick leave.

NEW SECTION

WAC 296-130-035 EMPLOYEE COMPLAINTS.

(1) An employee who believes that his or her employer has not complied with RCW 49.12.____ (chapter 236, Laws of 1988), or with the rules promulgated thereto, may file a complaint with the department within six months of the alleged violation. The complaint should contain the following:

- (a) The name and address of the employee making the complaint;
- (b) The name, address, and telephone number of the employer against whom the complaint is made;
- (c) A statement of the specific fact which constitute the alleged violation, including the date(s) on which the alleged violation occurred.

(2) Upon receipt of a complaint, the department shall forward written notice of the complaint to the employer, along with a warning of prohibited actions as stated in WAC 296-130-040.

(3) The department may investigate any complaint it deems appropriate. If the department determines that a violation of this chapter has occurred, it may issue a notice of infraction pursuant to WAC 296-130-060.

NEW SECTION

WAC 296-130-040 PROHIBITED ACTION. No employer shall discharge or in any other way discriminate against or penalize any employee because he/she sought any information about family leave provisions, has filed a complaint alleging a violation of the chapter or exercised any right granted under the law. Nothing in this section however, shall prohibit an employer from applying its attendance policies.

NEW SECTION

WAC 296-130-050 **POSTING.** (1) The department shall furnish each employer a poster describing an employee's rights and an employer's obligations provided in this chapter.

(2) The employer shall keep posted a current edition department poster stipulating the provisions of this chapter. The employer shall display this poster in a conspicuous place.

(3) The employer shall post its leave policies, if any, in a conspicuous place accessible to the employees at the employer's place of business.

(4) The posting requirement for employees whose leave policies are specified by individual contracts may be satisfied by stating that leave for such employees will be governed by the terms of such contracts.

(5) Employers with informal leave policies which are established on a case-by-case basis may satisfy the posting requirement by posting a statement explaining that policy.

NEW SECTION

WAC 296-130-060 **NOTICES OF INFRACTION.** The department may issue a notice of infraction to an employer who violates RCW 49.12.____ (chapter 236, Laws of 1988). The employment standards supervisor shall direct that notices of infraction contain the following when issued.

(1) A statement that the notice represents a determination that the infraction has been committed by the employer named in the notice and that the determination shall be final unless contested;

(2) A statement that the infraction is a noncriminal offense for which imprisonment shall not be imposed as a sanction;

(3) A statement of the specific violation which necessitated issuance of the infraction;

(4) A statement of the penalty involved if the infraction is established;

(5) A statement informing the employer of the right to a hearing conducted pursuant to chapter 34.04 RCW if requested within twenty days of issuance of the infraction;

(6) A statement that at any hearing to contest the notice of infraction the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed, and that the employer may subpoena witnesses including the agent that issued the notice of infraction;

(7) If a notice of infraction is personally served upon a supervisory or managerial employee of a firm or corporation, the department shall within ten days of service send a copy of the notice by certified mail to the employer;

(8) Constructive service may be made by certified mail directed to the employer named in the notice of infraction.

NEW SECTION

WAC 296-130-065 **SERVICE ON EMPLOYERS.** (1) If an employer is a corporation or a partnership, the department need not serve the employer personally. In such a case, if no officer or partner of a violating employer is present, the department may issue a notice of infraction to any supervisor or managerial employee.

(2) If the department serves a notice of infraction on a supervisory or managerial employee, and not on an officer, or partner of the employer, the department shall mail by certified mail a copy of the notice of infraction to the employer. The department shall mail a second copy by ordinary mail.

NEW SECTION

WAC 296-130-070 **APEAL OF INFRACTION NOTICE.** (1) If an employer desires to contest the notice of infraction issued, the employer shall file two copies of a notice of appeal with the department at the office designated on the notice of infraction, within twenty days of issuance of the infraction.

(2) The department shall conduct a hearing in accordance with chapter 34.04 RCW and chapter 10-08 WAC.

(3) Employers may appear before the administrative law judge through counsel, or may represent themselves. The department shall be represented by the attorney general.

(4) All relevant evidence shall be admissible in a hearing convened pursuant to RCW 49.12.____ (chapter 236, Laws of 1988). Admission of evidence is subject to RCW 34.04.100 and 34.04.105 of the Administrative Procedure Act of Washington.

(5) The administrative law judge shall issue a proposed decision that includes findings of fact, conclusions of law, and if appropriate, any legal penalty. The proposed decision shall be served by certified mail or personally on the employer and the department. The employer or department may appeal to the director within thirty days after the date of issuance of the proposed decision. If none of the parties appeals within thirty days, the proposed decision may not be appealed either to the director or the courts.

(6) An appellant must file with the director an original and four copies of its notice of appeal. The notice of appeal must specify which findings and conclusions are erroneous. The appellant must attach to the notice the written arguments supporting its appeal.

The appellant must serve a copy of the notice of appeal and the arguments on the other parties. The respondent parties must file with the director their written arguments within thirty days after the date the notice of appeal and the arguments were served upon them.

(7) The director shall review the proposed decision in accordance with the Administrative Procedure Act, chapter 34.04 RCW. The director may: Allow the parties to present oral arguments as well as the written arguments; require the parties to specify the portions of the record on which the parties rely; require the parties

to submit additional information by affidavit or certificate, remand the matter to the administrative law judge for further proceedings, and require a departmental employee to prepare a summary of the record for the director to review. The director shall issue a final decision that can affirm, modify, or reverse the proposed decision.

(8) The director shall serve the final decision on all parties. Any aggrieved party may appeal the final decision to superior court pursuant to RCW 34.04.130 unless the final decision affirms an unappealed proposed decision. If no party appeals within the period set by RCW 34.04.130, the director's decision is conclusive and binding on all parties.

NEW SECTION

WAC 296-130-080 PENALTY ASSESSMENT. An employer found to have committed an infraction under RCW 49.12.____ (chapter 236, Laws of 1988) may be assessed the maximum penalty of a fine of two hundred dollars for the first noncompliance violation. An employer that continues to violate the terms of the statute may be subject to a fine not to exceed one thousand dollars for each violation.

NEW SECTION

WAC 296-130-500 COLLECTIVE BARGAINING NOT IMPAIRED. Nothing in this chapter shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish leave benefits in excess of the applicable minimum under the provisions of this chapter.

WSR 88-18-046

NOTICE OF PUBLIC MEETINGS CONVENTION AND TRADE CENTER (Design Committee)

[Memorandum—August 30, 1988]

NOTICE OF DESIGN COMMITTEE MEETING

There will be a meeting of the design committee of the Washington State Convention and Trade Center on Wednesday, September 7, 1988, at 11:30 a.m., at the Washington State Convention and Trade Center, 800 Convention Place, Room 601, in downtown Seattle.

NOTICE OF REGULAR BOARD MEETING

The regular meeting of the board of directors of the Washington State Convention and Trade Center will begin at 3:00 p.m., on the same date and at the same location noted above.

WSR 88-18-047

ATTORNEY GENERAL OPINION

Cite as: AGO 1988 No. 16

[August 30, 1988]

CRIMES—FIREARMS

It is not unlawful under RCW 9.41.250 to merely possess a device for suppressing the noise of a firearm.

Requested by:

Honorable Kent Pullen
State Senator, 47th District
Institutions Building
Olympia, Washington 98504

WSR 88-18-048

EMERGENCY RULES

PRODUCTIVITY BOARD

[Order 88-2—Filed September 1, 1988]

Be it resolved by the Washington State Productivity Board, acting at the Office of the Secretary of State, that it does adopt the annexed rules relating to state employee's eligibility for cash awards from suggestions promoting state government efficiency.

We, the Washington State Productivity Board, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is present rule discourages state employees from submitting ideas. The state potentially loses benefit of cost efficient ideas, and, in fact have recent example of an idea being precluded and withdrawn by employee.

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 Productivity Board as authorized in RCW 41.60.020.

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

APPROVED AND ADOPTED September 1, 1988.

By Ralph Munro
Chairman

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-110 ELIGIBILITY FOR CASH AWARDS. Qualified employees are eligible for awards for adopted suggestions, except that awards shall not be made for:

(1) Suggestions which are within the scope of an employee's assigned responsibilities.

(2) Suggestions submitted more than sixty days after the idea is implemented. Implementation means the time the idea becomes operational. When the decision of the agency to adopt the suggestion is withheld until the close of a trial period, the board may in its discretion provide for a certificate of award.

~~((3) Suggestions wherein the suggester, either directly or indirectly, has a proprietary interest in the suggestion.))~~

WSR 88-18-049
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-93—Filed September 1, 1988]

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 restrictions in the Nisqually River provide protection for local chinook stocks. Allowable harvest, as identified in the 1988 Summer/Fall Chinook Status Report, has been exceeded. Identified resource available for terminal harvest by treaty tribes was 499; terminal harvest to-date by treaty tribes is 630 which is 131 fish above the identified harvestable number.

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

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

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

APPROVED AND ADOPTED September 1, 1988.

By Bette M. Johnson
for Joseph R. Blum
Director

NEW SECTION

WAC 220-28-800 PUGET SOUND TREATY INDIAN SALMON FISHERY RESTRICTIONS Effective immediately it is unlawful for treaty Indian fisherman to take, fish for, or possess salmon for commercial, ceremonial, or test-fishing purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas in accordance with the following restrictions:

- * Nisqually River - Closed to all commercial, ceremonial, and test fishing.

WSR 88-18-050
PROPOSED RULES
BASIC HEALTH PLAN
[Filed September 1, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Basic Health Plan intends to adopt, amend, or repeal rules concerning this notice proposes to establish new chapter 55-01 WAC, Washington Basic Health Plan (BHP), and several new sections within that chapter. These rules address the health care benefits to be made available to the public through the BHP, the basis upon which premium charges will be established, and the process whereby individuals may apply for enrollment. Eligibility for enrollment and reasons for disenrollment are also addressed. Procedures for the resolution of disputes are described, as are provisions whereby the administrator may contract with managed health care systems. An additional section defines terms to be used in the rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 16, 1988.

The authority under which these rules are proposed is RCW 70.47.050.

The specific statute these rules are intended to implement is chapter 70.47 RCW.

This notice is connected to and continues the matter in Notice No. WSR 88-15-073 filed with the code reviser's office on July 20, 1988.

Dated: September 1, 1988
By: Thomas L. Kobler
Administrator

WSR 88-18-051
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)
[Filed September 1, 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 schedule of charges, amending WAC 275-16-030;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 14, 1988.

The authority under which these rules are proposed is RCW 43.20B.335.

The specific statute these rules are intended to implement is RCW 43.20B.335.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1988.

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

Troyce Warner
Office of Issuances
Department of Social and Health Services
Mailstop OB-33H
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 29, 1988. The meeting site is in a location which is barrier free.

Dated: September 1, 1988
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 275-16-030.

Purpose of the Rule Change: To revise schedule of charges for state hospitals. Charges will generally be increased which will result in substantial additional revenue to the state.

Reason this Rule Change is Necessary: To reflect current costs of operating the state hospitals.

Statutory Authority: RCW 43.20B.335.

Summary of the Rule Change: Revise schedule of charges for state hospitals based on current operating costs.

Person Responsible for Drafting, Implementation and Enforcement of the Rule Change: Dave Padget, Mental Health Program Administrator, Mental Health Division, mailstop OB-42F, phone (206) 753-2098, 234-2098 scan.

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

AMENDATORY SECTION (Amending Order 2531, filed 9/10/87)

WAC 275-16-030 SCHEDULE OF CHARGES. Pursuant to RCW 43.20B.325, the department shall base hospitalization charges for clients in state hospitals on the actual operating costs of such hospitals for the previous year. Hospitalization charges ((shall be)) are due and payable on or before the tenth day of each calendar month for services rendered to clients of the department during the preceding month, based upon the following schedule:

(1) COSTING AND BILLING RATES

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
--	------------------------	----------------------------------	------------------------

(a) INPATIENT SERVICES -

Hospital Costs Per Day	\$((132.07 208.02 156.00))		
Physician Costs	140.12	229.75	169.86
		((7.15)) 8.79	

*The department shall bill the client for physician costs ((will be billed)) on a fee-for-service basis.

(b) OUTPATIENT SERVICES -
Per diem

Outpatient	---	---	---
Day Care Per Day	---	((69.89)) 72.48	---
Per Hour	---	((11.65)) 12.91	---

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
--	------------------------	----------------------------------	------------------------

(c) ANCILLARY SERVICES -
Per relative value unit ^{1/}

Radiology	((4.64 4.64 2.24))		
	5.88	5.88	4.50
Pathology	((.42 .42 .23))		
	.32	.32	.18
Medical Clinics	((2.38 2.38 3.12))		
	2.15	2.15	5.79
Electrocardiogram	((.24 .24 .44))		
	.22	.22	.44
Physical Therapy	((2.19 2.19 2.99))		
	3.48	3.48	3.96
Occupational Therapy	---	---	((11.42))
			19.15
Speech Therapy	---	---	((11.35))
			18.32
Dental	22.54	22.54	((27.16))
			17.09
Podiatry	1.28	1.28	1.00

(2) Services required by the ((patient that cannot be)) client, not provided by hospital staff ((are)), shall be purchased by the department from private sources and the client shall be charged at actual cost.

^{1/}California Medical Association. Relative Value Studies. Fifth edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

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

WSR 88-18-052
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed September 1, 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 disregard of income, amending WAC 388-28-575;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 14, 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 74.08 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 14, 1988.

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

Troyce Warner
Office of Issuances
Department of Social and Health Services
Mailstop OB-33H
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 29, 1988. The meeting site is in a location which is barrier free.

Dated: August 30, 1988

By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

Re: WAC 388-28-575.

Purpose of the Rule Changes: To exempt \$2,000 income per individual per calendar year for Alaska Native Indian under P.L. 100-241 or any other Indian tribe under P.L. 98-64; and to delete community services administrations emergency energy conservation program.

Reason These Rules are Necessary: P.L. 100-241 makes change effective February 3, 1988. The Omnibus Reconciliation Act of 1981 eliminates community services administrations emergency energy conservation program; and other changes are editorial.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Change: P.L. 100-241 requires \$2,000 per individual per calendar year be disregarded for income for Alaska Native Indians. P.L. 98-64 states the same for all other Indians.

Person Responsible for Drafting, Implementation and Enforcement of the Rule Change: Dana Beck, Program Manager, Division of Income Assistance, mailstop OB-31C, phone 753-3177.

These rules are necessary as a result of federal law, 45 CFR Ch. II § 233.20 (4)(ii)(k).

AMENDATORY SECTION (Amending Order 2572, filed 12/11/87)

WAC 388-28-575 ~~DISREGARD OF INCOME ((AND RESOURCES))~~. (1) ~~((To determine need and the amount of the assistance payment in))~~ For AFDC, the department shall disregard as income ~~((and resources))~~:

(a) ~~((Any))~~ Grants, loans, or federal work study to ~~((any))~~ an undergraduate student ~~((for educational purposes made or))~~ insured ~~((under any programs administered))~~ by the ~~((commissioner))~~ Secretary of Education, U.S. Department of ~~((Health and Human Services: Disregard the entire amount of the grant, loan, or work study))~~ Education;

(b) ~~((Any))~~ Per capita judgment funds ~~((paid))~~ under P.L. 92-254 to members of the:

(i) Blackfoot Tribe of the Blackfoot Indian Reservation, Montana(;); and ~~((the))~~

(ii) Gros Ventre Tribe of the Fort Belknap Reservation, Montana(;).

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

(d) The income ~~((and resources))~~ of ~~((an individual receiving benefits under))~~ a Supplemental Security Income ~~((for the period such benefits are received))~~ recipient;

(e) ~~((Any payments))~~ Two thousand dollars per individual per calendar year received ~~((by Alaska natives))~~ under the Alaska Native Claims Settlement Act ~~((; to the extent such payments are exempt from taxation))~~ or under ~~((section 21(a) of that act))~~ P.L. 98-64;

(f) ~~((From August 1, 1975, to September 30, 1976, 40 percent of the first \$50 collected by the office of support enforcement in payment on the support obligations for the current month;~~

~~((g) Retroactive))~~ AFDC benefits resulting from a court order modifying a department policy;

~~((th))~~ (g) ~~((The part of a))~~ Veterans' Administration educational assistance ~~((payment))~~ for the student's educational expenses ~~((; such as, but not limited to, tuition, books, fees, equipment, transportation for school purposes;))~~ and child care ~~((services))~~ necessary for school attendance;

~~((th))~~ (h) HUD community development block grant funds ~~((obtained and used under conditions precluding))~~ that preclude use for current living costs; ~~((and))~~

~~((th))~~ (i) The ~~((first \$50 per month of the current))~~ monthly ~~((support obligation of any))~~ child support ~~((collected on the family's behalf or received by the family))~~ incentive payment from the office of support enforcement; and

~~((j))~~ A previous underpayment of assistance under WAC 388-33-195.

(2) ~~((To determine need and the amount of the assistance payment in AFDC and GA;))~~ The department shall disregard as income, for AFDC and ~~((resources))~~ GA:

(a) ~~((Any))~~ Payment ~~((received))~~ under ~~((the))~~ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(b) The ~~((value of the))~~ food coupon allotment under ~~((the))~~ Food Stamp Act of ~~((1964, as amended))~~ 1977;

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

(d) ~~((Any compensation provided volunteers in ACTION programs established by Title I of P.L. 93-113, the Domestic Volunteer Service Act;~~

~~((c) Any))~~ Benefits ~~((received))~~ under ~~((the))~~ women, infants and children program (WIC) ~~((of the Child Nutrition Act of 1966, as amended, and the special;))~~;

(e) Food service program for children under the National School Lunch Act ~~((; as amended;))~~; and

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

~~((g))~~ Energy assistance payments.

WSR 88-18-053
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 1, 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 monthly allotments, amending WAC 388-49-550;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 14, 1988.

The authority under which these rules are proposed is RCW 74.04.510.

The specific statute these rules are intended to implement is chapter 74.04 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1988.

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

Troyce Warner
Office of Issuances
Department of Social and Health Services
Mailstop OB-33H
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 29, 1988. The meeting site is in a location which is barrier free.

Dated: August 30, 1988
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.
 Re: Amending WAC 388-49-550.

Purpose of the Rule Change: To implement a new food stamp program rule by emergency adoption.

Changes are Necessary: To implement Administrative Notice 88-66.

Statutory Authority: RCW 74.04.510.

Summary of Rule Change: Provides a full months allotment of food stamps, rather than a prorated amount, for migrant or seasonal farmworkers who have a break of 30 days or less in their food stamp participation.

Person Responsible for Rule Drafting and Implementation: Jack Hecht, Community Services Program Manager, Division of Income Assistance, OB-31C, 234-4918 scan.

The rules are necessary as a result of federal law, United States Department of Agriculture Administrative Order 88-66.

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

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, except for households as specified in subsection (4) of this section, 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 issue a full month allotment to migrant and seasonal farmworker households applying within thirty days after a prior certification ends.

(5) 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)) (6) 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)) (7) The department shall issue an identification card to each certified household.

WSR 88-18-054
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed September 1, 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 Income—Exclusions, amending WAC 388-49-470;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 14, 1988.

The authority under which these rules are proposed is RCW 74.04.510.

The specific statute these rules are intended to implement is chapter 74.04 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1988.

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

Troyce Warner
 Office of Issuances
 Department of Social and Health Services
 Mailstop OB-33H
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 29, 1988. The meeting site is in a location which is barrier free.

Dated: August 30, 1988
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.
 Re: Amending WAC 388-49-470.

Purpose of the Rule Change: To implement a new food stamp program rule by emergency adoption.

Changes are Necessary: To implement Administrative Notice 88-54.

Statutory Authority: RCW 74.04.510.

Summary of the Rule Change: Excludes limited cash donations received from certain charitable organizations.

Person Responsible for Rule Drafting and Implementation: Daniel A. Ohlson, Community Services Program Manager, Division of Income Assistance, OB-31C, 234-1354 scan.

This rule is necessary as a result of federal law, United States Department of Agriculture Administrative Order 88-54.

AMENDATORY SECTION (Amending Order 2617, filed 4/6/88)

WAC 388-49-470 INCOME—EXCLUSIONS. (1) The department shall exclude the following income:

- (a) Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source((-));
- (b) Any income specifically excluded by any other federal statute from consideration as income in the food stamp program((-));
- (c) The earned income of children who are:
 - (i) Members of the household,
 - (ii) Under eighteen years of age, and
 - (iii) Attending school at least half time.
- (d) Infrequent or irregular income received during a three-month period that:
 - (i) Cannot be reasonably anticipated as available, and
 - (ii) Shall not exceed thirty dollars for all household members.
- (e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred((-));
- (f) Nonrecurring lump sum payments((-);
- (g) The cost of producing self-employment income((-);
- (h) Financial aid received under Title IV of the Higher Education Act designated by the school for:
 - (i) Tuition,
 - (ii) Fees (including equipment and material),
 - (iii) Books,
 - (iv) Supplies,
 - (v) Transportation, and
 - (vi) Miscellaneous personal expenses as determined by the institution.
- (i) Other federal financial aid designated by the school for:
 - (i) Tuition, and
 - (ii) Mandatory fees.
- (j) Nonfederal financial aid designated by the school for:
 - (i) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and
 - (ii) Other earmarked educational expenses such as transportation, supplies, textbooks, and child care.
- (k) Reimbursements for past or future expenses to the extent the reimbursements do not:
 - (i) Exceed the actual expense, and
 - (ii) Represent a gain or benefit to the household.
- (l) Any gain or benefit not in money((-);
- (m) Vendor payments as defined in WAC 388-49-020((-);
- (n) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member((-);
- (o) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs((-);
- (p) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

((f)) _____

Number in Grant Assistance Unit	Energy Exclusion
1	\$30
2	39
3	46
4	56
5	63
6	72
7	84
8 or more	92

((f))

(q) Money specified by court order or other legally binding agreement to go directly to a third-party beneficiary rather than to the household((-);

- (r) Support payments not required by a court order or other legally binding agreement paid directly to a third party rather than to the household((-);
- (s) Payments from the individual and family grant program((-);
- (t) Public assistance payments when they are:
 - (i) Over and above the regular warrant amount; and
 - (ii) Not normally a part of the regular warrant; and
 - (iii) Paid directly to a third party on behalf of the household.
- (u) Earnings from on-the-job training programs under the Job Training Partnership Act by household members:
 - (i) Under 19 years of age; and
 - (ii) Under parental control.
- (v) Cash donations based upon need:
 - (i) Received directly by the household;
 - (ii) From one or more private, nonprofit, charitable organizations; and
 - (iii) Not exceeding three hundred dollars in any federal fiscal year quarter.
- (2) 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.
- (3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary 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.

WSR 88-18-055
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2676—Filed September 1, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 388-29-260 Standards of assistance—Persons in boarding homes—General assistance.
- Amd WAC 388-42-150 Maximum cost standards.

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 is necessary to increase the clothing and personal incidentals standards required in ESHB 1221. This rule is also necessary to increase the mortuary, burial, funeral and cremation services standards by four percent required in ESHB 1221.

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 August 23, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2309, filed 12/2/85)

WAC 388-29-260 STANDARDS OF ASSISTANCE—PERSONS IN BOARDING HOMES—GENERAL ASSISTANCE. (1) The monthly standard for board and room shall be two hundred twenty-five dollars and six cents or seven dollars and forty-two cents per day.

(2) The monthly standard for clothing and personal maintenance and necessary incidentals shall be (~~thirty-six~~) thirty-eight dollars and (~~sixty-two~~) eighty-four cents.

(3) These standards are effective (~~January 1, 1986~~) September 1, 1988.

AMENDATORY SECTION (Amending Order 2563, filed 12/2/87)

WAC 388-42-150 MAXIMUM COST STANDARDS.

(1) Mortuary services—Actual costs, but not to exceed:

- (a) Essential services only \$ (~~263~~) 273
- (b) Essential services plus funeral/memorial service \$ (~~602~~) 626

(2) Burial services—Actual costs, but not to exceed:

- (a) Burial only, no plot included \$ (~~329~~) 342
- (b) Burial with plot included, single or multiple interment . . \$ (~~380~~) 395

(3) Cremation services—Actual costs, but not to exceed:

- (a) Cremation only \$ (~~164~~) 162
- (b) Cremation and disposition \$ (~~234~~) 243

(4) These standards include all applicable taxes.

(5) These standards shall be effective (~~September 1, 1987~~) September 1, 1988.

WSR 88-18-056
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2677—Filed September 1, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 388-29-001 Definitions.
- Amd WAC 388-29-100 Standards of assistance—Basic requirements.

This action is taken pursuant to Notice No. WSR 88-14-137 filed with the code reviser on July 6, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED August 23, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2215, filed 3/13/85)

WAC 388-29-001 DEFINITIONS. (1) "Assistance unit" means a person or members of a family eligible to be included in a single categorical grant.

(2) "Board and room" means a living arrangement in which an individual purchases their food, shelter, and household maintenance requirements from a single vendor.

(3) "Boarding home" means any place where one or more persons purchases their food, shelter, and household maintenance requirements from a single vendor.

(4) "Consolidated standards of need" means combining individual requirement amounts into a single dollar value.

(5) "Household maintenance" means the requirements for space heating, water heating, cooking, lights, refrigeration, household supplies, garbage pickup, sewage disposal, and water.

(6) "Life estate" means the right to use property for the duration of a specific person's life time.

(7) "Living in own home" means a living arrangement not involving boarding and rooming or care in a hospital, nursing home, or another institution.

(8) "Maximum" means no incremental increase in the payment standard for additional members of an assistance unit beyond a designated size.

(9) "Medical institution" means an institution where professional personnel provide medical, nursing, or convalescent care.

(10) "Need" means the difference between the payment standard and the applicant's or recipient's available income, if any.

(11) "Payment standard" means the amount to which the applicant's or recipient's available income and resources are compared in determining financial eligibility.

(12) "Rateable reduction" means the percentage difference between the need standard and the payment standard.

(13) "Requirement" means an item or service recognized by the department as essential to the welfare of an individual.

(a) "Additional requirement" means a requirement which is essential to some clients under specified conditions.

(b) "Basic requirements" means food, clothing, shelter, transportation, household maintenance, personal maintenance, and necessary incidentals.

(14) "Standards of need" or "need standard" means the income required by an applicant or recipient to maintain a minimum and adequate level of living.

~~((15) "Supplied shelter" or "shared living" means housing is furnished to the applicant or recipient without cost or work on their part.))~~

AMENDATORY SECTION (Amending Order 2588, filed 1/22/88)

WAC 388-29-100 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The statewide monthly need standards for basic requirements shall be:

(a) Households with an obligation to pay shelter costs effective ~~((December 1, 1987))~~ October 1, 1988.

Treat households residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act ~~((shall be treated))~~, as renters if they make any utility payment in lieu of a rental payment.

Recipients in Household	Need Standard
1	\$ ((533)) <u>557</u>
2	((675)) <u>705</u>
3	((835)) <u>872</u>
4	((982)) <u>1,026</u>
5	((1,131)) <u>1,182</u>
6	((1,284)) <u>1,341</u>
7	((1,483)) <u>1,549</u>
8	((1,641)) <u>1,715</u>
9	((1,802)) <u>1,883</u>
10 or more	((1,958)) <u>2,046</u>

(b) ~~((Household with supplied))~~ Households without shelter costs effective ~~((December 1, 1987))~~ October 1, 1988.

The monthly standard for ~~((supplied))~~ clients without shelter costs includes requirements for food, clothing, personal maintenance and necessary incidentals, household maintenance, and transportation.

Recipients in Household	Need Standard
1	\$ ((316)) <u>328</u>
2	((399)) <u>416</u>
3	((492)) <u>514</u>
4	((581)) <u>605</u>
5	((667)) <u>697</u>
6	((757)) <u>791</u>
7	((874)) <u>914</u>
8	((968)) <u>1,011</u>
9	((1,063)) <u>1,111</u>
10 or more	((1,155)) <u>1,207</u>

(2) One hundred eighty-five percent of the state-wide monthly need standard for basic requirements is:

(a) Households with shelter costs effective ~~((December 1, 1987))~~ October 1, 1988.

Recipients in Household	185% of Need Standard
1	\$ ((988)) <u>1,030</u>
2	((1,250)) <u>1,304</u>
3	((1,546)) <u>1,613</u>
4	((1,818)) <u>1,898</u>
5	((2,094)) <u>2,186</u>
6	((2,377)) <u>2,480</u>
7	((2,745)) <u>2,865</u>
8	((3,037)) <u>3,172</u>
9	((3,335)) <u>3,483</u>
10 or more	((3,624)) <u>3,785</u>

(b) ~~((Household with supplied))~~ Households without shelter costs effective ~~((December 1, 1987))~~ October 1, 1988.

Recipients in Household	185% of Need Standard
1	\$ ((586)) <u>606</u>
2	((740)) <u>769</u>
3	((912)) <u>950</u>
4	((1,076)) <u>1,119</u>
5	((1,235)) <u>1,289</u>
6	((1,402)) <u>1,463</u>
7	((1,618)) <u>1,690</u>
8	((1,792)) <u>1,870</u>
9	((1,968)) <u>2,055</u>
10 or more	((2,138)) <u>2,232</u>

(3) The state-wide monthly payment standard shall be:

(a) Effective ~~((December 1, 1987))~~ October 1, 1988, payment standards for households with shelter costs reflecting a ratable reduction of ~~((41.1))~~ 43.7 percent of need standards.

Treat households residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act ~~((shall be treated))~~, as renters if they make any utility payment in lieu of a rental payment.

Recipients in Household	Payment Standard
1	\$ 314
2	397
3	492
4	578
5	666
6	756
7	873
8	966
9	1,061
10 or more	1,153

(b) Effective ~~((December 1, 1987))~~ October 1, 1988, payment standards for households ~~((with supplied))~~ without shelter costs reflecting a ratable reduction of ~~((41.1))~~ 43.7 percent of the need standard.

The monthly payment standard for ~~((supplied))~~ clients without shelter costs shall include requirements for

food, clothing, personal maintenance and necessary incidentals, transportation, and household maintenance.

Recipients in Household	Payment Standard
1	\$ 186
2	235
3	290
4	342
5	393
6	446
7	515
8	570
9	626
10 or more	680

WSR 88-18-057
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2678—Filed September 1, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 388-29-130 Standards of assistance—Persons in congregate care facilities.
- Amd WAC 388-29-280 Standards of assistance—Adult family home care.

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 increase clothing and personal incidentals for persons in adult residential care per ESHB 1221.

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 August 24, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2588, filed 1/22/88)

WAC 388-29-130 STANDARDS OF ASSISTANCE—PERSONS IN CONGREGATE CARE FACILITIES. (1) The standard for congregate care shall

be the rate established and published by the department for payment to specific congregate care facilities which contract with the department to provide a specific level of care.

(2) The monthly standard for clothing, personal maintenance, and necessary incidentals for a person in a congregate care facility shall be ~~((thirty-seven))~~ thirty-eight dollars and ~~((thirty-five))~~ eighty-four cents effective ~~((September 1, 1987))~~ September 1, 1988.

AMENDATORY SECTION (Amending Order 2588, filed 1/22/88)

WAC 388-29-280 STANDARDS OF ASSISTANCE—ADULT FAMILY HOME CARE. (1) The basic monthly standard for adult family home care shall be three hundred eighty-four dollars and sixty-five cents.

(2) The monthly standard for clothing and personal maintenance and necessary incidentals for a person in an adult family home shall be ~~((thirty-seven))~~ thirty-eight dollars and ~~((thirty-five))~~ eighty-four cents.

(3) Activities of daily living add-ons

- (a) 1-3 activities..... \$38.43
- (b) 4-7 activities..... \$57.63
- (c) 8-12 activities..... \$83.24

(4) Health-related services,
 maximum of nine.....each.. \$25.61

WSR 88-18-058
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2685—Filed September 1, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to general provisions, amending WAC 388-49-015.

This action is taken pursuant to Notice No. WSR 88-15-045 filed with the code reviser on July 15, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED August 30, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

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.))~~

WSR 88-18-059
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2686—Filed September 1, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to monthly allotments, amending WAC 388-49-550.

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 is necessary to provide a full months allotment of food stamps, rather than a prorated amount for migrant or seasonal farmworkers who have a break of 30 days or less in their food stamp participation per United States Department of Agriculture Administrative Notice 88-66.

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

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

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

APPROVED AND ADOPTED August 30, 1988.

By Leslie F. James, Director
Administrative Services

(4) The department shall issue a full month allotment to migrant and seasonal farmworker households applying within thirty days after a prior certification ends.

(5) 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))~~ (6) 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))~~ (7) The department shall issue an identification card to each certified household.

WSR 88-18-060
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2687—Filed September 1, 1988]

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

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.*

<u>Household Size</u>	<u>Thrifty Food Plan</u>
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, except for households as specified in subsection (4) of this section, 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.*

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Income—Exclusions, amending WAC 388-49-470.

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 is necessary to exclude limited cash donations received from certain charitable organizations per United States Department of Agriculture Administrative Notice 88-54.

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

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

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

APPROVED AND ADOPTED August 30, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2617, filed 4/6/88)

WAC 388-49-470 INCOME—EXCLUSIONS.

(1) *The department shall exclude the following income:*

(a) *Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source(-);*

(b) Any income specifically excluded by any other federal statute from consideration as income in the food stamp program((-));

(c) The earned income of children who are:

- (i) Members of the household,
- (ii) Under eighteen years of age, and
- (iii) Attending school at least half time.

(d) Infrequent or irregular income received during a three-month period that:

- (i) Cannot be reasonably anticipated as available, and
- (ii) Shall not exceed thirty dollars for all household members.

(e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred((-);

(f) Nonrecurring lump sum payments((-);

(g) The cost of producing self-employment income((-);

(h) Financial aid received under Title IV of the Higher Education Act designated by the school for:

- (i) Tuition,
- (ii) Fees (including equipment and material),
- (iii) Books,
- (iv) Supplies,
- (v) Transportation, and
- (vi) Miscellaneous personal expenses as determined by the institution.

(i) Other federal financial aid designated by the school for:

- (i) Tuition, and
 - (ii) Mandatory fees.
- (j) Nonfederal financial aid designated by the school for:

- (i) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and
- (ii) Other earmarked educational expenses such as transportation, supplies, textbooks, and child care.

(k) Reimbursements for past or future expenses to the extent the reimbursements do not:

- (i) Exceed the actual expense, and
- (ii) Represent a gain or benefit to the household.

(l) Any gain or benefit not in money((-);

(m) Vendor payments as defined in WAC 388-49-020((-);

(n) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member((-);

(o) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs((-);

(p) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

(f) _____

Number in Grant Assistance Unit	Energy Exclusion
1	\$30
2	39
3	46
4	56
5	63
6	72
7	84
8 or more	92

_____ (f)

(q) Money specified by court order or other legally binding agreement to go directly to a third-party beneficiary rather than to the household((-);

(r) Support payments not required by a court order or other legally binding agreement paid directly to a third party rather than to the household((-);

(s) Payments from the individual and family grant program((-);

- (t) Public assistance payments when they are:
- (i) Over and above the regular warrant amount; and
 - (ii) Not normally a part of the regular warrant; and
 - (iii) Paid directly to a third party on behalf of the household.

(u) Earnings from on-the-job training programs under the Job Training Partnership Act by household members:

- (i) Under 19 years of age; and
 - (ii) Under parental control.
- (v) Cash donations based upon need:
- (i) Received directly by the household;
 - (ii) From one or more private, nonprofit, charitable organizations; and
 - (iii) Not exceeding three hundred dollars in any federal fiscal year quarter.

(2) 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.
- (3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary 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.

WSR 88-18-061
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 2690—Filed September 1, 1988]

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
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I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to schedule of charges, amending WAC 275-16-030.

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 is necessary to revise schedule of charges for state hospitals to reflect current costs of operating state hospitals.

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

This rule is promulgated pursuant to RCW 43.20B-.335 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 1, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2531, filed 9/10/87)

WAC 275-16-030 SCHEDULE OF CHARGES. Pursuant to RCW 43.20B.325, the department shall base hospitalization charges for clients in state hospitals on the actual operating costs of such hospitals for the previous year. Hospitalization charges ((shall be)) are due and payable on or before the tenth day of each calendar month for services rendered to clients of the department during the preceding month, based upon the following schedule:

(1) COSTING AND BILLING RATES

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
--	------------------------	----------------------------------	------------------------

(a) INPATIENT SERVICES -

Hospital Costs Per Day	\$(132.07) 208.02 156.00)		
	140.12	229.75	169.86
Physician Costs	*	((7-15)) 8.79	*

*The department shall bill the client for physician costs ((will be billed)) on a fee-for-service basis.

(b) OUTPATIENT SERVICES -
 Per diem

Outpatient	—	—	—
Day Care Per Day	—	((69.89)) 72.48	—
Per Hour	—	((+1.65)) 12.91	—

(c) ANCILLARY SERVICES -
 Per relative value unit^{1/}

Radiology	((4.64) 4.64 2.24)		
	5.88	5.88	4.50
Pathology	((-.42) .42 .23)		
	.32	.32	.18
Medical Clinics	((2.38) 2.38 3.12)		
	2.15	2.15	5.79
Electrocardiogram	((-.24) .24 .44)		
	.22	.22	.44
Physical Therapy	((2.19) 2.19 2.99)		
	3.48	3.48	3.96
Occupational Therapy	—	—	((+1.42))
			19.15
Speech Therapy	—	—	((+1.35))
			18.32
Dental	22.54	22.54	((27.16))
			17.09
Podiatry	1.28	1.28	1.00

(2) Services required by the ((patient that cannot be)) client, not provided by hospital staff ((are)), shall be purchased by the department from private sources and the client shall be charged at actual cost.

^{1/}California Medical Association. Relative Value Studies. Fifth edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

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

WSR 88-18-062
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed September 2, 1988]

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 contracts, WAC 480-80-330 and 480-80-335. The proposed new sections are shown below as Appendix A, Docket No. U-88-2337-R. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed new sections 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, October 19, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

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

The specific statute these rules are intended to implement is RCW 80.28.050 and 80.28.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1988.

Dated: August 30, 1988

By: Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of adopting WAC 480-80-330 and 480-80-335 relating to contracts.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040, 80.28.050 and 80.28.060 which direct that the commission has authority to implement the provisions of chapter 80.28 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to prescribe, in part, the contracts, and to implement procedures applicable to contracts for service between energy and water utilities on one hand, and ultimate consumers on the other.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, 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, 80.28.050 and 80.28.060.

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

The rule changes proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

APPENDIX "A"

NEW SECTION

WAC 480-80-330 SPECIAL CONTRACTS. Every utility shall submit to the commission a true copy of any special contract entered into governing the sale or purchase by it of electrical energy, water, gas, telephone service, or other public utility service or commodity when the rate for such service is not specifically covered in the regular tariff and referred to in the contract as controlling, and the commission shall be kept current in that regard: PROVIDED, That in addition to the foregoing, contracts entered into by electric, gas, and water utilities shall also be subject to WAC 480-80-335.

Reviser's note: The above section was filed by the agency as a new section, but appears to be an amendment to an existing section. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency. This has been refiled as an amendatory section in WSR 88-18-077.

NEW SECTION

WAC 480-80-335 SPECIAL CONTRACTS FOR ELECTRIC, WATER, AND NATURAL GAS UTILITIES. (1) All contracts for the retail sale of regulated utility services by electric, water, or natural gas utilities to end-use customers which contain or state rates or conditions which do not conform to any applicable tariff or which provide for utility services which are not specifically addressed in the utility's published tariffs shall be filed with the commission.

(2) This rule shall apply prospectively to all contracts, as defined in subsection (1), executed after [the effective date of this rule.]

(3) All contracts filed pursuant to this section have the same effect as filed tariffs and are subject to enforcement, supervision, regulation, and control as such. The provisions of this chapter shall apply except for those provisions governing the filing, notice, and form of tariffs, including those stated in WAC 480-80-060 through 480-80-320.

(4) Each such contract shall be filed with the commission not less than thirty days prior to the proposed effective date of the contract, and shall become effective according to its terms the thirty-first day from the date of its filing unless earlier approved, suspended, or rejected by the commission: PROVIDED, That upon application and for good cause shown, the commission may approve the contract as of an effective date prior to the date that the contract would have become effective in accordance with this rule.

(5) Each contract filed for commission approval shall be accompanied by such documentation as may be necessary to show that the contract does not result in discrimination between customers receiving like and contemporaneous service under substantially similar circumstances and provides for the recovery of all costs associated with the provision of the service. In addition, the utility shall file the following information in conjunction with each contract submitted for commission approval:

(a) A statement summarizing the basis of the rate or charge proposed in the contract and an explanation of the derivation of the proposed rate or charge;

(b) An explanation of all cost computations involved in arriving at the derivation of the level of the rate or charge in the contract; and

(c) A statement indicating the basis for the use of a contract rather than a filed tariff for the specific service involved.

(6) All contracts shall be for a stated time period. The commission may approve terms and conditions which prescribe the rate or rates to be applied during the time period, if such rates are found to be appropriate. Unless otherwise provided by the commission, such approval shall not be determinative with respect to the expenses and revenues of the utility for subsequent ratemaking considerations.

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

**WSR 88-18-063
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed September 2, 1988]

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 Telecommunication companies—Generic rate of return, WAC 480-80-395. The proposed new section is shown below as Appendix A, Docket No. U-88-2173-R. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed new section 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, November 16, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300

South Evergreen Park Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

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

The specific statute these rules are intended to implement is RCW 80.36.140 and 80.36.300.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 20, 1988.

Dated: August 31, 1988

By: Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of adopting WAC 480-80-395 relating to Telecommunications companies—Generic rate of return.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040, 80.36.140 and 80.36.300 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 establish a generic rate of return on equity to be used in evaluating rate filings of small telephone companies, particularly in connection with expedited rate proceedings.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, 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, 80.36.140 and 80.36.300.

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

The rule changes proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

APPENDIX "A"

NEW SECTION

WAC 480-80-395 TELECOMMUNICATIONS COMPANIES - GENERIC RATE OF RETURN. The authorized return on equity for telecommunications companies with gross annual revenues not exceeding ten million dollars seeking to implement rates designed to recover a revenue deficiency under the expedited rate procedure or the expense pass through procedures specified in WAC 480-80-385 and WAC 480-80-390, respectively, is twelve percent. The Commission may utilize that return on equity in other rate matters. Nothing in this rule shall foreclose a utility from seeking a different return on equity.

The overall fair rate of return will be determined on an individual company basis giving consideration to the company's actual cost of

debt and preferred equity, each adjusted for any known and measurable effects, and utilizing an appropriate capital structure calculated to balance safety and economy.

WSR 88-18-064

PROPOSED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Filed September 2, 1988]

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 expedited rate case procedure and qualification of telecommunications companies seeking pass through, WAC 480-80-385 and 480-80-390. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed new sections on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17), Docket No. U-88-2174-R;

that the agency will at 9:00 a.m., Wednesday, November 16, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

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

The specific statute these rules are intended to implement is RCW 80.36.140 and 80.36.300.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 20, 1988.

Dated: August 30, 1988

By: Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of adopting WAC 480-80-385 and 480-80-390 relating to expedited rate case procedure and qualification of telecommunication companies seeking pass through.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040, 80.36.140 and 80.36.300 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 implement more flexible procedures in the processing of rate filings by small telecommunication companies.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, 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, 80.36.140 and 80.36.300.

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

The rule changes proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

APPENDIX "A"

NEW SECTION

WAC 480-80-385 EXPEDITED RATE CASE PROCEDURE.

(1) Purpose. The purpose of this section is to provide a mechanism whereby tariff changes filed by utilities having gross annual revenues of ten million dollars or less may have those proposals reviewed and disposed of by final action of the commission in ninety days or less. This procedure shall not be construed as impairing the right of the commission to suspend any such filing pursuant to RCW 80.04.130, and holding such evidentiary hearings as it may deem necessary. However, if a filing meets the requirements of this section, even if hearing is required, the commission will make every effort to take final action within the time stated herein.

(2) In order to qualify for expedited rate case treatment, at a minimum the filing shall meet the following requirements:

(a) It shall be accompanied by a recital that the company has or will within thirty days thereof complete distribution in the manner specified in WAC 480-80-125 of a Notice to Customers containing information as to the rate proposal consistent with that required in that portion of the rule denominated "Summary of Requested Rate Increases", and further containing the name and mailing address of the commission, and advising customers that they may contact the commission with respect to the proposed rate change. Proof of compliance with the foregoing shall be on file with the commission at least thirty days before any rates sought under this procedure shall be made effective.

(b) The filing shall be accompanied by all underlying documentation in support of the proposal. At a minimum, the supporting documentation shall consist of the following:

(i) A fully restated and pro formed portrayal of results of operations utilizing the recently concluded calendar year as the test period.

(ii) All calculations shall be based upon verifiable records, shall be on a commission basis, and shall be carried through rate of return. Commission basis means that the rate base includes those standard rate base components that have been historically accepted by the commission for ratemaking, and further includes restating adjustments which restate a company's booked results of operations to a ratemaking basis. Nonoperating, nonrecurring, or extraordinary items, and unregulated operating items, or any other item that distorts test period earnings or expenses shall be removed from booked results of operations.

(iii) Results of operations shall be portrayed in summary form, with a narrative explanation of each adjustment, and shall be supported by underlying workpapers.

(iv) Any computer program output, such as Lotus 123 worksheets, shall be provided.

(v) In addition to the foregoing, telecommunications companies shall provide:

(A) The company's "Part X" (FCC Part 64) allocations of regulated and nonregulated operations.

(B) A separations cost study showing Part 36 and Part 69 allocations, and the modified Part 69 calculations used to develop the company's Washington intrastate access charges.

(c) The company shall commit to responding to staff data requests arising from the filing of supporting documentation in not more than ten days from the date of receipt, unless a longer time is specified in the request or agreed to between the parties.

(3) Exclusions. Rate of return and cost of service issues shall not be considered in expedited proceedings. Revenues produced under the rate proposal shall not exceed those necessary to produce the generic rate of

return specified in WAC 480-120- , or that authorized by the commission in the last rate order involving the company, whichever is lower. If the staff of the commission asserts that the authorized rate of return for the company is excessive, or that current earnings are excessive, the commission shall be so advised, and the matter excluded from expedited rate procedure.

(4) Rate Design. Any revenue requirement sought to be recovered in an expedited rate proceeding shall be uniformly spread to all classes of customers, including customers of competitive services, and those receiving service under contract. The company may elect to:

(a) Increase competitive or contract rates only for that portion of costs associated with those customers; or

(b) Absorb those costs, but in no event shall the revenue requirement be spread only to noncompetitive, noncontract, monopoly ratepayers.

(5) Hearings. The expedited rate procedure does not necessarily foreclose the need for hearings for resolution of issues in dispute, or matters raised by customers, including service deficiencies. If it appears that the expedited procedure is a useful tool even though some items may remain contested, the commission will make every reasonable effort to expedite such hearings, including those within the service area of the utility, and resolve the matter by final order within the time contemplated by this rule.

(6) Burden of proof. In no fashion shall the expedited procedure be construed as a waiver of or a shift in the burden of proof imposed by statute on the part of the utility to show that the rates it proposes are in all respects fair, just, and reasonable.

NEW SECTION

WAC 480-80-390 QUALIFICATION. (1) This section establishes procedures and conditions to be applied to rate filings by local exchange telecommunications companies operating under tariff which seek to pass through to end users increases in certain categories of expense. The procedures specified shall be available only to companies whose residential and business local exchange rates do not exceed the threshold set out herein.

(2) Threshold. In order to qualify for pass-through, the company must meet all of the following tests:

(a) Its average residential single party revenue per customer, including mileage charges, does not exceed the lifeline rate specified in WAC 480-122-020;

(b) Its average revenue per customer for basic business service does not exceed the unweighted statewide average annual revenue per customer for similar services.

(c) Rate of return.

(i) In addition to providing data to demonstrate that the company passes the rate threshold test, a company seeking pass-through treatment shall also file a rate of return statement, on a commission basis, which demonstrates that the company is not presently exceeding a reasonable level of earnings. "Reasonable level of earnings" is the company's authorized return on equity or the return on equity specified in WAC 480-80-395, whichever is lower. If the company cannot accurately depict Washington intrastate results of operations, the total Washington realized return may be used for this test.

(ii) The rate of return statement shall not be a fully pro formed results of operations statement, but must depict the results of operations on a commission basis. Commission basis means that the rate base includes those standard rate base components that have been historically accepted by the commission for ratemaking, and further includes restating adjustments which restate a company's booked results of operations to a ratemaking basis. These restating adjustments should be made to account for jurisdictional differences where they depart from FCC Part 32. Accounting rules set forth in WAC 480-120-031 may be used as a guide to satisfy most adjustments required to restate per books results of operations. Nonoperating, nonrecurring, or extraordinary items, and unregulated operating items, or any other item that distorts test period earnings or expenses shall be removed from booked results of operations before the achieved return is calculated.

(iii) The cost increase sought to be recovered must have a significant impact on the company's results of operations, i.e., it must be such that it would cause a company's rate of return to be reduced by at least 0.5 percentage points without any significant offsetting factors.

(3) Additional conditions.

(a) A company may only have one pass-through rate filing before the commission at one time. Concurrent or overlapping filings will be rejected.

(b) A pass-through increase will only be considered for specific singular cost increases. A tariff filing seeking to recover varied cost increases will be considered only in a general revenue proceeding, or under expedited rate case procedures if all requirements applicable to that procedure are met.

(c) New issues which have not been previously addressed to and resolved by the commission shall not qualify for pass-through treatment.

(d) If the commission has reason to believe that the quality of a company's service is not consistent with its obligations to the public, or the company's operations require a more extensive review, it may decline to accord pass-through treatment of any filing.

(4) Nature of Costs.

(a) Pass-through increases shall be offsetting in nature; i.e., the rates granted will only cover the increase in costs and will not include any amount that would enhance a company's return.

(b) All pass-through increases must be based upon known and measurable increases in cost, with no apparent off-setting factors. Projections or estimates will not be accepted.

(c) All costs considered for pass-through treatment, must be shown to have been prudently incurred by a company to the benefit of its ratepayers.

(d) Costs treated in a pass-through manner must be on-going cost increases that will continue to be incurred by a company on a prospective basis. Nonrecurring costs do not qualify for pass-through treatment.

(5) Exclusions. The following types of costs shall not be accorded pass-through treatment:

(a) Rate case expense;

(b) Transactions with affiliates, or other less than arm's-length transactions;

(c) Direct labor cost increases.

(6) Rate design issues. Except for costs identified with a particular customer class, any revenue requirement sought to be recovered on a pass-through basis shall be uniformly spread to all classes of customers, including customers of competitive services, and those receiving service under contract. The company may elect to:

(a) Increase competitive or contract rates only for that portion of costs associated with those customers; or

(b) Absorb those costs, but in no event shall the revenue requirement associated with competitive and contract services be spread to noncompetitive, noncontract, monopoly ratepayers.

WSR 88-18-065

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed September 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning service of process, amending WAC 356-34-160;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Board Hearings Room, Department of Personnel, 521 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1988.

Dated: September 1, 1988

By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amending WAC 356-34-160.

Title: Service of process.

Purpose: The rule establishes procedures for serving papers, orders and notices either by the State Personnel Board or other parties.

Statutory Authority: RCW 41.06.150.

Summary: This amendment will change the word "personnel" in paragraph (3) with the word "personal."

Reasons: The amendment will correct the wording of the rule. This rule contained this error when last filed with the state of Washington, code reviser's office.

Responsibility for Drafting: Paul Peterson, Department of Personnel, 521 South Capitol Way, FE-11, Olympia, WA 98504, phone (206) 586-1769; Implementation and Enforcement: Department of Personnel.

Agency or Organization Submitting Proposal: Department of Personnel, governmental agency.

Rule Proposal a Result of Federal Law, or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 244, filed 3/26/86)

WAC 356-34-160 SERVICE OF PROCESS. (1) The personnel board shall cause to be served all orders, notices, and other papers issued by the board, together with any other papers which the board is required by law to serve. Every other paper shall be served by the party filing the notice, document or paper.

(2) All notices, documents, or papers served by either the personnel board or any other party shall be served upon all counsel of record at the time of such filing and upon parties not represented by counsel. Service of papers shall be made either personally or by first class or certified mail.

(3) Service upon parties shall be regarded as complete when ((personnel)) personal service has been accomplished; or by mail upon deposit in the United States mail properly stamped and addressed.

WSR 88-18-066

ADOPTED RULES

DEPARTMENT OF FISHERIES

[Order 88-86—Filed September 2, 1988]

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.

This action is taken pursuant to Notice No. WSR 88-14-136 filed with the code reviser on July 6, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED August 9, 1988.

By Joseph R. Blum
Director

AMENDATORY SECTION (Amending Order 810, filed 4/17/69)

WAC 220-16-040 DEFINITIONS—GILL NET—DRIFT NET. "Gill net" or "drift net" gear shall be defined as a gill net of single web construction, not anchored, tied, staked, placed, or weighted in such a manner that it cannot drift(~~(; provided, that in the Columbia River it shall be lawful to fish with gill nets of two or more web construction, commonly known as trammel nets)).~~).

NEW SECTION

WAC 220-16-400 DEFINITION—LOWER COLUMBIA RIVER. "Lower Columbia River" is defined as Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E as defined in WAC 220-22-010 and tributaries to these areas.

NEW SECTION

WAC 220-16-405 DEFINITION—SMCRA. "SMCRA" means Salmon Management and Catch Reporting Area.

Chapter 220-33 WAC

COLUMBIA RIVER—COMMERCIAL FISHERIES BELOW BONNEVILLE DAM

WAC

- 220-33-001 General provision—Commercial fishing regulated.
- 220-33-005 Definitions—River mouth sanctuaries.
- 220-33-010 Salmon.
- 220-33-020 Sturgeon.
- 220-33-030 Shad.
- 220-33-040 Smelt.
- 220-33-050 Carp.
- 220-33-060 Herring and anchovies.

NEW SECTION

WAC 220-33-001 GENERAL PROVISION—COMMERCIAL FISHING REGULATED. It is unlawful to fish for food fish in the lower Columbia River for commercial purposes or to possess food fish taken from those waters for commercial purposes, except as provided in this chapter.

NEW SECTION

WAC 220-33-005 DEFINITIONS—RIVER MOUTH SANCTUARIES. As used in this chapter and emergency rules of the director, unless the context clearly requires otherwise:

GRAYS BAY

(1) "Grays Bay sanctuary" means those waters of the Columbia River and Grays Bay northerly of a line projected from Rocky Point Light (flashing green 4-second) easterly to Harrington Point.

ELOKOMIN

(2) "Elokomin-A sanctuary" means those waters of Elokomin Slough and the Columbia River lying northerly and easterly of a straight line from light "37" on the Washington shore to light "39" on Hunting Island.

(3) "Elokomin-B sanctuary" means those waters of Elokomin Slough, Steamboat Slough and the Columbia River lying inside, northerly and easterly of a straight line from light "35" (group flashing green) located on Price Island to light "39" (flashing green) on Hunting Island and northerly and easterly of a line between flashing light "33" on Price Island and quick flashing green light "31" on the Washington shore.

ABERNATHY

(4) "Abernathy sanctuary" means those waters of the Columbia River near the mouth of Abernathy Creek from a point 1,300 yards downstream from Abernathy Creek at light "81" (flashing green 4-second) to a point one-half mile upstream and extending to the mid shipping channel of the Columbia River.

COWLITZ

(5) "Cowlitz sanctuary" means those waters of the Columbia River and Carrolls Channel lying inside the shipping channel range markers between flashing red light "33" on the Washington shore approximately one mile downstream from the Cowlitz River mouth and flashing green light "29A" on Cottonwood Island and also those waters of Carrolls Channel downstream of a line between a fishing boundary marker approximately 3000 feet upstream of the Cowlitz River mouth and a fishing boundary marker on Cottonwood Island.

KALAMA

(6) "Kalama-A sanctuary" means those waters of the Columbia River between a fishing boundary marker on the Washington shore approximately one mile downstream and a point one-half mile upstream of the mouth of the Kalama River and lying within one-quarter mile of the Washington shore.

(7) "Kalama-B sanctuary" means those waters of the Columbia River between a fishing boundary marker on the Washington shore approximately one mile downstream and a point one-half mile upstream of the mouth of the Kalama River and extending completely across the Columbia River, excepting those waters west of a line projected from Coffin Rock Light "42" in Oregon to the Kalama Range Light "47A" on the Washington shore.

LEWIS

(8) "Lewis-A sanctuary" means those waters of the Columbia River between a point one mile downstream and a point one-half mile upstream of the mouth of the Lewis River and lying within one-quarter mile of the Washington shore.

(9) "Lewis-B sanctuary" means those waters of the Columbia River near the mouth of the Lewis River lying easterly of lines projected from light "79" (flashing green) to the Red Buoy No. 4 thence to a fishing boundary marker on Bachelor Island.

WASHOUGAL

(10) "Washougal sanctuary" means those waters of Camas Slough lying upstream from a line projected true north from the most western tip of Lady Island to the Washington shore and inside of the State Highway 14 Bridge.

OREGON

(11) "Big Creek sanctuary" means those waters of the Columbia River at the mouth of Big Creek from the Oregon shore across Knappa Slough to Karlson Island about one-quarter mile upstream of the east bank of Big Creek, at the Gnat Creek deadline downstream to the east end of Minaker Island which is about three-quarters mile downstream from the west bank at the mouth of Big Creek.

(12) "Gnat Creek sanctuary" means those waters of the Columbia River between a point one mile downstream and a point at the upper easterly bank at the mouth of Gnat Creek and lying within one-quarter mile of the Oregon shore.

(13) "Sandy River sanctuary" means those waters of the Columbia River between a point one mile downstream and a point at the upper easterly bank at the mouth of the Sandy River and lying within one-quarter mile of the Oregon shore.

NEW SECTION

WAC 220-33-010 SALMON. It is unlawful to fish for salmon in the lower Columbia River for commercial purposes or to possess salmon taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Gill net gear may be used to fish for salmon if it does not exceed 1,500 feet in length along the cork line and is not constructed of monofilament webbing. Gill net gear includes trammel nets.

FISHING PERIODS

(2) The lower Columbia River is closed to commercial salmon fishing, except as provided by emergency rule of the director.

GENERAL

(3) Unless otherwise specified by emergency rule of the director, the following areas of the lower Columbia River remain closed during open salmon fishing periods:

(a) All tributaries flowing into the lower Columbia River.

- (b) Grays Bay sanctuary.
- (c) Elokomin-A sanctuary.
- (d) Cowlitz sanctuary.
- (e) Kalama-A sanctuary.
- (f) Lewis-A sanctuary.
- (g) Washougal sanctuary.
- (h) Big Creek sanctuary.
- (i) Gnat Creek sanctuary.
- (j) Sandy River sanctuary.

NEW SECTION

WAC 220-33-020 STURGEON. It is unlawful to fish for sturgeon in the lower Columbia River for commercial purposes or to possess sturgeon taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Gill net gear may be used to fish for sturgeon if it does not exceed 1,500 feet in length along the cork line and is not constructed of monofilament webbing. Gill net gear includes trammel nets.

FISHING PERIODS

(2) The lower Columbia River is closed to commercial sturgeon fishing, except as provided by emergency rule of the director. Sturgeon taken incidentally during an open commercial salmon fishing period may be retained for commercial purposes.

GENERAL

(3) Sturgeon less than 48 inches or greater than 72 inches in length may not be retained for commercial purposes and shall be returned immediately to the water.

(4) A person engaged in commercial fishing may retain two sturgeon of legal commercial length for personal use.

(5) Sturgeon eggs may not be removed from the body cavity of the sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300.

(6) The head or tail may not be removed from a sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300.

NEW SECTION

WAC 220-33-030 SHAD. It is unlawful to fish for shad in the lower Columbia River for commercial purposes or to possess shad taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Gill net gear may be used to fish for shad if:

(a) The cork line of the gill net does not exceed 1,500 feet in length and has sufficient buoyancy to float the cork line on the surface.

(b) The webbing of the gill net is constructed of mesh having a breaking strength of less than 10 pounds. The gill net may be constructed of monofilament webbing or twine.

(c) The mesh size of the gill net is not less than 5-3/8 inches or more than 6-1/4 inches stretch measure.

(d) The gill net does not have more than a single web. The gill net web shall be suspended between a single cork line and a single lead line.

(e) The gill net does not have added lines, strings, backwalls, trammels, or aprons. Riplines may be used but may not be less than 10 fathoms (60 feet) apart.

FISHING PERIODS

(2) The lower Columbia River is closed to commercial shad fishing, except as provided by emergency rule of the director. Shad taken incidentally during an open commercial salmon fishing period may be retained for commercial purposes.

GENERAL

(3) As used in this chapter and emergency rules of the director, unless the context clearly requires otherwise:

(a) "Shad Area 2S" means those waters of SMCRA 1D and 1E that are upstream of a line projected true north and south through the Washougal blinker light (light "50" flashing red) to a fishing boundary marker on the Washington shore and to the Oregon shore.

(b) "Camas-Washougal Reef Area" means those waters of SMCRA 1D inside of a line commencing at the white six-second equal-interval light approximately 3/4 mile east of the Washougal Woolen Mill pipeline and projected westerly to the Washougal blinker light, thence to the white four-second blinker light on the east end of Lady Island, thence easterly and along the shoreline of Lady Island to the State Highway 14 Bridge, thence easterly and along the shoreline of Lady Island to the State Highway 14 Bridge, thence easterly across the State Highway 14 Bridge to the mainland.

NEW SECTION

WAC 220-33-040 SMELT. It is unlawful to fish for smelt in the lower Columbia River for commercial purposes or to possess smelt taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Otter trawl gear may be used to fish for smelt if:

(a) The head rope of the trawl does not exceed 25 feet in length.

(b) The foot rope or groundline of the trawl does not exceed 25 feet in length.

(c) The dimensions of the trawl's otter doors do not exceed 3 feet by 4 feet.

(d) The bag length of the trawl, as measured from the center of the head rope to the terminal end of the bunt, does not exceed 35 feet.

(e) the bridal rope from the rear of the otter doors to the foot and head ropes does not exceed 8 feet.

(f) Each breast rope does not exceed 5 feet.

(g) The mesh size used in the trawl does not exceed 2 inches stretch measure.

(h) Only one trawl net is fished from the boat at a time.

(2) Gill net gear may be used to fish for smelt if it does not exceed 1,500 feet in length along the cork line and the mesh size of the net does not exceed 2 inches stretch measure. Gill net gear includes trammel nets.

(3) Hand dip net gear may be used to fish for smelt if it does not measure more than 36 inches across the bag frame.

FISHING PERIODS

(4) Otter trawl gear may be used to fish for smelt in SMCRA 1A from 6 p.m. Monday to 6 p.m. Wednesday of each week from March 1 through March 31, and for boats not exceeding 32 feet in length, in SMCRA 1B, 1C, 1D and 1E 7 days per week from December 1 through March 31 of the following year.

(5) Gill net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E 7 days per week from December 1 of each year through March 31 of the following year.

(6) Hand dip net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E and tributaries to these areas 7 days per week from December 1 of each year through March 31 of the following year.

(7) The following areas of the lower Columbia River remain closed to smelt fishing during the open time periods specified in this section:

(a) Those waters within one mile of a dam or other obstruction.

(b) Those waters of the Cowlitz River upstream from a monument located at Peterson's Eddy, also known as Miller's Eddy.

NEW SECTION

WAC 220-33-050 CARP. It is unlawful to fish for carp in the lower Columbia River for commercial purposes or to possess carp taken from those waters for commercial purposes, except as provided in this section:

Except as authorized by written permit of the director, the lower Columbia River is closed to commercial carp fishing. Carp taken incidentally during an open commercial fishing period may be retained for commercial purposes.

NEW SECTION

WAC 220-33-060 HERRING AND ANCHOVIES. It is unlawful to fish for herring or anchovies in the lower Columbia River for commercial purposes or to possess herring or anchovies taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Purse seine, lampara, or round haul gear may be used to fish for herring or anchovies if the cork line of the gear does not exceed 1,400 feet in length and the mesh size of the gear does not exceed one-half inch stretch measure.

FISHING PERIODS

(2) Purse seine, lampara, or round haul gear may be used to fish for herring or anchovies in SMCRA 1A 7 days per week from January 1 through December 31 of each year.

GENERAL

(3) Species of fish other than herring or anchovies taken in the operation of the purse seine, lampara, or round haul gear shall be returned immediately to the water.

WSR 88-18-067
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-94—Filed September 2, 1988]

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 these regulations are adopted pursuant to the decision of the September 1, 1988, Columbia River Compact. Run size estimates for Columbia River salmon and steelhead stocks indicates that harvestable numbers of these species are available in the area above Bonneville Dam. Action to open the treaty fishery has to be taken immediately in order to harvest these fish, and there is inadequate time to allow the permanent rule adoption procedures.

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

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

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

APPROVED AND ADOPTED September 2, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-32-05100I COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (1) Notwithstanding the provisions of WAC 220-32-051 and WAC 220-32-052, effective immediately, it is unlawful for a person to take or possess salmon or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except that those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish:

(a) from 6:00 a.m. September 5 to 6:00 p.m. September 10, 1988.

(b) from 6:00 a.m. September 12 to 6:00 p.m. September 17, 1988.

(2) During the seasons specified in subsection 1, it is unlawful to retain sturgeon for commercial purposes.

(3) Notwithstanding the provisions of WAC 220-32-058, closed area at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between approximately 0.8 miles downriver from the west

bank at the end of the breakwall at the west end of the port of Hood River to 1/2 mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a point one-half mile upstream from the eastern shoreline and a boundary marker located 3/4 of a mile downstream from the western shoreline of the mouth of the Big White Salmon River.

(f) Spring Creek is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a boundary marker located 3/4 of a mile downstream from the western shoreline of the mouth of the Big White Salmon River and a point one and one half mile downstream from the western shoreline of the hatchery outlet.

(g) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.

(h) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.

(i) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to three-quarters mile downstream from the western shoreline.

(4) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile rapids.

(b) Area 1G shall include those waters of the Columbia River upstream from a line drawn between a point one mile above the fishway exit on the Washington shore and a point one mile above the fishway exit on the Oregon shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H shall include those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day

River, Oregon, to a fishing boundary marker on the Washington shore and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

REPEALER

The following section of the Washington Administrative Code is repealed, effective 6:00 pm September 3, 1988:

WAC 220-32-05100H COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (88-88)

WSR 88-18-068
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-95—Filed September 2, 1988]

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 restrictions in Areas 7 and 7A provide protection for Puget Sound and Canadian chinook stocks. Openings in Area 7B provide opportunity for gill net gear to harvest non-Indian allocation of chinook destined for the Nooksack-Samish region of origin. Openings in Area 7E provide opportunity to harvest non-Indian allocation of chinook stocks destined for the East Sound Hatchery facility. Restrictions in Area 7E provide protection for milling stocks. Openings in Area 8D provide opportunity to harvest non-Indian allocation of chinook stocks destined for Tulalip Bay Hatchery facility, and are necessary to prevent wastage. Openings in Area 12A provide opportunity to harvest non-Indian allocation of coho stocks destined for the Quilcene National Fish Hatchery, and are necessary to prevent wastage. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks. There is inadequate time to allow the permanent rule adoption procedures.

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

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

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

APPROVED AND ADOPTED September 2, 1988.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-47-910 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday September 4 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 open periods and restrictions:

- * Areas 7 and 7A – Under control of Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.
- * Area 7B – Gillnets using 7-inch minimum mesh may fish from 6:00 PM Tuesday September 6 to 9:00 AM Wednesday September 7.
- * Area 7E – Purse seines may fish from 5:00 AM to 9:00 PM Tuesday (9/6), and from 5:00 AM to 9:00 PM Wednesday (9/7). Gillnets using 7-inch minimum mesh may fish from 6:00 PM Tuesday (9/6) to 9:00 AM Wednesday (9/7), and from 6:00 PM Wednesday (9/7) to 9:00 AM Thursday (9/8). This Area 7E opening excludes those waters east of a line projected from Tongue Pt. to Juniper Pt. to the point immediately south of Juniper Pt.
- * Area 8D – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Tuesday September 6, and Gillnets using 7-inch minimum mesh may fish from 6:00 PM Tuesday September 6 to 9:00 AM Wednesday September 7.
- * Area 12A – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Tuesday (9/6), and from 5:00 AM to 9:00 PM Wednesday (9/7). Gillnets using 5-inch minimum mesh may fish from 6:00 PM Tuesday (9/6) to 9:00 AM Wednesday (9/7), and from 6:00 PM Wednesday (9/7) to 9:00 AM Thursday (9/8). This Area 12A opening excludes those waters north of a line projected due east from Broad Spit.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7C, 7D, 8, 8A, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday September 4:

WAC 220-47-909 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-87)

WSR 88-18-069
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-96—Filed September 2, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington 98506, 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 chinook salmon have cleared the area. There is inadequate time to allow the permanent rule adoption procedures and provide an opportunity to harvest available salmon.

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

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

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

APPROVED AND ADOPTED September 2, 1988.

By Joseph R. Blum
 Director

NEW SECTION

WAC 220-56-19500I CLOSED AREAS—SALT-WATER SALMON ANGLING. *Notwithstanding the provisions of WAC 220-56-195, effective 12:01 a.m. September 3, 1988, until further notice Bag Limit H in those waters of Elliott Bay outside of the closed areas at the east and west waterways.*

WSR 88-18-070
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
 [Order 358—Filed September 4, 1988]

Be it resolved by the director of the Department of Wildlife, acting at Olympia, Washington, that it does adopt the annexed rules relating to WAC 232-28-21701.

I, the director of the Department of Wildlife, 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 extreme dry conditions constituting a high potential for wildfire on range and forest lands of Ferry County exist; and further that hunting of wild animals and wild birds under

existing regulations is an inducement to attract people to the exposed range and forest lands, both publicly and privately owned, thereby potentially increasing the risk of accidental wildfire on such lands; the closure of hunting for all wild animals and wild birds is necessary to protect such lands.

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

This rule is promulgated pursuant to RCW 77.04.020 and WAC 232-12-085 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 4, 1988.

By Curt Smitch
 Director

NEW SECTION

WAC 232-28-21701 CLOSURE OF ALL LANDS IN FERRY COUNTY TO THE HUNTING OF WILD ANIMALS AND WILD BIRDS *Effective 12:01 a.m. September 5, 1988, it is unlawful for any person to hunt or take any wild animal or wild bird in Ferry County. This is an all citizen closure.*

WSR 88-18-071
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
 [Filed September 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 chapter 296-24 WAC, General safety and health standards, is amended: State-initiated housekeeping changes correct WAC references, numbering sequences and narrative. Amended sections are WAC 296-24-003, 296-24-24519, 296-24-31501, 296-24-31503, 296-24-31505, 296-24-33005, 296-24-51013 and 296-24-56513. Federal-initiated changes to be at-least-as-effective-as (ALAEA) Federal Registers Vol. 53, No. 70 dated April 12, 1988, and Vol. 53, No. 91 dated May 11, 1988, amend rules affecting safety testing or certification of certain workplace equipment and materials, deletion of specific testing laboratory names, a referenced definition of "Nationally Recognized Testing Laboratory," and determination of eligible testing organizations. Amended sections are WAC 296-24-23001, 296-24-24017, 296-24-24519, 296-24-31501, 296-24-33001, 296-24-37001, 296-24-40501, 296-24-47501, 296-24-47505, 296-24-47507, 296-24-47513, 296-24-51009, 296-24-55001, 296-24-58503, 296-24-68001, 296-24-82513, 296-24-82515, 296-24-82517, 296-24-82519 and 296-24-95601. Federal-initiated changes to be ALAEA Federal Register Vol. 53, No. 49 dated March 14, 1988, amend rules affecting presence sensing

device initiation of mechanical power presses. New sections are WAC 296-24-19517, 296-24-20699, 296-24-20700, 296-24-20710, 296-24-20720 and 296-24-20730. Amended sections are WAC 296-24-19501 and 296-24-19507; chapter 296-52 WAC, Safety standards for possession, handling and use of explosives, is amended: State-initiated changes are being made to comply with SSB 6530, effective June 9, 1988. New sections are WAC 296-52-419, 296-52-423 and 296-52-487. Amended sections are WAC 296-52-401, 296-52-421, 296-52-425, 296-52-429, 296-52-433, 296-52-437, 296-52-441, 296-52-445 and 296-52-449. There will be new compliance requirements as a result of this legislation; i.e., all license application fees are increased and applicants will also be required to pay up to \$20.00 for a criminal history record check. Federal-initiated change to be ALAEA Federal Register Vol. 53, No. 70 dated April 12, 1988, affecting deletion of specific testing laboratory names and amending a referenced definition of "Nationally Recognized Testing Laboratory" is being made. The amended section is WAC 296-52-489; chapter 296-54 WAC, Safety standards for logging operations, is amended: State-initiated housekeeping changes are being made to correct outdated or redundant narrative and illustrations. Amended sections are WAC 296-54-501, 296-54-559 and 296-54-605. Repealed sections are WAC 296-54-990, 296-54-99001, 296-54-99005, 296-54-99006, 296-54-99011 and 296-54-99012. Federal-initiated change is being made to be ALAEA Federal Register Vol. 53, No. 70 dated April 12, 1988. This change affects safety testing or certification of certain workplace equipment, deletion of specific laboratory names, and references a new definition of "Nationally Recognized Testing Laboratory." The amended section is WAC 296-54-45001; chapter 296-59 WAC, Safety standards for ski areas facilities and operations, is amended: State-initiated adoption of a nonmandatory appendix outlining alternative lock-out procedures for ski lifts and tows is being made. The new section is WAC 296-59-135; chapter 296-62 WAC, General occupational health standards, is amended: State-initiated changes repeal outdated sections which have been replaced, and correct a numbering sequence. The amended section is WAC 296-62-20009. The repealed sections are WAC 296-62-14601, 296-62-14605 and 296-62-14607. Federal-initiated changes to be identical to Federal Register Vol. 53, No. 66 dated April 6, 1988, add an excursion limit for ethylene oxide (EtO) of 5 parts per million parts of air averaged over a sampling period of 15 minutes. Where excursion limit is exceeded, employers will be obligated to reduce exposure through implementation of feasible engineering controls and work practices supplemented by the use of respirators where necessary. In addition, a written compliance program to achieve the excursion limit, monitoring procedures and training programs for employees will be required. The amended sections are WAC 296-62-07355, 296-62-07359, 296-62-07361, 296-62-07363, 296-62-07365, 296-62-07367, 296-62-07373 and 296-62-07379. OSHA has determined that additional costs of complying with the 5 ppm excursion limit are likely to be negligible for employers who are in compliance with

the existing 1 ppm PEL; chapter 296-78 WAC, Safety standards for sawmills and woodworking operations, is amended: Federal-initiated change to be ALAEA Federal Register Vol. 53, No. 70 dated April 12, 1988, affecting safety testing or certification of certain workplace equipment and materials, deletion of specific testing laboratory names, a referenced definition of "Nationally Recognized Testing Laboratory," and determination of eligible testing organizations is being made. The amended section is WAC 296-78-56505; chapter 296-99 WAC, Safety standards for grain handling facilities: Federal-initiated new standard is being adopted to regulate the grain handling industry identical to Federal Register Vol. 52, No. 251 dated December 31, 1987, and final rule corrections in Federal Register Vol. 53, No. 96 dated May 18, 1988. It establishes minimum compliance requirements for design, construction, operation, inspection and maintenance; as well as training, supervision, and recordkeeping. This new standard establishes safety rules for hazards currently not covered by any other standard; chapter 296-155 WAC, Safety standards for construction, is amended: Federal-initiated change ALAEA Federal Register Vol. 51, No. 133 dated July 11, 1986, is being made. This change incorporates a part of the National Electric Code (NEC) adopted by OSHA in their rule. The amended sections are WAC 296-155-265, 296-155-270, 296-155-405 and 296-155-745; and chapter 296-306 WAC, Safety standards for agriculture, is amended: State-initiated housekeeping change to relocate a "Note" to the proper location is being made. The amended section is WAC 296-306-320;

that the agency will at 9:30 a.m., Tuesday, October 11, 1988, in the General Administration Building Auditorium, West Capitol Campus, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 14, 1988.

The authority under which these rules are proposed is chapters 34.04 and 49.17 RCW and chapter 1-12 WAC.

The specific statute these rules are intended to implement is RCW 49.17.010, 49.17.230, 49.17.240, 49.17-270 and chapter 70.74 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before 5:00 p.m., Tuesday, October 11, 1988.

Dated: September 6, 1988

By: Joseph A. Dear
Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Amending General safety and health standards, WAC 296-24-003 Subsections, subdivisions, items, subitems and segments, 296-24-19501 Definitions, 296-24-19507 General requirements, 296-24-23001 Definition, 296-24-24017 Other requirements, 296-24-24519 Other requirements, 296-24-31501 General, 296-24-31503 Gaseous hydrogen systems, 296-24-31505 Liquified hydrogen systems, 296-24-33001 Definitions, 296-24-

33005 Tank storage, 296-24-37001 Definitions, 296-24-40501 Definitions, 296-24-47501 Definitions, 296-24-47505 Basic rules, 296-24-47507 Cylinder systems, 296-24-47513 Storage of containers awaiting use or resale, 296-24-51009 Basic rules, 296-24-51013 Refrigerated storage, 296-24-55001 Definitions, 296-24-56513 Exterior ways of exit access, 296-24-58503 Scope, application and definitions applicable, 296-24-68001 Definitions, 296-24-82513 Mason adjustable multiple-point suspension scaffold, 296-24-82515 Two-point suspension scaffolds (swinging scaffolds), 296-24-82517 Stone setters' adjustable multiple-point suspension scaffolds, 296-24-82519 Single-point adjustable and 296-24-95601 Definitions applicable to WAC 296-24-956 through 296-24-95615; Safety standards for possession, handling and use of explosives, WAC 296-52-401 Scope and application, 296-52-421 Licenses—Information verification, 296-52-425 Dealer's license, 296-52-429 License for manufacturing, 296-52-433 Purchaser's license, 296-52-437 User's (blaster's) license, 296-52-441 Storage magazine license, 296-52-445 Annual inspection, 296-52-449 Storage magazine license fees and 296-52-489 Transportation; Safety standards for logging operations, WAC 296-54-45001 Pulpwood logging, 296-54-501 Scope and application, 296-54-559 Yarding—Helicopters and helicopter cranes and 296-54-605 Radio signals used for voice communication, activation of audible signals, or equipment; General occupational health standards, WAC 296-62-07355 Scope and application, 296-62-07359 Permissible exposure limits, 296-62-07361 Exposure monitoring, 296-62-07363 Regulated areas, 296-62-07365 Methods of compliance, 296-62-07367 Respiratory protection and personal protective equipment, 296-62-07373 Communication of ethylene oxide hazards to employees, 296-62-07379 Dates and 296-62-20009 Methods of compliance; Safety standards for sawmills and woodworking operations, WAC 296-78-56505 Boats and mechanical devices on waters; Safety standards for construction work, WAC 296-155-265 Fire prevention, 296-155-270 Flammable combustible liquids, 296-155-405 Arc welding and cutting and 296-155-745 Compressed air; and Safety standards for agriculture, WAC 296-306-320 Field sanitation—Requirements; new sections General safety and health standards, WAC 296-24-19517 Presence sensing device initiation (PSDI), 296-24-20699 Appendix—Mechanical power presses, 296-24-20700 Appendix A, 296-24-20710 Appendix B, 296-24-20720 Appendix C and 296-24-20730 Appendix D; Safety standards for ski area facilities and operations, WAC 296-59-135 Appendix 1—Nonmandatory alternative lock-out procedures for ski lifts and tows; Safety standards for possession, handling and use of explosives, WAC 296-52-419 Basic legal obligations, 296-52-423 Revoking or suspending licenses and 296-52-487 Low explosives; and Safety standards for grain handling facilities, WAC 296-99-010 Scope, 296-99-015 Application, 296-99-020 Definitions, 296-99-025 Emergency action plan, 296-99-030 Training, 296-99-035 Hot work permit, 296-99-040 Entry into bins, silos and tanks, 296-99-045 Contractors, 296-99-050 House-keeping, 296-99-055 Grate openings, 296-99-060 Filter

connectors, 296-99-065 Preventative maintenance, 296-99-070 Grain stream processing equipment, 296-99-075 Emergency escape, 296-99-080 Continuous-flow bulk raw grain dryers, 296-99-085 Inside bucket elevators, 296-99-090 Appendix A, grain handling facilities, 296-99-093 Appendix B, grain handling facilities and 296-99-095 Appendix C, grain handling facilities; repealing sections Safety standards for logging operations, WAC 296-54-990 Map, 296-54-99001 Appendix I—Figure 1—Rigging up, wrapping a guyline, 296-54-99005 Appendix I—Figure 5—Standard signals for tractor logging, 296-54-99006 Appendix I—Figure 6—Standard signals for loading logs, 296-54-99011 Appendix I—Figure 11—Placement and number of binders and 296-54-99012 Appendix I—Figure 12—Standard signals for high lead logging; and General occupational health, WAC 296-62-14601 Appendix A—Requirements for classification and respiratory use of workers exposed to cotton dust in gins, 296-62-14605 Appendix C—Spirometry prediction tables for normal males and females and 296-62-14607 Appendix D—Pulmonary function standards for cotton dust standard.

The Authority Under Which These Rules are Proposed: Chapters 49.17 and 34.04 RCW and chapter 1-12 WAC.

Specific Statutes that Rules are Intended to Implement: RCW 49.17.010, 49.17.230, 49.17.240, 49.17.270 and chapter 70.74 RCW.

Summary of Rules: See above.

Description of the Purpose of the Rule(s): To ensure a healthful and safe workplace for all employees in the state of Washington.

Reasons for Supporting the Proposed Rule(s): To ensure a safe and healthful working environment for Washington state workers.

Agency Personnel Responsible for Drafting: Ray Wax, Safety Regulations Program Supervisor, Department of Labor and Industries, Division of Industrial Safety and Health, 805 Plum Street Southeast, Olympia, WA 98504, phone (206) 753-6381; Implementation and Enforcement: G. David Hutchins, Assistant Director, Department of Labor and Industries, Division of Industrial Safety and Health, 805 Plum Street Southeast, Olympia, WA 98504, phone (206) 753-6500.

Name of Person or Organization, Whether Private, Public or Governmental Proposing the Rule(s): Washington State 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.

Small Business Economic Impact Statement: The adoption of agency rules often results in some economic impact. The Washington Regulatory Fairness Act, chapter 19.85 RCW, was enacted by the legislature in 1982 to reduce the imposition of proportionately higher economic impact on small businesses in comparison with large businesses. The act defines a small business as an employer with 50 or less employees. The act requires that when proposed agency rules will have economic impact on more than 20 percent of all industries or more than 10 percent of the businesses in one industry, the

proposed rules shall be reviewed to determine if disproportionate cost influence exists between large and small business. Following a positive determination that disproportionate cost impact exists, the agency is required to reduce the economic impact on small business where possible within the guidelines provided in chapter 19.85 RCW.

The proposed amendments and adoption to the rules potentially influence any and all employers having workplaces under the jurisdiction of the Department of Labor and Industries in the state of Washington. GENERAL SAFETY AND HEALTH STANDARDS, CHAPTER 296-24 WAC. PROPOSED AMENDMENTS TO WAC 296-24-003, 296-24-31503, 296-24-31505, 296-24-33005, 296-24-51013 AND 296-24-56513; PARAGRAPH NUMBERING CORRECTIONS, VERBAL CLARIFICATIONS AND REFERENCE UPDATES.

With respect to the proposed amendment for chapter 296-24 WAC, the findings of the agency are as follows:

The rules, as amended, will not influence or change the cost to any employer coming into compliance in any way because the amended rules do not establish any new compliance regulation. The changes being made are to correct grammatical errors only.

GENERAL SAFETY AND HEALTH STANDARDS, CHAPTER 296-24 WAC. PROPOSED AMENDMENTS TO WAC 296-24-19501 AND 296-24-19507; ESTABLISHMENT OF NEW SECTIONS, WAC 296-24-19517, 296-24-20699, 296-24-20700, 296-24-20710, 296-24-20720 AND 296-24-20730; PRESSURE SENSING DEVICE INITIATION ON MECHANICAL POWER PRESSES. (PSDI)

With respect to the proposed amendment for chapter 296-24 WAC, the findings of the agency are as follows:

The Federal Occupational Safety and Health Administration (OSHA) has conducted a full regulatory impact analysis which is stated in full in Federal Register Vol. 53, No. 49 dated March 14, 1988, commencing on page 8351. In summary, provisions of the OSHA standard allow employers to voluntarily adopt PSDI on mechanical power presses. If the press owner converts, the annual savings from increased productivity is expected to be more than twice the annualized cost of the conversion. Otherwise, the standard will not have any differential adverse impact on small firms.

The agency proposing the WAC amendments is not aware of any unique operating conditions in the state of Washington which would result in cost factors substantially different than those published in the identified OSHA analysis.

GENERAL SAFETY AND HEALTH STANDARDS, CHAPTER 296-24 WAC. PROPOSED AMENDMENTS TO WAC 296-24-23001, 296-24-24017, 296-24-24519, 296-24-31501, 296-24-33001, 296-24-37001, 296-24-40501, 296-24-47501, 296-24-47505, 296-24-47507, 296-24-47513, 296-24-51009, 296-24-55001, 296-24-58503, 296-24-68001, 296-24-82513, 296-24-82515, 296-24-82517, 296-24-82519 AND 296-24-95601; SAFETY TESTING OR CERTIFICATION OF CERTAIN WORKPLACE EQUIPMENT AND MATERIALS; DELETION OF SPECIFIC TESTING LABORATORY NAMES; DEFINITION OF NATIONALLY RECOGNIZED TESTING LABORATORY; AND DETERMINATION OF ELIGIBLE TESTING ORGANIZATIONS.

With respect to the proposed amendment for chapter 296-24 WAC, the findings of the agency are as follows:

This rule provides a new definition for the term Nationally Recognized Laboratory and references the mandatory procedure for a test organization to be recognized as a Nationally Recognized Testing Laboratory (NRTL) by OSHA. The procedure replaces 29 CFR 1907 which has been unimplemented since promulgation in 1973. OSHA has determined that this rule is not a "major" action requiring an impact analysis. The rule will not have any significant impact on the substantial number of small businesses and would likely benefit them. (Reference Federal Register Vol. 53, No. 70 dated April 12, 1988, commencing on page 12120 for the complete OSHA impact analysis.)

The agency proposing the WAC amendments is not aware of any unique operating conditions in the state of Washington which would result in cost factors substantially different than those published in the identified OSHA analysis.

SAFETY STANDARDS FOR POSSESSION, HANDLING AND USE OF EXPLOSIVES, CHAPTER 296-52 WAC. PROPOSED AMENDMENTS TO WAC 296-52-401, 296-52-421, 296-52-425, 296-52-429, 296-52-433, 296-52-437, 296-52-441, 296-52-445 AND 296-52-449; AND ESTABLISHMENT OF NEW SECTIONS WAC 296-52-419, 296-52-423 AND 296-52-487. CHANGES AS A RESULT OF 1988 SSB 6530.

With respect to the proposed amendments for chapter 296-52 WAC, the findings of the agency are as follows:

The amendments are proposed in direct response to the 1988 legislative changes mandated by SSB 6530. All license application fees are increased and applicants will also be required to pay for criminal history record checks.

SAFETY STANDARDS FOR POSSESSION; HANDLING AND USE OF EXPLOSIVES, CHAPTER 296-52 WAC. PROPOSED AMENDMENTS TO WAC 296-52-489; TESTING LABS DEFINITION.

With respect to the proposed amendments for chapter 296-52 WAC, the findings of the agency are as follows:

This rule provides a new definition for the term Nationally Recognized Laboratory and references the mandatory procedure for a test organization to be recognized as a Nationally Recognized Testing Laboratory (NRTL) by OSHA. The procedure replaces 29 CFR 1907 which has been unimplemented since promulgation in 1973. OSHA has determined that this rule is not a "major" action requiring an impact analysis. The rule will not have any significant impact on the substantial number of small businesses and would likely benefit them. (Reference Federal Register Vol. 53, No. 70 dated April 12, 1988, commencing on page 12120 for the complete OSHA impact analysis.)

The agency proposing the WAC amendments is not aware of any unique operating conditions in the state of Washington which would result in cost factors substantially different than those published in the identified OSHA analysis.

SAFETY STANDARDS FOR LOGGING OPERATIONS, CHAPTER 296-54 WAC. PROPOSED AMENDMENTS TO WAC 296-54-45001, 296-54-501, 296-54-559, 296-54-605; AND REPEAL OF WAC 296-54-900, 296-54-99001, 296-54-99005, 296-54-99006, 296-54-99011 AND 296-54-99012.

With respect to the proposed amendments for chapter 296-54 WAC, the findings of the agency are as follows:

The rules as amended, will not influence or change the cost to any employer coming into compliance in any way because the amended rules do not establish any new compliance regulations. The corrections being made are to correct illustration duplications, grammatical errors and a change mandated by Federal Register Vol. 58, No. 70 April 12, 1988. There are no new compliance requirements.

SAFETY STANDARDS FOR SKI AREA FACILITIES AND OPERATIONS, CHAPTER 296-59 WAC. PROPOSED ADDITION OF WAC 296-59-135 TO THE CHAPTER.

With respect to the proposed addition for chapter 296-59 WAC, the findings of the agency are as follows:

The rules, as added, will not influence or change the cost to any employer coming into compliance in any way because the new rules do not establish any new mandatory compliance regulation. The changes being made are provided as guidelines as alternative procedures. There are no new compliance requirements.

GENERAL OCCUPATIONAL HEALTH STANDARDS, CHAPTER 296-62 WAC. PROPOSED AMENDMENTS TO WAC 296-62-07355, 296-62-07359, 296-62-07361, 296-62-07363, 296-62-07365, 296-62-07367, 296-62-07373 AND 296-62-07379; ETHYLENE OXIDE (EtO) EXCURSION LIMITS (EL).

With respect to the proposed amendments for chapter 296-62 WAC, the findings of the agency are as follows:

The amendments to the rules will not influence or change the cost to any employer coming into compliance because the amended rules do not establish any additional compliance regulation.

The Federal Occupational Safety and Health Administration (OSHA) has conducted a full feasibility and cost analysis which is published in Federal Register Vol. 53, No. 66 dated April 6, 1988, commencing on page 11417. OSHA finds that EtO using or producing facilities will: Be in compliance with both the 1 ppm PEL and the 5 ppm EL at the present time; be out of compliance with both at the present time; or in fewer than six percent of all cases, be in compliance with the eight hour TWA and be exceeding the fifteen minute EL. OSHA therefore concludes, and WISHA agrees, that the control involved in complying with either limit are the same in the great majority of workplaces, and will not impose any additional EL related costs to employers already in compliance with EtO PEL.

The agency proposing the WAC amendments is not aware of any unique operating conditions in the state of Washington which would result in cost factors substantially different than those published in the identified OSHA analysis.

GENERAL OCCUPATIONAL HEALTH STANDARDS, CHAPTER 296-62 WAC. PROPOSED REPEALER OF WAC 296-62-14601, 296-62-14605 AND 296-62-14607; COTTON DUST.

With respect to the proposed amendments for chapter 296-62 WAC, the findings of the agency are as follows:

The rules, repealed, will not influence or change the cost to any employer coming into compliance in any way because the repealed rules do not delete any compliance

regulation. The changes being made is to delete sections of the standard which had new comparable sections adopted on November 30, 1987.

GENERAL OCCUPATIONAL HEALTH STANDARDS, CHAPTER 296-62 WAC. PROPOSED AMENDMENTS TO WAC 296-62-20009 PARAGRAPH RENUMBERING.

With respect to the proposed amendments for chapter 296-62 WAC, the findings of the agency are as follows:

The rules, as amended, will not influence or change the cost to any employer coming into compliance in any way because the amended rules do not establish any new compliance regulation. The changes being made are to correct segment numbering. There are no new compliance requirements.

SAFETY STANDARDS FOR SAWMILLS AND WOODWORKING OPERATIONS, CHAPTER 296-78 WAC. PROPOSED AMENDMENTS TO WAC 296-78-56505; REFERENCE NUMBER CORRECTION.

With respect to the proposed amendments for chapter 296-78 WAC, the findings of the agency are as follows:

The rule, as amended, will not influence or change the cost to any employer coming into compliance in any way because the amended rule does not establish any new compliance regulation. The change being made is to correct WAC reference numbers only. There are no new compliance requirements.

SAFETY STANDARDS FOR GRAIN HANDLING FACILITIES, PROPOSED NEW CHAPTER 296-99 WAC. PROPOSED ADOPTION OF WAC 296-99-010, 296-99-015, 296-99-020, 296-99-025, 296-99-030, 296-99-035, 296-99-040, 296-99-045, 296-99-050, 296-99-055, 296-99-060, 296-99-065, 296-99-070, 296-99-075, 296-99-080, 296-99-085, 296-99-090, 296-99-093 AND 296-99-095. ADOPTION OF A NEW STANDARD.

With respect to chapter 296-99 WAC, the findings of the agency are as follows:

The Federal Occupational Safety and Health Administration (OSHA) has conducted a full regulatory impact analysis, in Federal Register Vol. 52, No. 251 dated December 31, 1987. OSHA has determined that the final rule would not have a disproportionate financial impact on a substantial number of small entities. OSHA has tailored the rule to minimize the costs on small entities while maximizing the level of benefits.

The agency proposing the WAC amendments is not aware of any unique operating conditions in the state of Washington which would result in cost factors substantially different than those published in the identified OSHA analysis.

SAFETY STANDARDS FOR CONSTRUCTION, CHAPTER 296-155 WAC. PROPOSED AMENDMENTS TO WAC 296-155-265, 296-155-270, 296-155-405 AND 296-155-745; WAC REFERENCE AND TYPO CORRECTIONS.

With respect to the proposed amendments for chapter 296-155 WAC, the findings of the agency are as follows:

The rules, as amended, will not influence or change the cost to any employer coming into compliance in any way because the amended rule does not establish any new compliance regulation. The changes being made are to correct grammar and reference number errors only. There are no new compliance requirements.

SAFETY STANDARDS FOR AGRICULTURE, CHAPTER 296-306 WAC. PROPOSED AMENDMENTS TO WAC 296-306-320; NARRATIVE FORMAT CORRECTION.

With respect to the proposed amendments for chapter 296-306 WAC, the findings of the agency are as follows:

The rule, as amended, will not influence or change the cost to any employer coming into compliance in any way because the amended rule does not establish any new compliance regulation. The change being made is to relocate a "Note" to its proper subsection location. There are no new compliance requirements.

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

WAC 296-24-003 SUBSECTIONS, SUBDIVISIONS, ITEMS, SUBITEMS, AND SEGMENTS. (1) That portion of section numeration appearing after the chapter designation appears in either a three digit or a five digit format (e.g. 296-24-330 and 296-24-33002). The final two digits of the section number are implied decimal extensions of the first three digits and represent a further division of the three digit enumeration.

(2) Sections of this chapter may be divided into subsections (1), (2), (3), etc., which may in turn be divided into subdivisions (a), (b), (c), etc., which may be further divided into items (i), (ii), (iii), etc., which may be further divided into subitems (A), (B), (C), etc., which may be further divided into segments ((aa), (bb), (cc)) (I), (II), (III), etc., all according to the following hierarchy, e.g.

Sections	296-24-330 and 296-24-33002
Subsections	(1) (2)
Subdivisions	(a) (b)
Items	(i) (ii)
Subitems	(A) (B)
Segments	((aa)) (I) ((bb)) (II)

AMENDATORY SECTION (Amending Order 85-09, filed 4/19/85)

WAC 296-24-31503 GASEOUS HYDROGEN SYSTEMS. (1) Design.

(a) Containers.

(i) Hydrogen containers shall comply with one of the following:

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

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

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

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

(b) Safety relief devices.

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

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

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

(c) Piping, tubing, and fittings.

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

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

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

(d) Equipment assembly.

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

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

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

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

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

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

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

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

(2) Location.

(a) General.

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

(ii) Systems shall be located above ground.

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

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

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

(b) Specific requirements.

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

TABLE H-1

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

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

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

TABLE H-2

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

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

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

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

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

WAC 296-24-19501 DEFINITIONS. (1) "Antirepeat" means the part of the clutch/brake control system designed to limit the press to a single stroke if the tripping means is held operated. Antirepeat requires release of all tripping mechanisms before another stroke can be initiated. "Antirepeat" is also called single stroke reset or reset circuit.

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

- (A) In an adequately ventilated area as in (3)(b)(ii) of this section.
- (B) Twenty feet from stored flammable materials or oxidizing gases.
- (C) Twenty-five feet from open flames, ordinary electrical equipment or other sources of ignition.
- (D) Twenty-five feet from concentrations of people.
- (E) Fifty feet from intakes of ventilation or air-conditioning equipment and air compressors.
- (F) Fifty feet from other flammable gas storage.
- (G) Protected against damage or injury due to falling objects or working activity in the area.
- (H) More than one system of 3,000 CF or less may be installed in the same room, provided the systems are separated by at least 50 feet. Each such system shall meet all of the requirements of this section.

(3) Design consideration at specific locations.

(a) Outdoor locations.

(i) Where protective walls or roofs are provided, they shall be constructed of noncombustible materials.

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

(iii) Electrical equipment shall meet the requirements for Class I, Division 2 hazardous locations of WAC ((296-25-95613)) 296-24-95613.

(b) Separate buildings.

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

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

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

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

(v) Electrical equipment shall meet the requirements for Class I, Division 2 hazardous locations of WAC 296-24-95613.

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

(c) Special rooms.

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

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

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

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

(v) Electrical equipment shall meet the requirements for Class I, Division 2 hazardous locations of WAC 296-24-95613.

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

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

(5) Maintenance.

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

(2) "Brake" means the mechanism used on a mechanical power press to stop and/or hold the crankshaft, either directly or through a gear train, when the clutch is disengaged.

(3) "Bolster plate" means the plate attached to the top of the bed of the press having drilled holes or T-slots for attaching the lower die or die shoe.

(4) "Clutch" means the coupling mechanism used on a mechanical power press to couple the flywheel to the crankshaft, either directly or through a gear train.

(5) "Full revolution clutch" means a type of clutch that, when tripped, cannot be disengaged until the crankshaft has completed a full revolution and the press slide a full stroke.

(6) "Part revolution clutch" means a type of clutch that can be disengaged at any point before the crankshaft has completed a full revolution and the press slide a full stroke.

(7) "Direct drive" means the type of driving arrangement wherein no clutch is used; coupling and decoupling of the driving torque is accomplished by energization and deenergization of a motor. Even though not employing a clutch, direct drives match the operational characteristics of "part revolution clutches" because the driving power may be disengaged during the stroke of the press.

(8) "Concurrent" means acting in conjunction, and is used to describe a situation wherein two or more controls exist in an operated condition at the same time.

(9) "Continuous" means uninterrupted multiple strokes of the slide without intervening stops (or other clutch control action) at the end of individual strokes.

(10) "Counterbalance" means the mechanism that is used to balance or support the weight of the connecting rods, slide, and slide attachments.

(11) "Device" means a press control or attachment that:

(a) Restrains the operator from inadvertently reaching into the point of operation, or

(b) Prevents normal press operation if the operator's hands are inadvertently within the point of operation, or

(c) Automatically withdraws the operator's hands if the operator's hands are inadvertently within the point of operation as the dies close, or

(d) Prevents the initiation of a stroke, or stops the stroke in progress, when there is an intrusion through the sensing field by any part of the operator's body or by any other object.

(12) "Presence sensing device" means a device designed, constructed and arranged to create a sensing field or area ~~((and deactivate the clutch control of the press when an operator's hand or any other parts of his body))~~ that signals the clutch/brake control to deactivate the clutch and activate the brake of the press when any part of the operator's body or a hand tool is within such field or area.

(13) "Gate or movable barrier device" means a movable barrier arranged to enclose the point of operation before the press stroke can be started.

(14) "Holdout or restraint device" means a mechanism, including attachments for operator's hands, that when anchored and adjusted prevent the operator's hands from entering the point of operation.

(15) "Pull-out device" means a mechanism attached to the operator's hands and connected to the upper die or slide of the press, that is designed, when properly adjusted, to withdraw the operator's hands as the dies close, if the operator's hands are inadvertently within the point of operation.

(16) "Sweep device" means a single or double arm (rod) attached to the upper die or slide of the press and designed to move the operator's hands to a safe position as the dies close, if the operator's hands are inadvertently within the point of operation.

(17) "Two hand control device" means a two hand trip that further requires concurrent pressure from both hands of the operator during a substantial part of the die-closing portion of the stroke of the press.

(18) "Die" means the tooling used in a press for cutting or forming material. An upper and a lower die make a complete set.

(19) "Die builder" means any person who builds dies for power presses.

(20) "Die set" means a tool holder held in alignment by guide posts and bushings and consisting of a lower shoe, an upper shoe or punch holder, and guide posts and bushings.

(21) "Die setter" means an individual who places or removes dies in or from mechanical power presses, and who, as a part of his duties, makes the necessary adjustments to cause the tooling to function properly and safely.

(22) "Die setting" means the process of placing or removing dies in or from a mechanical power press, and the process of adjusting the dies, other tooling and safeguarding means to cause them to function properly and safely.

(23) "Die shoe" means a plate or block upon which a die holder is mounted. A die shoe functions primarily as a base for the complete die assembly, and, when used, is bolted or clamped to the bolster plate or the face of slide.

(24) "Ejector" means a mechanism for removing work or material from between the dies.

(25) "Face of slide" means the bottom surface of the slide to which the punch or upper die is generally attached.

(26) "Feeding" means the process of placing or removing material within or from the point of operation.

(27) "Automatic feeding" means feeding wherein the material or part being processed is placed within or removed from the point of operation by a method or means not requiring action by an operator on each stroke of the press.

(28) "Semiautomatic feeding" means feeding wherein the material or part being processed is placed within or removed from the point of operation by an auxiliary means controlled by operator on each stroke of the press.

(29) "Manual feeding" means feeding wherein the material or part being processed is handled by the operator on each stroke of the press.

(30) "Foot control" means the foot operated control mechanism designed to be used with a clutch or clutch/brake control system.

(31) "Foot pedal" means the foot operated lever designed to operate the mechanical linkage that trips a full revolution clutch.

(32) "Guard" means a barrier that prevents entry of the operator's hands or fingers into the point of operation.

(33) "Die enclosure guard" means an enclosure attached to the die shoe or stripper, or both, in a fixed position.

(34) "Fixed barrier guard" means a die space barrier attached to the press frame.

(35) "Interlocked press barrier guard" means a barrier attached to the press frame and interlocked so that the press stroke cannot be started normally unless the guard itself, or its hinged or movable sections, enclose the point of operation.

(36) "Adjustable barrier guard" means a barrier requiring adjustment for each job or die setup.

(37) "Guide post" means the pin attached to the upper or lower die shoe, operating within the bushing on the opposing die shoe, to maintain the alignment of the upper and lower dies.

(38) "Hand feeding tool" means any hand held tool designed for placing or removing material or parts to be processed within or from the point of operation.

(39) "Inch" means an intermittent motion imparted to the slide (on machines using part revolution clutches) by momentary operation of the "inch" operating means. Operation of the "inch" operating means engages the driving clutch so that a small portion of one stroke or indefinite stroking can occur, depending upon the length of time the "inch" operating means is held operated. "Inch" is a function used by the die setter for setup of dies and tooling, but is not intended for use during production operations by the operator.

(40) "Jog" means an intermittent motion imparted to the slide by momentary operation of the drive motor, after the clutch is engaged with the flywheel at rest.

(41) "Knockout" means a mechanism for releasing material from either die.

(42) "Liftout" means the mechanism also known as knockout.

(43) "Operator's station" means the complete complement of controls used by or available to an operator on a given operation for stroking the press.

(44) "Pinch point" means any point other than the point of operation at which it is possible for a part of the body to be caught between the moving parts of a press or auxiliary equipment, or between moving and stationary parts of a press or auxiliary equipment or between the material and moving part or parts of the press or auxiliary equipment.

(45) "Point of operation" means the area of the press where material is actually positioned and work is being performed during any process such as shearing, punching, forming, or assembling.

(46) "Press" means a mechanically powered machine that shears, punches, forms or assembles metal or other material by means of cutting, shaping, or combination dies attached to slides. A press consists of a stationary bed or anvil, and a slide (or slides) having a controlled reciprocating motion toward and away from the bed surface, the slide being guided in a definite path by the frame of the press.

(47) "Repeat" means an unintended or unexpected successive stroke of the press resulting from a malfunction.

(48) "Safety block" means a prop that, when inserted between the upper and lower dies or between the bolster plate and the face of the slide, prevents the slide from falling of its own deadweight.

(49) "Single stroke" means one complete stroke of the slide, usually initiated from a full open (or up) position, followed by closing, (or down), and then a return to the full open position.

(50) "Single stroke mechanism" means an arrangement used on a full revolution clutch to limit the travel of the slide to one complete stroke at each engagement of the clutch.

(51) "Slide" means the main reciprocating press member. A slide is also called a ram, plunger, or platen.

(52) "Stop control" means an operator control designed to immediately deactivate the clutch control and activate the brake to stop slide motion.

(53) "Stripper" means a mechanism or die part for removing the parts or material from the punch.

(54) "Stroking selector" means the part of the clutch/brake control that determines the type of stroking when the operating means is actuated. The stroking selector generally includes positions for "off" (clutch control), "inch," "single stroke," and "continuous" (when continuous is furnished).

(55) "Trip or (tripping)" means activation of the clutch to "run" the press.

(56) "Turnover bar" means a bar used in die setting to manually turn the crankshaft of the press.

(57) "Two-hand trip" means a clutch actuating means requiring the concurrent use of both hands of the operator to trip the press.

(58) "Unitized tooling" means a type of die in which the upper and lower members are incorporated into a self-contained unit so arranged as to hold the die members in alignment.

(59) "Control system" means sensors, manual input and mode selection elements, interlocking and decision-making circuitry, and output elements to the press operating mechanism.

(60) "Brake monitor" means a sensor designed, constructed, and arranged to monitor the effectiveness of the press braking system.

(61) "Presence sensing device initiation" means an operating mode of indirect manual initiation of a single stroke by a presence sensing device when it senses that work motions of the operator, related to feeding and/or removing parts, are completed and all parts of the operator's body or hand tools are safely clear of the point of operation.

(62) "Safety system" means the integrated total system, including the pertinent elements of the press, the controls, the safeguarding and any required supplemental safeguarding, and their interfaces with the operator, and the environment, designed, constructed, and arranged to operate together as a unit, such that a single failure or single operating error will not cause injury to personnel due to point of operation hazards.

(63) "Authorized person" means one to whom the authority and responsibility to perform a specific assignment has been given by the employer.

(64) "Certification" or "certify" means, in the case of design certification/validation, that the manufacturer has reviewed and tested the design and manufacture, and in the case of installation certification/validation and annual recertification/revalidation, that the employer has reviewed and tested the installation, and concludes in both cases that the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 have been met. The certifications are made to the validation organization.

(65) "Validation" or "validate" means for PSDI safety systems that a WISHA recognized third-party validation organization:

(a) For design certification/validation has reviewed the manufacturer's certification that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 and the underlying tests and analyses performed by the manufacturer, has performed additional tests and analyses which may be required by WAC 296-24-19503 through 296-24-19515 and 296-24-20700, and concludes that the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 have been met; and

(b) For installation certification/validation and annual recertification/revalidation has reviewed the employer's certification that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 and the underlying tests performed by the employer, has performed additional tests and analyses which may be required by WAC 296-24-19503 through 296-24-19515 and 296-24-20700, and concludes that the requirements of

WAC 296-24-19503 through 296-24-19515 and 296-24-20700 have been met.

(66) "Certification/validation" and "certify/validate" means the combined process of certification and validation.

AMENDATORY SECTION (Amending Order 80-21, filed 11/13/80)

WAC 296-24-19507 SAFEGUARDING THE POINT OF OPERATION. (1) General requirements.

(a) It shall be the responsibility of the employer to provide and insure the usage of "point of operation guards" or properly applied and adjusted point of operation devices on every operation performed on a mechanical power press. See Table O-10.

(b) The requirement of ((subdivision)) (a) of this ((section)) subsection shall not apply when the point of operation opening is one-fourth inch or less. See Table O-10.

TABLE O-10

MAXIMUM OPENINGS UNDER GUARDS

Distance of Opening From Point of Operation Hazard (Inches)	Maximum Openings Under Guard (Inches)
1/2 to 1-1/2	1/4
1-1/2 to 2-1/2	3/8
2-1/2 to 3-1/2	1/2
3-1/2 to 5-1/2	5/8
5-1/2 to 6-1/2	3/4
6-1/2 to 7-1/2	7/8
7-1/2 to 12-1/2	1-1/4
12-1/2 to 15-1/2	1-1/2
15-1/2 to 17-1/2	1-7/8
17-1/2 to 31-1/2	2-1/8

MAXIMUM OPENINGS THROUGH GUARDS

Material	Guard Clearance From Hazard Point	Largest Mesh or Opening (Inches)
Woven Wire, Expanded Metal or Perforated Metal	From 2 to 4	1/2
	4 to 15	2
Wood or Metal Strips (Crossed)	From 2 to 4	3/8
	4 to 15	2
Wood or metal Strips (Not Crossed)	From 2 to 4	1/2 width of strip
	4 to 15	1 width of strip

Note: The specifications for the materials used for filling barrier, point of operation guards is contained in Table O-12, WAC 296-24-20531. When plastic is used as filling, it shall be 1/4 inch thick (minimum).

(2) Point of operation guards.

(a) Every point of operation guard shall meet the following design, construction, application and adjustment requirements:

(i) It shall prevent entry of hands or fingers into the point of operation by reaching through, over, under or around the guard;

(ii) It shall conform to the maximum permissible openings of Table O-10;

(iii) It shall, in itself, create no pinch point between the guard and moving machine parts;

(iv) It shall utilize fasteners not readily removable by operator, so as to minimize the possibility of misuse or removal of essential parts;

(v) It shall facilitate its inspection, and

(vi) It shall offer maximum visibility of the point of operation consistent with other requirements.

(b) A die enclosure guard shall be attached to the die shoe or stripper in a fixed position.

(c) A fixed barrier guard shall be attached securely to the frame of the pressor to the bolster plate.

(d) An interlocked press barrier guard shall be attached to the press frame or bolster and shall be interlocked with the press clutch control so that the clutch cannot be activated unless the guard itself, or the hinged or movable sections of the guard are in position to conform to the requirements of Table O-10.

(e) The hinged or movable sections of an interlocked press barrier guard shall not be used for manual feeding. The guard shall prevent opening of the interlocked section and reaching into the point of operation prior to die closure or prior to the cessation of slide motion. See ~~((subdivision 19507))~~ subsection (3)(b) of this section regarding manual feeding through interlocked press barrier devices.

(f) The adjustable barrier guard shall be securely attached to the press bed, bolster plate, or die shoe, and shall be adjusted and operated in conformity with Table O-10 and the requirements of this subsection. Adjustments shall be made only by authorized personnel whose qualifications include a knowledge of the provisions of Table O-10 and this subsection.

(g) A point of operation enclosure which does not meet the requirements of this subsection and Table O-10 shall be used only in conjunction with point of operation devices.

(3) Point of operation devices.

(a) Point of operation devices shall protect the operator by:

(i) Preventing and/or stopping normal stroking of the press if the operator's hands are inadvertently placed in the point of operation; or

(ii) Preventing the operator from inadvertently reaching into the point of operation or withdrawing his/her hands if they are inadvertently located in the point of operation, as the dies close; or

(iii) Preventing the operator from inadvertently reaching into the point of operation at all times; or

(iv) [Reserved.]

(v) Requiring application of both of the operator's hands to machine operating controls and locating such controls at such a safety distance from the point of operation that the slide completes the downward travel or stops before the operator can reach into the point of operation with his/her hands; or

(vi) Enclosing the point of operation before a press stroke can be initiated and maintaining this closed condition until the motion of the slide had ceased; or

(vii) Enclosing the point of operation before a press stroke can be initiated, so as to prevent an operator from reaching into the point of operation prior to die closure or prior to cessation of slide motion during the downward stroke.

(b) The gate or movable barrier device shall protect the operator as follows:

(i) A Type A gate or movable barrier device shall protect the operator in the manner specified in ~~((item))~~ (a)(vi) of this subsection.

(ii) A Type B gate or movable barrier device shall protect the operator in the manner specified in ~~((item))~~ (a)(vii) of this subsection.

(c) A presence sensing point of operation device shall protect the operator as provided in ~~((item))~~ (a)(i) of this subsection, and shall be interlocked into the control circuit to prevent or stop slide motion if the operator's hand or other part of his/her body is within the sensing field of the device during the downstroke of the press slide.

(i) The device may not be used on machines using full revolution clutches.

(ii) The device may not be used as a tripping means to initiate slide motion, except when used in total conformance with WAC 296-24-19517.

(iii) The device shall be constructed so that a failure within the system does not prevent the normal stopping action from being applied to the press when required, but does prevent the initiation of a successive stroke until the failure is corrected. The failure shall be indicated by the system.

(iv) Muting (bypassing of the protective function) of such device, during the upstroke of the press slide, is permitted for the purpose of parts ejection, circuit checking, and feeding.

(v) The safety distance (Ds) from the sensing field to the point of operation shall be greater than the distance determined by the following formula:

Ds = 63 inches/second x Ts where:
 Ds = minimum safety distance (inches);
 63 inches/second = hand speed constant; and
 Ts = stopping time of the press measured at approximately 90° position of crankshaft rotation (seconds).

(vi) Guards shall be used to protect all areas of entry to the point of operation not protected by the presence sensing device.

(d) The pull-out device shall protect the operator as specified in ~~((item 19507-3))~~(a)(ii) of this ~~((section))~~ subsection and shall include attachments for each of the operator's hands.

(i) Attachments shall be connected to and operated only by the press slide or upper die.

(ii) Attachment shall be adjusted to prevent the operator from reaching into the point of operation or to withdraw the operator's hands from the point of operation before the dies close.

(iii) A separate pull-out device shall be provided for each operator if more than one operator is used on a press.

(iv) Each pull-out device in use shall be visually inspected and checked for proper adjustment at the start of each operator shift, following a new die set-up, and when operators are changed. Necessary maintenance or repair or both shall be performed and completed before the press is operated. Records of inspections and maintenance shall be kept in accordance with WAC 296-24-19511.

(e) The sweep device, shall protect the operator as specified in ~~((item 19507-3))~~(a)(ii) of this ~~((section))~~ subsection, by removing his/her hands safely to a safe position if they are inadvertently located in the point of operation, as the dies close or prior to tripping the clutch. Devices operating in this manner shall have a barrier, attached to the sweep arm in such a manner as to prevent the operator from reaching into the point of operation, past the trailing edge of the sweep arm on the downward stroke of the press. This device may not be used for point of operation safeguarding after December 31, 1976.

(i) The sweep device must be activated by the slide or by motion of a foot pedal triprod.

(ii) The sweep device must be designed, installed and operated so as to prevent the operator from reaching into the point of operation before the dies close.

(iii) The sweep device must be installed so that it will not itself create an impact or shear hazard between the sweep arm and the press tie rods, dies, or any other part of the press or barrier.

(iv) Partial enclosure conforming with ~~((this subdivision 19507-3))~~(e) of this subsection, as to the area of entry which they protect, must be provided on both sides of the point of operation to prevent the operator from reaching around or behind the sweep device and into the point of operation after the dies start to close. Partial enclosures shall not themselves create a pinch point or shear hazard.

(f) A holdout or a restraint device shall protect the operator as specified in ~~((item-3))~~(a)(iii) of this ~~((section))~~ subsection and shall include attachments for each of the operator's hands. Such attachments shall be securely anchored and adjusted in such a way that the operator is restrained from reaching into the point of operation. A separate set of restraints shall be provided for each operator if more than one operator is required on a press.

(g) The two hand control device shall protect the operator as specified in ~~((item 19507-3))~~(a)(v) of this ~~((section))~~ subsection.

(i) When used in press operations requiring more than one operator, separate two hand controls shall be provided for each operator, and shall be designed to require concurrent application of all operators' controls to activate the slide. The removal of a hand from any control button shall cause the slide to stop.

(ii) Each two hand control shall meet the construction requirements of ~~((subdivision 19505))~~ WAC 296-24-19505 (7)(c) ~~((of this section))~~.

(iii) The safety distance (Ds) between each two hand control device and the point of operation shall be greater than the distance determined by the following formula:

Ds = 63 inches/second x Ts, where:
 Ds = minimum safety distance (inches);
 63 inches/second = hand speed constant; and
 Ts = stopping time of the press measured at approximately 90° position of crankshaft rotation (seconds).

(iv) Two hand control shall be fixed in position so that only a supervisor or safety engineer is capable of relocating the controls.

(h) The two hand trip device shall protect the operator as specified in ~~((item 19507-3))~~(a)(v) of this ~~((section))~~ subsection.

(i) When used in press operations requiring more than one operator, separate two hand trips shall be provided for each operator, and shall

be designed to require concurrent application of all operators' controls to activate the slide.

(ii) Each two hand trip shall meet the construction requirements of ~~(subsection 19505)~~ WAC 296-24-19505(6) ~~((of this section))~~.

(iii) The safety distance (Dm) between the two hand trip and the point of operation shall be greater than the distance determined by the following formula:

$Dm = 63 \text{ inches/second} \times Tm$; where:
 Dm = minimum safety distance (inches);
 63 inches/second = hand speed constant; and
 Tm = the maximum time the press takes for the die closure after it has been tripped (seconds). For full revolution clutch presses with only one engaging point Tm is equal to the time necessary for one and one-half revolutions of the crankshaft. For full revolution clutch presses with more than one engaging point, Tm shall be calculated as follows:

$$Tm = \left\{ \frac{1}{2} + \frac{1}{\text{Number of engaging points per revolution}} \right\} \times \text{time necessary to complete one revolution of the crankshaft (seconds)}$$

(iv) Two hand trips shall be fixed in position so that only a supervisor or safety engineer is capable of relocating the controls.

(i) [Reserved.]

(4) Hand feeding tools. Hand feeding tools are intended for placing and removing materials in and from the press. Hand feeding tools are not a point of operation guard or protection device and shall not be used in lieu of the "guards" or devices required in this section.

(5) Additional requirements for safeguarding. Where the operator feeds or removes parts by placing one or both hands in the point of operation, and a two hand control, presence sensing device of Type B gate or movable barrier (on a part revolution clutch) is used for safeguarding:

(i) The employer shall use a control system and a brake monitor which comply with ~~(subsections 19505)~~ WAC 296-24-19505 (13) and (14) ~~((of this section))~~. This requirement shall be complied with by November 1, 1975;

(ii) The exception in ~~(item 19505)~~ WAC 296-24-19505 (7)(e)(iv) ~~((of this section))~~ for two hand controls manufactured and installed before August 31, 1971, is not applicable under this subsection ~~((19507(5)))~~;

(iii) The control of air clutch machines shall be designed to prevent a significant increase in the normal stopping time due to a failure within the operating valve mechanism, and to inhibit further operation if such failure does occur, where a part revolution clutch is employed. The exception in ~~(subdivision 19505)~~ WAC 296-24-19505 (7)(k) ~~((of this section))~~ for controls manufactured and installed before August 31, 1971, is not applicable under this subsection ~~((19507(5)))~~.

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

NEW SECTION

WAC 296-24-19517 PRESENCE SENSING DEVICE INITIATION (PSDI). (1) General.

(a) The requirements of this section shall apply to all part revolution mechanical power presses used in the PSDI mode of operation.

(b) The relevant requirements of WAC 296-24-19503 through 296-24-19515 of this part also shall apply to all presses used in the PSDI mode of operation, whether or not cross referenced in this section. Such cross-referencing of specific requirements from WAC 296-24-19503 through 296-24-19515 of this part is intended only to enhance convenience and understanding in relating to the new provisions to the existing standard, and is not to be construed as limiting the applicability of other provisions in WAC 296-24-19503 through 296-24-19515 of this part.

(c) Full revolution mechanical power presses shall not be used in the PSDI mode of operation.

(d) Mechanical power presses with a configuration which would allow a person to enter, pass through, and become clear of the sensing field into the hazardous portion of the press shall not be used in the PSDI mode of operation.

(e) The PSDI mode of operation shall be used only for normal production operations. Die-setting and maintenance procedures shall

comply with WAC 296-24-19503 through 296-24-19515 of this part, and shall not be done in the PSDI mode.

(2) Brake and clutch requirements.

(a) Presses with flexible steel band brakes or with mechanical linkage actuated brakes or clutches shall not be used in the PSDI mode.

(b) Brake systems on presses used in the PSDI mode shall have sufficient torque so that each average value of stopping times (Ts) for stops initiated at approximately forty-five degrees, sixty degrees, and ninety degrees, respectively, of crankshaft angular position, shall not be more than one hundred twenty-five percent of the average value of the stopping time at the top crankshaft position. Compliance with this requirement shall be determined by using the heaviest upper die to be used on the press, and operating at the fastest press speed if there is speed selection.

(c) Where brake engagement and clutch release is effected by spring action, such spring(s) shall operate in compression on a rod or within a hole or tube, and shall be of noninterleaving design.

(3) Pneumatic systems.

(a) Air valve and air pressure supply/control.

(i) The requirements of WAC 296-24-19505 (7)(m) and (n), (10), (12) and WAC 296-24-19507 (5)(c) of this part apply to the pneumatic systems of machines used in the PSDI mode.

(ii) The air supply for pneumatic clutch/brake control valves shall incorporate a filter, an air regulator, and, when necessary for proper operation, a lubricator.

(iii) The air pressure supply for clutch/brake valves on machines used in the PSDI mode shall be regulated to pressures less than or equal to the air pressure used when making the stop time measurements required by subsection (2)(b) of this section.

(b) Air counterbalance systems.

(i) Where presses that have slide counterbalance systems are used in the PSDI mode, the counterbalance system shall also meet the requirements of WAC 296-24-19505(9) of this part.

(ii) Counterbalances shall be adjusted in accordance with the press manufacturer's recommendations to assure correct counterbalancing of the slide attachment (upper die) weight for all operations performed on presses used in the PSDI mode. The adjustments shall be made before performing the stopping time measurements required by subsections (2)(b), (5)(c), and (9)(f) of this section.

(4) Flywheels and bearings. Presses whose designs incorporate flywheels running on journals on the crankshaft or back shaft, or bull gears running on journals mounted on the crankshaft, shall be inspected, lubricated, and maintained as provided in subsection (10) of this section to reduce the possibility of unintended and uncontrolled press strokes caused by bearing seizure.

(5) Brake monitoring.

(a) Presses operated in the PSDI mode shall be equipped with a brake monitor that meets the requirements of subsections (3) and (14) of this section. In addition, the brake monitor shall be adjusted during installation certification to prevent successive stroking of the press if increases in stopping time cause an increase in the safety distance above that required by subsection (9)(f) of this section.

(b) Once the PSDI safety system has been certified/validated, adjustment of the brake monitor shall not be done without prior approval of the validation organization for both the brake monitor adjustment and the corresponding adjustment of the safety distance. The validation organization shall in its installation validation, state that in what circumstances, if any, the employer has advance approval for adjustment, when prior oral approval is appropriate and when prior approval must be in writing. The adjustment shall be done under the supervision of an authorized person whose qualifications include knowledge of safety distance requirements and experience with the brake system and its adjustment. When brake wear or other factors extend press stopping time beyond the limit permitted by the brake monitor, adjustment, repair, or maintenance shall be performed on the brake or other press system element that extends the stopping time.

(c) The brake monitor setting shall allow an increase of no more than ten percent of the longest stopping time for the press, or ten milliseconds, whichever is longer, measured at the top of the stroke.

(6) Cycle control and control systems.

(a) The control system on presses used in the PSDI mode shall meet the applicable requirements of WAC 296-24-19503 (7), (8), and (13) and 296-24-19507(5) of this part.

(b) The control system shall incorporate a means of dynamically monitoring for decoupling of the rotary position indicating mechanism drive from the crankshaft. This monitor shall stop slide motion and

prevent successive press strokes if decoupling occurs, or if the monitor itself fails.

(c) The mode selection means of WAC 296-24-19503 (7)(c) of this part shall have at least one position for selection of the PSDI mode. Where more than one interruption of the light sensing field is used in the initiation of a stroke, either the mode selection means must have one position for each function, or a separate selection means shall be provided which becomes operable when the PSDI mode is selected. Selection of PSDI mode and the number of interruptions/withdrawals of the light sensing field required to initiate a press cycle shall be by means capable of supervision by the employer.

(d) A PSDI set-up/reset means shall be provided which requires an overt action by the operator, in addition to PSDI mode selection, before operation of the press by means of PSDI can be started.

(e) An indicator visible to the operator and readily seen by the employer shall be provided which shall clearly indicate that the system is set-up for cycling in the PSDI mode.

(f) The control system shall incorporate a timer to deactivate PSDI when the press does not stroke within the period of time set by the timer. The timer shall be manually adjustable, to a maximum time of thirty seconds. For any timer setting greater than fifteen seconds, the adjustment shall be made by the use of a special tool available only to authorized persons. Following a deactivation of PSDI by the timer, the system shall make it necessary to reset the set-up/reset means in order to reactivate the PSDI mode.

(g) Reactivation of PSDI operation following deactivation of the PSDI mode from any other cause, such as activation of the red color stop control required by WAC 296-24-19503 (7)(b) of this part, interruption of the presence sensing field, opening of an interlock, or reselection of the number of sensing field interruptions/withdrawals required to cycle the press, shall require resetting of the set-up/reset means.

(h) The control system shall incorporate an automatic means to prevent initiation or continued operation in the PSDI mode unless the press drive motor is energized in the forward direction of crankshaft rotation.

(i) The control design shall preclude any movement of the slide caused by operation of power on, power off, or selector switches, or from checks for proper operations as required by this subsection.

(j) All components and subsystems of the control system shall be designed to operate together to provide total control system compliance with the requirements of this section.

(k) Where there is more than one operator of a press used for PSDI, each operator shall be protected by a separate, independently functioning, presence sensing device. The control system shall require that each sensing field be interrupted the selected number of times prior to initiating a stroke. Further, each operator shall be provided with a set-up/reset means that meets the requirements of this subsection, and which must be actuated to initiate operation of the press in the PSDI mode.

(l) The control system shall incorporate interlocks for supplemental guards, if used, which will prevent stroke initiation or will stop a stroke in progress if any supplemental guard fails or is deactivated.

(m) The control system shall perform checks for proper operation of all cycle control logic element switches and contacts at least once each cycle. Control elements shall be checked for correct status after power "on" and before the initial PSDI stroke.

(n) The control system shall have provisions for an "inch" operating means meeting the requirements of WAC 296-24-19503 (7)(b) of this part. Die-setting shall not be done in the PSDI mode. Production shall not be done in the "inch" mode.

(o) The control system shall permit only a single stroke per initiation command.

(p) Controls with internally stored programs (e.g., mechanical, electro-mechanical, or electronic) shall meet the requirements of WAC 296-24-19505(13) of this part, and shall default to a predetermined safe condition in the event of any single failure within the system. Programmable controllers which meet the requirements for controls with internally stored programs stated above shall be permitted only if all logic elements affecting the safety system and point of operation safety are internally stored and protected in such a manner that they cannot be altered or manipulated by the user to an unsafe condition.

(7) Environmental requirements. Control components shall be selected, constructed, and connected together in such a way as to withstand expected operational and environmental stresses, at least including those outlined in WAC 296-24-20700. Such stresses shall not so affect the control system as to cause unsafe operation.

(8) Safety system.

(a) Mechanical power presses used in the PSDI mode shall be operated under the control of a safety system which, in addition to meeting the applicable requirements of WAC 296-24-19505(13) and 296-24-19507(5) and other applicable provisions of this part, shall function such that a single failure or single operating error shall not cause injury to personnel from point of operation hazards.

(b) The safety system shall be designed, constructed, and arranged as an integral total system, including all elements of the press, the controls, the safeguarding and any required supplemental safeguarding, and their interfaces with the operator and that part of the environment which has effect on the protection against point of operation hazards.

(9) Safeguarding the point of operation.

(a) The point of operation of presses operated in the PSDI mode shall be safeguarded in accordance with the requirements of WAC 296-24-19507 of this part, except that the safety distance requirements of (f) of this subsection shall be used for PSDI operation.

(b) PSDI shall be implemented only by use of light curtain (photo-electric) presence sensing devices which meet the requirements of WAC 296-24-19507 (3)(c)(iii) of this part unless the requirements of (c) of this subsection have been met.

(c) Alternatives to photo-electric light curtains may be used for PSDI when the employer can demonstrate, through tests and analysis by the employer or the manufacturer, that the alternative is as safe as the photo-electric light curtain, that the alternative meets the conditions of this section, has the same long-term reliability as light curtains and can be integrated into the entire safety system as provided for in this section. Prior to use, both the employer and manufacturer must certify that these requirements and all the other applicable requirements of this section are met and these certifications must be validated by an OSHA-recognized third-party validation organization to meet these additional requirements and all the other applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part. Three months prior to the operation of any alternative system, the employer must notify the OSHA Directorate of Safety Standards Programs of the name of the system to be installed, the manufacturer and the OSHA-recognized third-party validation organization immediately. Upon request, the employer must make available to that office all tests and analyses for OSHA review.

(d) Individual sensing fields of presence sensing devices used to initiate strokes in the PSDI mode shall cover only one side of the press.

(e) Light curtains used for PSDI operation shall have minimum object sensitivity not to exceed one and one-fourth inches (31.75 mm). Where light curtain object sensitivity is user-adjustable, either discretely or continuously, design features shall limit the minimum object sensitivity adjustment not to exceed one and one-fourth inches (31.75 mm). Blanking of the sensing field is not permitted.

(f) The safety distance (Ds) from the sensing field of the presence sensing device to the point of operation shall be greater than or equal to the distance determined by the formula:

$$D_s = H_s(T_s + T_p + T_r + 2T_m) + D_p$$

Where:

Ds = Minimum safety distance.

Hs = Hand speed constant of sixty-three inches per second (1.6 m/s).

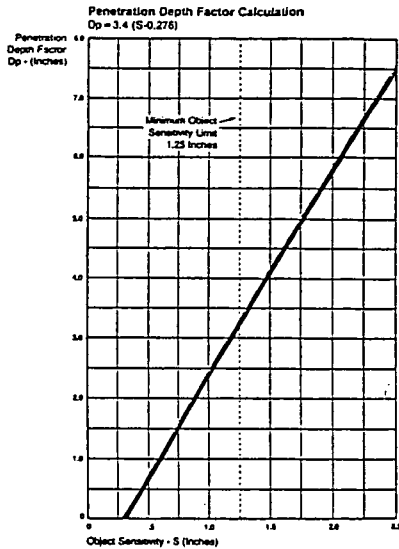
Ts = Longest press stopping time, in seconds, computed by taking averages of multiple measurements at each of three positions (forty-five degrees, sixty degrees, and ninety degrees) of crankshaft angular position; the longest of the three averages is the stopping time to use. (Ts is defined as the sum of the kinetic energy dissipation time plus the pneumatic/magnetic/hydraulic reaction time of the clutch/brake operating mechanism(s).)

Tp = Longest presence sensing device response time, in seconds.

Tr = Longest response time, in seconds, of all interposing control elements between the presence sensing device and the clutch/brake operating mechanism(s).

Tm = Increase in the press stopping time at the top of the stroke, in seconds, allowed by the brake monitor for brake wear. The time increase allowed shall be limited to no more than ten percent of the longest press stopping time measured at the top of the stroke, or ten milliseconds, whichever is longer.

Dp=Penetration depth factor, required to provide for possible penetration through the presence sensing field by fingers or hand before detection occurs. The penetration depth factor shall be determined from Graph A-1 using the minimum object sensitivity size.



(g) The presence sensing device location shall either be set at each tool change and set-up to provide at least the minimum safety distance, or fixed in location to provide a safety distance greater than or equal to the minimum safety distance for all tooling set-ups which are to be used on that press.

(h) Where presence sensing device location is adjustable, adjustment shall require the use of a special tool available only to authorized persons.

(i) Supplemental safeguarding shall be used to protect all areas of access to the point of operation which are unprotected by the PSDI presence sensing device. Such supplemental safeguarding shall consist of either additional light curtain (photo-electric) presence sensing devices or other types of guards which meet the requirements of WAC 296-24-19507 and 296-24-19515 of this part.

(A) Presence sensing devices used as supplemental safeguarding shall not initiate a press stroke, and shall conform to the requirements of WAC 296-24-19507 (3)(c) and other applicable provisions of this part, except that the safety distance shall comply with (f) of this subsection.

(B) Guards used as supplemental safeguarding shall conform to the design, construction and application requirements of WAC 296-24-19507(2) of this part, and shall be interlocked with the press control to prevent press PSDI operation if the guard fails, is removed, or is out of position.

(j) Barriers shall be fixed to the press frame or bolster to prevent personnel from passing completely through the sensing field, where safety distance or press configuration is such that personnel could pass through the PSDI presence sensing field and assume a position where the point of operation could be accessed without detection by the PSDI presence sensing device. As an alternative, supplemental presence sensing devices used only in the safeguard mode may be provided. If used, these devices shall be located so as to detect all operator locations and positions not detected by the PSDI sensing field, and shall prevent stroking or stop a stroke in process when any supplemental sensing field(s) are interrupted.

(k) Hand tools. Where tools are used for feeding, removal of scrap, lubrication of parts, or removal of parts that stick on the die in PSDI operations:

(i) The minimum diameter of the tool handle extension shall be greater than the minimum object sensitivity of the presence sensing device(s) used to initiate press strokes; or

(ii) The length of the hand tool shall be such as to ensure that the operator's hand will be detected for any safety distance required by the press set-ups.

(10) Inspection and maintenance.

(a) Any press equipped with presence sensing devices for use in PSDI, or for supplemental safeguarding on presses used in the PSDI

mode, shall be equipped with a test rod of diameter specified by the presence sensing device manufacturer to represent the minimum object sensitivity of the sensing field. Instructions for use of the test rod shall be noted on a label affixed to the presence sensing device.

(b) The following checks shall be made at the beginning of each shift and whenever a die change is made.

(i) A check shall be performed using the test rod according to the presence sensing device manufacturer's instructions to determine that the presence sensing device used for PSDI is operational.

(ii) The safety distance shall be checked for compliance with this section.

(iii) A check shall be made to determine that all supplemental safeguarding is in place. Where presence sensing devices are used for supplemental safeguarding, a check for proper operation shall be performed using a test rod according to the presence sensing device manufacturer's instructions.

(iv) A check shall be made to assure that the barriers and/or supplemental presence sensing devices required by this section are operating properly.

(v) A system or visual check shall be made to verify correct counterbalance adjustment for die weight according to the press manufacturer's instructions, when a press is equipped with a slide counterbalance system.

(c) When presses used in the PSDI mode have flywheel or bullgear running on crankshaft mounted journals and bearings, or a flywheel mounted on back shaft journals and bearings, periodic inspections following the press manufacturer's recommendations shall be made to ascertain that bearings are in good working order, and that automatic lubrication systems for these bearings (if automatic lubrication is provided) are supplying proper lubrication. On presses with provision for manual lubrication of flywheel or bullgear bearings, lubrication shall be provided according to the press manufacturer's recommendations.

(d) Periodic inspections of clutch and brake mechanisms shall be performed to assure they are in proper operating condition. The press manufacturer's recommendations shall be followed.

(e) When any check of the press, including those performed in accordance with the requirements of (b), (c), or (d) of this subsection, reveals a condition of noncompliance, improper adjustment, or failure, the press shall not be operated until the condition has been corrected by adjustment, replacement, or repair.

(f) It shall be the responsibility of the employer to ensure the competence of personnel caring for, inspecting, and maintaining power presses equipped for PSDI operation, through initial and periodic training.

(11) Safety system certification/validation.

(a) Prior to the initial use of any mechanical press in the PSDI mode, two sets of certification and validation are required:

(i) The design of the safety system required for the use of a press in the PSDI mode shall be certified and validated prior to installation. The manufacturer's certification shall be validated by an OSHA-recognized third-party validation organization to meet all applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part.

(ii) After a press has been equipped with a safety system whose design has been certified and validated in accordance with this section, the safety system installation shall be certified by the employer, and then shall be validated by an OSHA-recognized third-party validation organization to meet all applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part.

(b) At least annually thereafter, the safety system on a mechanical power press used in the PSDI mode shall be recertified by the employer and revalidated by an OSHA-recognized third-party validation organization to meet all applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part. Any press whose safety system has not been recertified and revalidated within the preceding twelve months shall be removed from service in the PSDI mode until the safety system is recertified and revalidated.

(c) A label shall be affixed to the press as part of each installation certification/validation and the most recent recertification/revalidation. The label shall indicate the press serial number, the minimum safety distance (Ds) required by subsection (9)(f) of this section, the fulfillment of design certification/validation, the employer's signed certification, the identification of the OSHA-recognized third-party validation organization, its signed validation, and the date the certification/validation and recertification/revalidation are issued.

(d) Records of the installation certification and validation and the most recent recertification and revalidation shall be maintained for

each safety system equipped press by the employer as long as the press is in use. The records shall include the manufacture and model number of each component and subsystem, the calculations of the safety distance as required by subsection (9)(f) of this section, and the stopping time measurements required by subsection (2)(b) of this section. The most recent records shall be made available to OSHA upon request.

(e) The employer shall notify the OSHA-recognized third-party validation organization within five days whenever a component or a subsystem of the safety system fails or modifications are made which may affect the safety of the system. The failure of a critical component shall necessitate the removal of the safety system from service until it is recertified and revalidated, except recertification by the employer without revalidation is permitted when a noncritical component or subsystem is replaced by one of the same manufacture and design as the original, or determined by the third-party validation organization to be equivalent by similarity analysis, as set forth in WAC 296-24-20700.

(f) The employer shall notify the OSHA-recognized third-party validation organization within five days of the occurrence of any point of operation injury while a press is used in the PSDI mode. This is in addition to the report of injury required by WAC 296-24-19515 of this part; however, a copy of that report may be used for this purpose.

(12) Die setting and work set-up.

(a) Die setting on presses used in the PSDI mode shall be performed in accordance with WAC 296-24-19509.

(b) The PSDI mode shall not be used for die setting or set-up. An alternative manual cycle initiation and control means shall be supplied for use in die setting which meets the requirements of WAC 296-24-19505(7).

(c) Following a die change, the safety distance, the proper application of supplemental safeguarding, and the slide counterbalance adjustment (if the press is equipped with a counterbalance) shall be checked and maintained by authorized persons whose qualifications include knowledge of the safety distance, supplemental safeguarding requirements, and the manufacturer's specifications for counterbalance adjustment. Adjustment of the location of the PSDI presence sensing device shall require use of a special tool available only to the authorized persons.

(13) Operator training.

(a) The operator training required by WAC 296-24-19513(2) shall be provided to the employee before the employee initially operates the press and as needed to maintain competence, but not less than annually thereafter. It shall include instruction relative to the following items for presses used in the PSDI mode.

(i) The manufacturer's recommended test procedures for checking operation of the presence sensing device. This shall include the use of the test rod required by subsection (10)(a) of this section.

(ii) The safety distance required.

(iii) The operation, function, and performance of the PSDI mode.

(iv) The requirements for handtools that may be used in the PSDI mode.

(v) The severe consequences that can result if the operator attempts to circumvent or by-pass any of the safeguard or operating functions of the PSDI system.

(b) The employer shall certify that employees have been trained by preparing a certification record which includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification record shall be prepared at the completion of training and shall be maintained on file for the duration of the employee's employment. The certification record shall be made available upon request to the Assistant Secretary for Occupational Safety and Health.

NEW SECTION

WAC 296-24-20699 APPENDICES A THROUGH D ARE ADDED TO PART C OF CHAPTER 296-24 WAC, TO DESCRIBE THE FEDERAL PROCEDURES FOR THIRD-PARTY VALIDATION AND CERTIFICATION OF PRESENCE SENSING DEVICES ON MECHANICAL POWER PRESSES.

NEW SECTION

WAC 296-24-20700 APPENDIX A TO WAC 296-24-195. Mandatory requirements for certification/validation of safety systems for presence sensing device initiation of mechanical power presses.

(1) Purpose. The purpose of the certification/validation of safety systems for presence sensing device initiation (PSDI) of mechanical

power presses is to ensure that the safety systems are designed, installed, and maintained in accordance with all applicable requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(2) General.

(a) The certification/validation process shall utilize an independent third-party validation organization recognized by OSHA in accordance with the requirements specified in WAC 296-24-20720 Appendix C.

(b) While the employer is responsible for assuring that the certification/validation requirements in WAC 296-24-19517(11) are fulfilled, the design certification of PSDI safety systems may be initiated by manufacturers, employers, and/or their representatives. The term "manufacturers" refers to the manufacturer of any of the components of the safety system. An employer who assembles a PSDI safety system would be a manufacturer as well as employer for purposes of this standard and Appendix.

(c) The certification/validation process includes two stages. For design certification, in the first stage, the manufacturer (which can be an employer) certifies that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, based on appropriate design criteria and tests. In the second stage, the OSHA-recognized third-party validation organization validates that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A and the manufacturer's certification by reviewing the manufacturer's design and test data and performing any additional reviews required by this standard or which it believes appropriate.

(d) For installation certification/validation and annual recertification/revalidation, in the first stage the employer certifies or recertifies that the employer is installing or utilizing a PSDI safety system validated as meeting the design requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A by an OSHA-recognized third-party validation organization and that the installation, operation and maintenance meet the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A. In the second stage, the OSHA-recognized third-party validation organization validates or revalidates that the PSDI safety system installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A and the employer's certification, by reviewing that the PSDI safety system has been certified; the employer's certification, designs and tests, if any; the installation, operation, maintenance and training; and by performing any additional tests and reviews which the validation organization believes is necessary.

(3) Summary. The certification/validation of safety systems of PSDI shall consider the press, controls, safeguards, operator, and environment as an integrated system which shall comply with all of the requirements in WAC 296-24-19503 through 296-24-19517 and this Appendix A. The certification/validation process shall verify that the safety system complies with the OSHA safety requirements as follows:

(a) Design certification/validation.

(i) The major parts, components, and subsystems used shall be defined by part number or serial number, as appropriate, and by manufacturer to establish the configuration of the system.

(ii) The identified parts, components, and subsystems shall be certified by the manufacturer to be able to withstand the functional and operational environments of the PSDI safety system.

(iii) The total system design shall be certified by the manufacturer as complying with all requirements in WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(iv) The third-party validation organization shall validate the manufacturer's certification under (a)(i) and (ii) of this subsection.

(b) Installation certification/validation.

(i) The employer shall certify that the PSDI safety system has been design certified and validated, that the installation meets the operational and environmental requirements specified by the manufacturer, that the installation drawings are accurate, and that the installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A. (The operational and installation requirements of the PSDI safety system may vary for different applications.)

(ii) The third-party validation organization shall validate the employer's certifications that the PSDI safety system is design certified and validated, that the installation meets the installation and environmental requirements specified by the manufacturer, and that the installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(c) Recertification/revalidation.

(i) The PSDI safety system shall remain under certification/validation for the shorter of one year or until the system hardware is changed, modified or refurbished, or operating conditions are changed (including environmental, application or facility changes), or a failure of a critical component has occurred.

(ii) Annually, or after a change specified in (c)(i) of this subsection, the employer shall inspect and recertify the installation as meeting the requirements set forth under subsection (3)(b) of this section, Installation certification/validation.

(iii) The third-party validation organization, annually or after a change specified in (c)(i) of this subsection, shall validate the employer's certification that the requirements of subsection (b) of this section, Installation certification/validation have been met.

Note: Such changes in operational conditions as die changes of press relocations not involving disassembly or revision to the safety system would not require recertification/revalidation.

(4) Certification/validation requirements.

(a) General design certification/validation requirements.

(i) Certification/validation program requirements. The manufacturer shall certify and the OSHA-recognized third-party validation organization shall validate that:

(A) The design of components, subsystems, software, and assemblies meets OSHA performance requirements and are ready for the intended use; and

(B) The performance of combined subsystems meets OSHA's operational requirements.

(ii) Certification/validation program level of risk evaluation requirements. The manufacturer shall evaluate and certify, and the OSHA-recognized third-party validation organization shall validate, the design and operation of the safety system by determining conformance with the following:

(A) The safety system shall have the ability to sustain a single failure or a single operating error and not cause injury to personnel from point of operation hazards. Acceptable design features shall demonstrate, in the following order or precedence, that:

(I) No single failure points may cause injury; or

(II) Redundancy, and comparison and/or diagnostic checking, exist for the critical items that may cause injury, and the electrical, electronic, electromechanical and mechanical parts and components are selected so that they can withstand operational and external environments. The safety factor and/or derated percentage shall be specifically noted and complied with.

(B) The manufacturer shall design, evaluate, test and certify, and the third-party validation organization shall evaluate and validate, that the PSDI safety system meets appropriate requirements in the following areas.

(I) Environmental limits

- Temperature
- Relative humidity
- Vibration
- Fluid compatibility with other materials

(II) Design limits

- Power requirements
- Power transient tolerances
- Compatibility of materials used
- Material stress tolerances and limits
- Stability to long term power fluctuations
- Sensitivity to signal acquisition
- Repeatability of measured parameter without inadvertent initiation of a press stroke

- Operational life of components in cycles, hours, or both
- Electromagnetic tolerance to:

- Specific operational wave lengths; and
- Externally generated wave lengths

● New design certification/validation. Design certification/validation for a new safety system, i.e., a new design or new integration of specifically identified components and subsystems, would entail a single certification/validation which would be applicable to all identical safety systems. It would not be necessary to repeat the tests on individual safety systems of the same manufacture or design. Nor would it be necessary to repeat these tests in the case of modifications where determined by the manufacturer and validated by the third-party validation organization to be equivalent by similarity analysis. Minor modifications not affecting the safety of the system may be made by the manufacturer without revalidation.

(III) Substantial modifications would require testing as a new safety system, as deemed necessary by the validation organization.

(b) Additional detailed design certification/validation requirements.

(i) General. The manufacturer or the manufacturer's representative shall certify to and submit to an OSHA-recognized third-party validation organization the documentation necessary to demonstrate that the PSDI safety system design is in full compliance with the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, as applicable, by means of analysis, tests, or combination of both, establishing that the following additional certification/validation requirements are fulfilled.

(ii) Reaction times. For the purpose of demonstrating compliance with the reaction time required by WAC 296-24-19517, the tests shall use the following definitions and requirements:

(A) "Reaction time" means the time, in seconds, it takes the signal, required to activate/deactivate the system, to travel through the system, measured from the time of signal initiation to the time the function being measured is completed.

(B) "Full stop" or "no movement of the slide or ram" means when the crankshaft rotation has slowed to two or less revolutions per minute, just before stopping completely.

(C) "Function completion" means for, electrical, electromechanical and electronic devices, when the circuit produces a change of state in the output element of the device.

(D) When the change of state is motion, the measurement shall be made at the completion of the motion.

(E) The generation of the test signal introduced into the system for measuring reaction time shall be such that the initiation time can be established with an error of less than 0.5 percent of the reaction time measured.

(F) The instrument used to measure reaction time shall be calibrated to be accurate to within 0.001 second.

(iii) Compliance with WAC 296-24-19517 (2)(b).

(A) For compliance with these requirements, the average value of the stopping time, T_s , shall be the arithmetic mean of at least twenty-five stops for each stop angle initiation measured with the brake and/or clutch unused, fifty percent worn, and ninety percent worn. The recommendations of the brake system manufacturer shall be used to simulate or estimate the brake wear. The manufacturer's recommended minimum lining depth shall be identified and documented, and an evaluation made that the minimum depth will not be exceeded before the next (annual) recertification/revalidation. A correlation of the brake and/or clutch degradation based on the above tests and/or estimates shall be made and documented. The results shall document the conditions under which the brake and/or clutch will and will not comply with the requirement. Based upon this determination, a scale shall be developed to indicate the allowable ten percent of the stopping time at the top of the stroke for slide or ram overtravel due to brake wear. The scale shall be marked to indicate that brake adjustment and/or replacement is required. The explanation and use of the scale shall be documented.

(B) The test specification and procedure shall be submitted to the validation organization for review and validation prior to the test. The validation organization representative shall witness at least one set of tests.

(iv) Compliance with WAC 296-24-19517 (5)(c) and (9)(f). Each reaction time required to calculate the safety distance, including the brake monitor setting, shall be documented in separate reaction time tests. These tests shall specify the acceptable tolerance band sufficient to assure that tolerance build-up will not render the safety distance unsafe.

(I) Integrated test of the press fully equipped to operate in the PSDI mode shall be conducted to establish the total system reaction time.

(II) Brakes which are the adjustable type shall be adjusted properly before the test.

(v) Compliance with WAC 296-24-19517 (2)(c).

(A) Prior to conducting the brake system test required by WAC 296-24-19517 (2)(b), a visual check shall be made of the springs. The visual check shall include a determination that the spring housing or rod does not show damage sufficient to degrade the structural integrity of the unit, and the spring does not show any tendency to interleave.

(B) Any detected broken or unserviceable springs shall be replaced before the test is conducted. The test shall be considered successful if the stopping time remains within that which is determined by WAC 296-24-19517 (9)(f) for the safety distance setting. If the increase in press stopping time exceeds the brake monitor setting limit defined in WAC 296-24-19517 (5)(c), the test shall be considered unsuccessful, and the cause of the excessive stopping time shall be investigated. It

shall be ascertained that the springs have not been broken and that they are functioning properly.

(vi) Compliance with WAC 296-24-19517(7).

(A) Tests which are conducted by the manufacturers of electrical components to establish stress, life, temperature and loading limits must be tests which are in compliance with the provisions of the National Electrical Code.

(B) Electrical and/or electronic cards or boards assembled with discrete components shall be considered a subsystem and shall require separate testing that the subsystems do not degrade in any of the following conditions:

(I) Ambient temperature variation from -20°C to +50°C.

(II) Ambient relative humidity of ninety-nine percent.

(III) Vibration of 45G for one millisecond per stroke when the item is to be mounted on the press frame.

(IV) Electromagnetic interference at the same wavelengths used for the radiation sensing field, at the power line frequency fundamental and harmonics, and also from autogenous radiation due to system switching.

(V) Electrical power supply variations of NZ15 percent.

(C) The manufacturer shall specify the test requirements and procedures from existing consensus tests in compliance with the provisions of the National Electrical Code.

(D) Tests designed by the manufacturer shall be made available upon request to the validation organization. The validation organization representative shall witness at least one set of each of these tests.

(vii) Compliance with WAC 296-24-19517 (9)(d).

(A) The manufacturer shall design a test to demonstrate that the prescribed minimum object sensitivity of the presence sensing device is met.

(B) The test specifications and procedures shall be made available upon request to the validation organization.

(viii) Compliance with WAC 296-24-19517 (9)(k).

(A) The manufacturer shall design a test(s) to establish the hand tool extension diameter allowed for variations in minimum object sensitivity response.

(B) The test(s) shall document the range of object diameter sizes which will produce both single and double break conditions.

(C) The test(s) specifications and procedures shall be made available upon request to the validation organization.

(ix) Integrated tests certification/validation.

(A) The manufacturer shall design a set of integrated tests to demonstrate compliance with the following requirements:

WAC 296-24-19517 (6)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o).

(B) The integrated test specifications and procedures shall be made available to the validation organization.

(x) Analysis. The manufacturer shall submit to the validation organization the technical analysis such as hazard analysis, failure mode and effect analysis, stress analysis, component and material selection analysis, fluid compatibility, and/or other analyses which may be necessary to demonstrate compliance with the following requirements:

WAC 296-24-19517 (8)(a) and (b); (2)(b) and (c); (3)(a)(i) and (iv) and (b); (5)(a), (b) and (c); (6)(a), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), and (p); (7)(a) and (b); (9)(d), (f), (i), (j) and (k); (10)(a) and (b).

(xi) Types of tests acceptable for certification/validation.

(A) Test results obtained from development testing may be used to certify/validate the design.

(B) The test results shall provide the engineering data necessary to establish confidence that the hardware and software will meet specifications, the manufacturing process has adequate quality control and the data acquired was used to establish processes, procedures, and test levels supporting subsequent hardware design, production, installation and maintenance.

(xii) Validation for design certification/validation. If, after review of all documentation, tests, analyses, manufacturer's certifications, and any additional tests which the third-party validation organization believes are necessary, the third-party validation organization determines that the PSDI safety system is in full compliance with the applicable requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, it shall validate the manufacturer's certification that it so meets the stated requirements.

(c) Installation certification/validation requirements.

(i) The employer shall evaluate and test the PSDI system installation, shall submit to the OSHA-recognized third-party validation organization the necessary supporting documentation, and shall certify

that the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A have been met and that the installation is proper.

(ii) The OSHA-recognized third-party validation organization shall conduct tests, and/or review and evaluate the employer's installation tests, documentation and representations. If it so determines, it shall validate the employer's certification that the PSDI safety system is in full conformance with all requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(d) Recertification/revalidation requirements.

(i) A PSDI safety system which has received installation certification/validation shall undergo recertification/revalidation the earlier of:

(A) Each time the systems hardware is significantly changed, modified, or refurbished;

(B) Each time the operational conditions are significantly changed (including environmental, application or facility changes, but excluding such changes as die changes or press relocations not involving revision to the safety system);

(C) When a failure of a significant component has occurred or a change has been made which may affect safety; or

(D) When one year has elapsed since the installation certification/validation or the last recertification/revalidation.

(ii) Conduct or recertification/revalidation. The employer shall evaluate and test the PSDI safety system installation, shall submit to the OSHA-recognized third-party validation organization the necessary supporting documentation, and shall recertify that the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A are being met. The documentation shall include, but not be limited to, the following items:

(A) Demonstration of a thorough inspection of the entire press and PSDI safety system to ascertain that the installation, components and safeguarding have not been changed, modified or tampered with since the installation certification/validation or last recertification/revalidation was made.

(B) Demonstrations that such adjustments as may be needed (such as to the brake monitor setting) have been accomplished with proper changes made in the records and on such notices as are located on the press and safety system.

(C) Demonstration that review has been made of the reports covering the design certification/validation, the installation certification/validation, and all recertification/revalidation, in order to detect any degradation to an unsafe condition, and that necessary changes have been made to restore the safety system to previous certification/validation levels.

(iii) The OSHA-recognized third-party validation organization shall conduct tests, and/or review and evaluate the employer's installation, tests, documentation and representations. If it so determines, it shall revalidate the employer's recertification that the PSDI system is in full conformance with all requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

NEW SECTION

WAC 296-24-20710 APPENDIX B TO WAC 296-24-195. Nonmandatory guidelines for certification/validation of safety systems for presence sensing device initiation of mechanical power presses.

(1) Objectives. This Appendix provides employers, manufacturers, and their representatives, with nonmandatory guidelines for use in developing certification documents. Employers and manufacturers are encouraged to recommend other approaches if there is a potential for improving safety and reducing cost. The guidelines apply to certification/validation activity from design evaluation through the completion of the installation test and the annual recertification/revalidation tests.

(2) General guidelines.

(a) The certification/validation process should confirm that hazards identified by hazard analysis, (HA), failure mode effect analyses (FMEA), and other system analyses have been eliminated by design or reduced to an acceptable level through the use of appropriate design features, safety devices, warning devices, or special procedures. The certification/validation process should also confirm that residual hazards identified by operational analysis are addressed by warning, labeling safety instructions or other appropriate means.

(b) The objective of the certification/validation program is to demonstrate and document that the system satisfies specification and operational requirements for safe operations.

(3) Quality control. The safety attributes of a certified/validated PSDI safety system are more likely to be maintained if the quality of the system and its parts, components and subsystem is consistently

controlled. Each manufacturer supplying parts, components, subsystems, and assemblies needs to maintain the quality of the product, and each employer needs to maintain the system in a nondegraded condition.

(4) Analysis guidelines.

(a) Certification/validation of hardware design below the system level should be accomplished by test and/or analysis.

(b) Analytical methods may be used in lieu of, in combination with, or in support of tests to satisfy specification requirements.

(c) Analyses may be used for certification/validation when existing data are available or when test is not feasible.

(d) Similarity analysis may be used in lieu of tests where it can be shown that the article is similar in design, manufacturing process, and quality control to another article that was previously certified/validated in accordance with equivalent or more stringent criteria. If previous design, history and application are considered to be similar, but not equal to or more exacting than earlier experiences, the additional or partial certification/validation tests should concentrate on the areas of changed or increased requirements.

(5) Analysis reports.

(a) The analysis reports should identify:

(i) The basis for the analysis;

(ii) The hardware or software items analyzed;

(iii) Conclusions;

(iv) Safety factors; and

(v) Limit of the analysis.

The assumptions made during the analysis should be clearly stated and a description of the effects of these assumptions on the conclusions and limits should be included.

(b) Certification/validation by similarity analysis reports should identify, in addition to the above, application of the part, component or subsystem for which certification/validation is being sought as well as data from previous usage establishing adequacy of the item. Similarity analysis should not be accepted when the internal and external stresses on the item being certified/validated are not defined.

(c) Usage experience should also include failure data supporting adequacy of the design.

(D) The applicant shall identify the test methods it or the validating laboratory will use to test or judge the components and operations of the PSDI safety system required to be tested by the PSDI standard and WAC 296-24-20700, Appendix A, and shall specify the reasons the test methods are appropriate.

(E) The applicant may include whatever enclosures, attachments, or exhibits the applicant deems appropriate. The application need not be submitted on a federal form.

(F) The applicant shall certify that the information submitted is accurate.

(iii) Filing office location. The application shall be filed with: PSDI Certification/Validation Program, Office of Variance Determination, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3653, 200 Constitution Avenue, N.W., Washington, DC 20210.

(iv) Amendments and withdrawals.

(A) An application may be revised by an applicant at any time prior to the completion of the final staff recommendation.

(B) An application may be withdrawn by an applicant, without prejudice, at any time prior to the final decision by the assistant secretary in (b)(viii)(B)(IV) of this subsection.

(b) Review and decision process.

(i) Acceptance and field inspection. All applications submitted will be accepted by OSHA, and their receipt acknowledged in writing. After receipt of an application, OSHA may request additional information if it believes information relevant to the requirements for recognition have been omitted. OSHA may inspect the facilities of the third-party validation organization and any validating laboratory, and while there shall review any additional documentation underlying the application. A report shall be made of each field inspection.

(ii) Requirements for recognition. The requirements for OSHA recognition of a third-party validation organization for the PSDI standard are that the program has fulfilled the requirements of subsection (3) of this section for qualifications and of subsection (4) of this section for program requirements, and the program has identified appropriate test and analysis methods to meet the requirements of the PSDI standard and WAC 296-24-20700, Appendix A.

(iii) Preliminary approval. If, after review of the application, any additional information, and the inspection report, the applicant and any validating laboratory appear to have met the requirements for recognition, a written recommendation shall be submitted by the responsible OSHA personnel to the assistant secretary to approve the application with a supporting explanation.

(iv) Preliminary disapproval. If, after review of the application, additional information, and inspection report, the applicant does not appear to have met the requirements for recognition, the director of the PSDI certification/validation program shall notify the applicant in writing, listing the specific requirements of this Appendix which the applicant has not met, and the reasons.

(v) Revision of application. After receipt of a notification of preliminary disapproval, the applicant may submit a revised application for further review by OSHA pursuant to (b) of this subsection or may request that the original application be submitted to the assistant secretary with a statement of reasons supplied by the applicant as to why the application should be approved.

(vi) Preliminary decision by assistant secretary.

(A) The assistant secretary, or a special designee for this purpose, will make a preliminary decision whether the applicant has met the requirements for recognition based on the completed application file and the written staff recommendation, as well as the statement of reasons by the applicant if there is a recommendation of disapproval.

(B) This preliminary decision will be sent to the applicant and subsequently published in the federal register.

(vii) Public review and comment period.

(A) The federal register notice of preliminary decision will provide a period of not less than sixty calendar days for the written comments on the applicant's fulfillment of the requirements for recognition. The application, supporting documents, staff recommendation, statement of applicant's reasons, and any comments received, will be available for public inspection in the OSHA docket office.

(B) If the preliminary decision is in favor of recognition, a member of the public, or if the preliminary decision is against recognition, the applicant may request a public hearing by the close of the comment period, if it supplies detailed reasons and evidence challenging the basis of the assistant secretary's preliminary decision and justifying the need for a public hearing to bring out evidence which could not be effectively supplied through written submissions.

NEW SECTION

WAC 296-24-20720 APPENDIX C TO WAC 296-24-195. Mandatory requirements for OSHA recognition of third-party validation organizations for the PSDI standard.

(1) This Appendix prescribes mandatory requirements and procedures for OSHA recognition of third-party validation organizations to validate employer and manufacturer certifications that their equipment and practices meet the requirements of the PSDI standard. The scope of the Appendix includes the three categories of certification/validation required by the PSDI standard: Design certification/validation, installation certification/validation, and annual recertification/revalidation. If further detailing of these provisions will assist the validation organization or OSHA in this activity, this detailing will be done through appropriate OSHA program directives.

(2) Procedure for OSHA recognition of validation organizations.

(a) Applications.

(i) Eligibility.

(A) Any person or organization considering itself capable of conducting a PSDI-related third-party validation function may apply for OSHA recognition.

(B) However, in determining eligibility for a foreign-based third-party validation organization, OSHA shall take into consideration whether there is reciprocity of treatment by the foreign government after consultation with relevant United States government agencies.

(ii) Content of application.

(A) The application shall identify the scope of the validation activity for which the applicant wishes to be recognized, based on one of the following alternatives:

(I) Design certification/validation, installation certification/validation, and annual recertification/revalidation;

(II) Design certification/validation only; or

(III) Installation/certification/validation and annual recertification/revalidation.

(B) The application shall provide information demonstrating that it and any validating laboratory utilized meet the qualifications set forth in subsection (3) of this section.

(C) The applicant shall provide information demonstrating that it and any validating laboratory utilized meet the program requirements set forth in subsection (4) of this section.

(viii) Final decision by assistant secretary.

(A) Without hearing. If there are no valid requests for a hearing, based on the application, supporting documents, staff recommendation, evidence and public comment, the assistant secretary shall issue the final decision (including reasons) of the Department of Labor on whether the applicant has demonstrated by a preponderance of the evidence that it meets the requirements for recognition.

(B) After hearing. If there is a valid request for a hearing pursuant to (b)(vii)(B) of this subsection, the following procedures will be used:

(I) The assistant secretary will issue a notice of hearing before an administrative law judge of the Department of Labor pursuant to the rules specified in 29 CFR Part 1905, Subpart C.

(II) After the hearing, pursuant to Subpart C, the administrative law judge shall issue a decision (including reasons) based on the application, the supporting documentation, the staff recommendation, the public comments and the evidence submitted during the hearing (the record), stating whether it has been demonstrated, based on a preponderance of evidence, that the applicant meets the requirements for recognition. If no exceptions are filed, this is the final decision of the Department of Labor.

(III) Upon issuance of the decision, any party to the hearing may file exceptions within twenty days pursuant to Subpart C. If exceptions are filed, the administrative law judge shall forward the decision, exceptions and record to the assistant secretary for the final decision on the application.

(IV) The assistant secretary shall review the record, the decision by the administrative law judge, and the exceptions. Based on this, the assistant secretary shall issue the final decision (including reasons) of the Department of Labor stating whether the applicant has demonstrated by a preponderance of evidence that it meets the requirements for recognition.

(ix) Publication. A notification of the final decision shall be published in the federal register.

(c) Terms and conditions of recognition, renewal and revocation.

(i) The following terms and conditions shall be part of every recognition:

(A) The recognition of any validation organization will be evidenced by a letter of recognition from OSHA. The letter will provide the specific details of the scope of the OSHA recognition as well as any conditions imposed by OSHA, including any federal monitoring requirements.

(B) The recognition of each validation organization will be valid for five years, unless terminated before or renewed after the expiration of the period. The dates of the period of recognition will be stated in the recognition letter.

(C) The recognized validation organization shall continue to satisfy all the requirements of this Appendix and the letter of recognition during the period of recognition.

(ii) A recognized validation organization may change a test method of the PSDI safety system certification/validation program by notifying the assistant secretary of the change, certifying that the revised method will be at least as effective as the prior method, and providing the supporting data upon which its conclusions are based.

(iii) A recognized validation organization may renew its recognition by filing a renewal request at the address in (a)(iii) of this subsection, not less than one hundred eighty calendar days, nor more than one year, before the expiration date of its current recognition. When a recognized validation organization has filed such a renewal request, its current recognition will not expire until a final decision has been made on the request. The renewal request will be processed in accordance with (b) of this subsection, except that a reinspection is not required but may be performed by OSHA. A hearing will be granted to an objecting member of the public if evidence of failure to meet the requirements of this Appendix is supplied to OSHA.

(iv) A recognized validation organization may apply to OSHA for an expansion of its current recognition to cover other categories of PSDI certification/validation in addition to those included in the current recognition. The application for expansion will be acted upon and processed by OSHA in accordance with (b) of this subsection, subject to the possible reinspection exception. If the validation organization has been recognized for more than one year, meets the requirements for expansion of recognition, and there is no evidence that the recognized validation organization has not been following the requirements of this Appendix and the letter of recognition, an expansion will normally be granted. A hearing will be granted to an objecting member of the public only if evidence of failure to meet the requirements of this Appendix is supplied to OSHA.

(v) A recognized validation organization may voluntarily terminate its recognition, either in its entirety or with respect to any area covered in its recognition, by giving written notice to OSHA at any time. The written notice shall indicate the termination date. A validation organization may not terminate its installation certification and recertification validation functions earlier than either one year from the date of the written notice, or the date on which another recognized validation organization is able to perform the validation of installation certification and recertification.

(vi) OSHA may revoke its recognition of a validation organization if its program either has failed to continue to satisfy the requirements of this Appendix or its letter of recognition, has not been performing the validation functions required by the PSDI standard and WAC 296-24-20700, Appendix A, or has misrepresented itself in its applications. Before proposing to revoke recognition, the agency will notify the recognized validation organization of the basis of the proposed revocation and will allow rebuttal or correction of the alleged deficiencies. If the deficiencies are not corrected, OSHA may revoke recognition, effective in sixty days, unless the validation organization requests a hearing within that time.

(vii) If a hearing is requested, it shall be held before an administrative law judge of the Department of Labor pursuant to the rules specified in 29 CFR Part 1905, Subpart C.

(viii) The parties shall be OSHA and the recognized validation organization. The decision shall be made pursuant to the procedures specified in (b)(viii)(B)(II) through (IV) of this subsection except that the burden of proof shall be on OSHA to demonstrate by a preponderance of the evidence that the recognition should be revoked because the validation organization either is not meeting the requirements for recognition, has not been performing the validation functions required by the PSDI standard and WAC 296-24-20700, Appendix A, or has misrepresented itself in its applications.

(d) Provisions of OSHA recognition. Each recognized third-party validation organization and its validating laboratories shall:

(i) Allow OSHA to conduct unscheduled reviews or on-site audits of it or the validating laboratories on matters relevant to PSDI, and cooperate in the conduct of these reviews and audits;

(ii) Agree to terms and conditions established by OSHA in the grant of recognition on matters such as exchange of data, submission of accident reports, and assistance in studies for improving PSDI or the certification/validation process.

(3) Qualifications. The third-party validation organization, the validating laboratory, and the employees of each shall meet the requirements set forth in this section of this Appendix.

(a) Experience of validation organization.

(i) The third-party validation organization shall have legal authority to perform certification/validation activities.

(ii) The validation organization shall demonstrate competence and experience in either power press design, manufacture or use, or testing, quality control or certification/validation of equipment comparable to power presses and associated control systems.

(iii) The validation organization shall demonstrate a capability for selecting, reviewing, and/or validating appropriate standards and test methods to be used for validating the certification of PSDI safety systems, as well as for reviewing judgments on the safety of PSDI safety systems and their conformance with the requirements of this section.

(iv) The validating organization may utilize the competence, experience, and capability of its employees to demonstrate this competence, experience, and capability.

(b) Independence of validation organization.

(i) The validation organization shall demonstrate that:

(A) It is financially capable to conduct the work;

(B) It is free of direct influence or control by manufacturers, suppliers, vendors, representatives of employers and employees, and employer or employee organizations; and

(C) Its employees are secure from discharge resulting from pressures from manufacturers, suppliers, vendors, employers or employee representatives.

(ii) A validation organization may be considered independent even if it has ties with manufacturers, employers or employee representatives if these ties are with at least two of these three groups; it has a board of directors (or equivalent leadership responsible for the certification/validation activities) which includes representatives of the three groups; and it has a binding commitment of funding for a period of three years or more.

(c) Validating laboratory. The validation organization's laboratory (which organizationally may be a part of the third-party validation organization):

(i) Shall have legal authority to perform the validation of certification;

(ii) Shall be free of operational control and influence of manufacturers, suppliers, vendors, employers or employee representatives that would impair its integrity of performance; and

(iii) Shall not engage in the design, manufacture, sale, promotion, or use of the certified equipment.

(d) Facilities and equipment. The validation organization's validating laboratory shall have available all testing facilities and necessary test and inspection equipment relevant to the validation of the certification of PSDI safety systems, installations and operations.

(e) Personnel. The validation organization and the validating laboratory shall be adequately staffed by personnel who are qualified by technical training and/or experience to conduct the validation of the certification of PSDI safety systems.

(i) The validation organization shall assign overall responsibility for the validation of PSDI certification to an administrative director. Minimum requirements for this position are a Bachelor's degree and five years professional experience, at least one of which shall have been in responsible charge of a function in the areas of power press design or manufacture or a broad range of power press use, or in the areas of testing, quality control, or certification/validation of equipment comparable to power presses or their associated control systems.

(ii) The validating laboratory, if a separate organization from the validation organization, shall assign technical responsibility for the validation of PSDI certification to a technical director. Minimum requirements for this position are a Bachelor's degree in a technical field and five years of professional experience, at least one of which shall have been in responsible charge of a function in the area of testing, quality control or certification/validation of equipment comparable to power presses or their associated control systems.

(iii) If the validation organization and the validating laboratory are the same organization, the administrative and technical responsibilities may be combined in a single position, with minimum requirements as described in (e)(i) and (ii) of this subsection for the combined position.

(iv) The validation organization and validating laboratory shall have adequate administrative and technical staffs to conduct the validation of the certification of PSDI safety systems.

(f) Certification/validation mark or logo.

(i) The validation organization or the validating laboratory shall own a registered certification/validation mark or logo.

(ii) The mark or logo shall be suitable for incorporation into the label required by WAC 296-24-19517 (11)(c) of this part.

(4) Program requirements.

(a) Test and certification/validation procedures.

(i) The validation organization and/or validating laboratory shall have established written procedures for test and certification/validation of PSDI safety systems. The procedures shall be based on pertinent OSHA standards and test methods, or other publicly available standards and test methods generally recognized as appropriate in the field, such as national consensus standards or published standards of professional societies or trade associations.

(ii) The written procedures for test and certification/validation of PSDI systems, and the standards and test methods on which they are based, shall be reproducible and be available to OSHA and to the public upon request.

(b) Test reports.

(i) A test report shall be prepared for each PSDI safety system that is tested. The test report shall be signed by a technical staff representative and the technical director.

(ii) The test report shall include the following:

(A) Name of manufacturer and catalog or model number of each subsystem or major component.

(B) Identification and description of test methods or procedures used. (This may be through reference to published sources which describe the test methods or procedures used.)

(C) Results of all tests performed.

(D) All safety distance calculations.

(iii) A copy of the test report shall be maintained on file at the validation organization and/or validating laboratory, and shall be available to OSHA upon request.

(c) Certification/validation reports.

(i) A certification/validation report shall be prepared for each PSDI safety system for which the certification is validated. The certification/

validation report shall be signed by the administrative director and the technical director.

(ii) The certification/validation report shall include the following:

(A) Name of manufacturer and catalog or model number of each subsystem or major component.

(B) Results of all tests which serve as the basis for the certification.

(C) All safety distance calculations.

(D) Statement that the safety system conforms with all requirements of the PSDI standard and WAC 296-24-20700, Appendix A.

(iii) A copy of the certification/validation report shall be maintained on file at the validation organization and/or validating laboratory, and shall be available to the public upon request.

(iv) A copy of the certification/validation report shall be submitted to OSHA within thirty days of its completion.

(d) Publications system. The validation organization shall make available upon request a list of PSDI safety systems which have been certified/validated by the program.

(e) Follow-up activities.

(i) The validation organization or validating laboratory shall have a follow-up system for inspecting or testing manufacturer's production of design certified/validated PSDI safety system components and sub-assemblies where deemed appropriate by the validation organization.

(ii) The validation organization shall notify the appropriate product manufacturer(s) of any reports from employers of point of operation injuries which occur while a press is operated in a PSDI mode.

(f) Records. The validation organization or validating laboratory shall maintain a record of each certification/validation of a PSDI safety system, including manufacturer and/or employer certification documentation, test and working data, test report, certification/validation report, any follow-up inspections or testing, and reports of equipment failures, any reports of accidents involving the equipment, and any other pertinent information. These records shall be available for inspection by OSHA and OSHA state plan offices.

(g) Dispute resolution procedures.

(i) The validation organization shall have a reasonable written procedure for acknowledging and processing appeals or complaints from program participants (manufacturers, producers, suppliers, vendors, and employers) as well as other interested parties (employees or their representatives, safety personnel, government agencies, etc.), concerning certification or validation.

(ii) The validation organization may charge any complainant the reasonable charge for repeating tests needed for the resolution of disputes.

NEW SECTION

WAC 296-24-20730 APPENDIX D TO WAC 296-24-195. Nonmandatory supplementary information.

(1) This Appendix provides nonmandatory supplementary information and guidelines to assist in the understanding and use of WAC 296-24-19517 to allow presence sensing device initiation (PSDI) of mechanical power presses. Although this Appendix as such is not mandatory, it references sections and requirements which are made mandatory by other parts of the PSDI standard and appendices.

(2) General. OSHA intends that PSDI continue to be prohibited where present state-of-the-art technology will not allow it to be done safely. Only part revolution type mechanical power presses are approved for PSDI. Similarly, only presses with a configuration such that a person's body cannot completely enter the bed area are approved for PSDI.

(3) Brake and clutch.

(a) Flexible steel band brakes do not possess a long-term reliability against structural failure as compared to other types of brakes, and therefore are not acceptable on presses used in the PSDI mode of operation.

(b) Fast and consistent stopping times are important to safety for the PSDI mode of operation. Consistency of braking action is enhanced by high brake torque. The requirement in WAC 296-24-19517 (2)(b) defines a high torque capability which should ensure fast and consistent stopping times.

(c) Brake design parameters important to PSDI are high torque, low moment of inertia, low air volume (if pneumatic) mechanisms, noninterleaving engagement springs, and structural integrity which is enhanced by over-design. The requirement in WAC 296-24-19517 (2)(c) reduces the possibility of significantly increased stopping time if a spring breaks.

(d) As an added precaution to the requirements in WAC 296-24-19517 (2)(c), brake adjustment locking means should be secured.

Where brake springs are externally accessible, lock nuts or other means may be provided to reduce the possibility of backing off of the compression nut which holds the springs in place.

(4) Pneumatic systems. Elevated clutch/brake air pressure results in longer stopping time. The requirement in WAC 296-24-19517 (3)(a)(iii) is intended to prevent degradation in stopping speed from higher air pressure. Higher pressures may be permitted, however, to increase clutch torque to free "jammed" dies, provided positive measures are provided to prevent the higher pressure at other times.

(5) Flywheels and bearings. Lubrication of bearings is considered the single greatest deterrent to their failure. The manufacturer's recommended procedures for maintenance and inspection should be closely followed.

(6) Brake monitoring.

(a) The approval of brake monitor adjustments, as required in WAC 296-24-19517 (5)(b), is not considered a recertification, and does not necessarily involve an on-site inspection by a representative of the validation organization. It is expected that the brake monitor adjustment normally could be evaluated on the basis of the effect on the safety system certification/validation documentation retained by the validation organization.

(b) Use of a brake monitor does not eliminate the need for periodic brake inspection and maintenance to reduce the possibility of catastrophic failures.

(7) Cycle control and control systems.

(a) The PSDI set-up/reset means required by WAC 296-24-19517 (6)(d) may be initiated by the actuation of a special momentary pushbutton or by the actuation of a special momentary pushbutton and the initiation of a first stroke with two hand controls.

(b) It would normally be preferable to limit the adjustment of the time required in WAC 296-24-19517 (6)(b) to a maximum of fifteen seconds. However, where an operator must do many operations outside the press, such as lubricating, trimming, deburring, etc., a longer interval up to thirty seconds is permitted.

(c) When a press is equipped for PSDI operation, it is recommended that the presence sensing device be active as a guarding device in other production modes. This should enhance the reliability of the device and ensure that it remains operable.

(d) An acceptable method for interlocking supplemental guards as required by WAC 296-24-19517 (6)(h) would be to incorporate the supplemental guard and the PSDI presence sensing device into a hinged arrangement in which the alignment of the presence sensing device serves, in effect, as the interlock. If the supplemental guards are moved, the presence sensing device would become misaligned and the press control would be deactivated. No extra microswitches or interlocking sensors would be required.

(e) WAC 296-24-19517 (6)(a) of the standard requires that the control system have provisions for an "inch" operating means; that die-setting not be done in the PSDI mode; and that production not be done in the "inch" mode. It should be noted that the sensing device would be by-passed in the "inch" mode. For that reason, the prohibitions against die-setting in the PSDI mode, and against production in the "inch" mode are cited to emphasize that "inch" operation is of reduced safety and is not compatible with PSDI or other production modes.

(8) Environmental requirements. It is the intent of WAC 296-24-19517(7) that control components be provided with inherent design protection against operating stresses and environmental factors affecting safety and reliability.

(9) Safety system.

(a) The safety system provision continues the concept of WAC 296-24-19505(13) that the probability of two independent failures in the length of time required to make one press cycle is so remote as to be a negligible risk factor in the total array of equipment and human factors. The emphasis is on an integrated total system including all elements affecting point of operation safety.

(b) It should be noted that this does not require redundancy for press components such as structural elements, clutch/brake mechanisms, plates, etc., for which adequate reliability may be achieved by proper design, maintenance, and inspection.

(10) Safeguarding the point of operation.

(a) The intent of WAC 296-24-19517 (9)(c) is to prohibit use of mirrors to "bend" a single light curtain sensing field around corners to cover more than one side of a press. This prohibition is needed to increase the reliability of the presence sensing device in initiating a stroke only when the desired work motion has been completed.

(b) "Object sensitivity" describes the capability of a presence sensing device to detect an object in the sensing field, expressed as the linear measurement of the smallest interruption which can be detected at any point in the field. Minimum object sensitivity describes the largest acceptable size of the interruption in the sensing field. A minimum object sensitivity of one and one-fourth inches (31.75 mm) means that a one and one-fourth inch (31.75 mm) diameter object will be continuously detected at all locations in the sensing field.

(c) In deriving the safety distance required in WAC 296-24-19517 (9)(f), all stopping time measurements should be made with clutch/brake air pressure regulated to the press manufacturer's recommended value for full clutch torque capability. The stopping time measurements should be made with the heaviest upper die that is planned for use in the press. If the press has a slide counterbalance system, it is important that the counterbalance be adjusted correctly for upper die weight according to the manufacturer's instructions. While the brake monitor setting is based on the stopping time it actually measures, i.e., the normal stopping time at the top of the stroke, it is important that the safety distance be computed from the longest stopping time measured at any of the indicated three downstroke stopping positions listed in the explanation of Ts. The use in the formula of twice the stopping time increase, Tm, allowed by the brake monitor for brake wear allows for greater increases in the downstroke stopping time than occur in normal stopping time at the top of the stroke.

(11) Inspection and maintenance. [Reserved]

(12) Safety system certification/validation. Mandatory requirements for certification/validation of the PSDI safety system are provided in WAC 296-24-20700, Appendix A, and 296-24-20720, Appendix C to this standard. Nonmandatory supplementary information and guidelines relating to certification/validation of the PSDI safety system are provided in WAC 296-24-20710, Appendix B to this standard.

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

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-23001 DEFINITION. These definitions are applicable to all sections of this chapter containing WAC 296-24-230 in the section number. As used in those sections, the term, "approved truck" or "approved industrial truck" means a truck that is listed or approved for fire safety purposes for the intended use by a nationally recognized testing laboratory, (~~(c.g. Underwriters Laboratories, Inc.; Factory Mutual Engineering Corp.)~~) using nationally recognized testing standards. Refer to WAC 296-24-58501(19) for definition of listed, and to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-24017 OTHER REQUIREMENTS. (1) Rail clamps. Rail clamps shall not be used as a means of restraining tipping of a locomotive crane.

(2) Ballast or counterweight. Cranes shall not be operated without the full amount of any ballast or counterweight in place as specified by the maker, but truck cranes that have dropped the ballast or counterweight may be operated temporarily with special care and only for light loads without full ballast or counterweight in place. The ballast or counterweight in place specified by the manufacturer shall not be exceeded.

(3) Cabs.

(a) Necessary clothing and personal belongings shall be stored in such a manner as to not interfere with access or operation.

(b) Tools, oil cans, waste, extra fuses, and other necessary articles shall be stored in the tool box, and shall not be permitted to lie loose in or about the cab.

(4) Refueling.

(a) Refueling with small portable containers shall be done with (~~Underwriters Laboratories or Factory Mutual Laboratories approved, or equivalent;~~) an approved safety type can equipped with an automatic closing cap and flame arrester. Refer to WAC 296-24-58501(19) for definition of approved.

(b) Machines shall not be refueled with the engine running.

(5) Fire extinguishers.

(a) A carbon dioxide, dry chemical, or equivalent fire extinguisher shall be kept in the cab or vicinity of the crane.

(b) Operating and maintenance personnel shall be made familiar with the use and care of the fire extinguishers provided.

(6) Swinging locomotive cranes. A locomotive crane shall not be swung into a position where railway cars on an adjacent track might strike it, until it has been ascertained that cars are not being moved on the adjacent track and proper flag protection has been established.

AMENDATORY SECTION (Amending Order 79-9, filed 7/31/79)

WAC 296-24-24519 OTHER REQUIREMENTS. (1) Guards.

(a) Exposed moving parts, such as gears, ropes, setscrews, projecting keys, chains, chain sprockets, and reciprocating components, which constitute a hazard under normal operating conditions shall be guarded.

(b) Guards shall be securely fastened.

(c) Each guard shall be capable of supporting without permanent distortion, the weight of a ((200)) two hundred-pound person unless the guard is located where it is impossible for a person to step on it.

(2) Hooks.

(a) Hooks shall meet the manufacturer's recommendations and shall not be overloaded.

(b) Safety latch type hooks shall be used or the hooks shall be moused.

(3) Fire extinguishers.

(a) A carbon dioxide, dry chemical, or equivalent fire extinguisher shall be kept in the immediate vicinity of the derrick.

(b) Operating and maintenance personnel shall be familiar with the use and care of the fire extinguishers provided.

(4) Refueling.

(a) Refueling with portable containers shall be done with ~~((Underwriters Laboratory, Inc. (UL), or Factory Mutual Laboratories approved, or equivalent.))~~ approved safety type containers equipped with automatic closing spout and flame arrester. Refer to WAC 296-24-58501(19) for definition of approved.

(b) Machines shall not be refueled with the engine running.

(5) Operating near electric powerlines.

(a) Except where the electrical distribution and transmission lines have been deenergized and visibility grounded at point of work or where insulating barriers not a part of or an attachment to the derrick have been erected to prevent physical contact with the lines, derricks shall be operated proximate to, under, over, by, or near powerlines only in accordance with the following:

(i) For lines rated 50 kv. or below minimum clearance between the lines and any part of the derrick or load shall be ~~((+0))~~ ten feet.

(ii) For lines rated over 50 kv. minimum clearance between lines and any part of the derrick or load shall be ~~((+0))~~ ten feet plus 0.4 inch for each 1 kv. over 50 kv., or use twice the length of the line insulator, but never less than ~~((+0))~~ ten feet.

(b) Cage-type boom guards, insulating links, or proximity warning devices may be used on derricks, but the use of such devices shall not operate to alter the requirements of ~~((5))~~(a) of this ~~((section))~~ subsection.

(c) Before the commencement of operations near electrical lines, the owners of the lines or their authorized representatives shall be notified and provided with pertinent information. The owner's cooperation shall be requested.

(d) Any overhead wire shall be considered to be an energized line until the owner of the line or their authorized representatives state that it is deenergized.

(6) Cab or operating enclosure.

(a) Necessary clothing and personnel belongings shall be stored in such a manner as to not interfere with access or operation.

(b) Tools, oilcans, waste, extra fuses, and other necessary articles shall be stored in the toolbox, and shall not be permitted to lie loose in or about the cab or operating enclosure.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-31501 GENERAL. (1) Definitions as used in this section.

(a) Gaseous hydrogen system is one in which the hydrogen is delivered, stored and discharged in the gaseous form to consumer's piping. The system includes stationary or movable containers, pressure regulators, safety relief devices, manifolds, interconnecting piping and controls. The system terminates at the point where hydrogen at service pressure first enters the consumer's distribution piping.

(b) Approved—Means unless otherwise indicated, listed or approved by ~~((the following))~~ a nationally recognized testing ~~((laboratories: Underwriters Laboratories, Inc., and Factory Mutual Engineering Corp))~~ laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(c) Listed—See "approved."

(d) ASME—American Society of Mechanical Engineers.

(e) DOT specifications—Regulations of the department of transportation published in 49 CFR Chapter I.

(f) DOT regulations—See WAC 296-24-315.

(2) Scope.

(a) Gaseous hydrogen systems.

(i) WAC 296-24-31503 applies to the installation of gaseous hydrogen systems on consumer premises where the hydrogen supply to the consumer premises originates outside the consumer premises and is delivered by mobile equipment.

(ii) WAC 296-24-31503 does not apply to gaseous hydrogen systems having a total hydrogen content of less than ~~((400))~~ four hundred cubic feet, nor to hydrogen manufacturing plants or other establishments operated by the hydrogen supplier or his agent for the purpose of storing hydrogen and refilling portable containers, trailers, mobile supply trucks, or tank cars.

(b) Liquefied hydrogen systems.

(i) WAC 296-24-31505 applies to the installation of liquefied hydrogen systems on consumer premises.

(ii) WAC 296-24-31505 does not apply to liquefied hydrogen portable containers of less than ~~((150))~~ one hundred fifty liters (39.63 gallons) capacity; nor to liquefied hydrogen manufacturing plants or other establishments operated by the hydrogen supplier or his agent for the sole purpose of storing liquefied hydrogen and refilling portable containers, trailers, mobile supply trucks or tank cars.

AMENDATORY SECTION (Amending Order 82-10, filed 3/30/82)

WAC 296-24-33001 DEFINITIONS. The following definitions are applicable to all sections of this chapter which include WAC 296-24-330 in the section number.

(1) Aerosol shall mean a material which is dispensed from its container as a mist, spray, or foam by a propellant under pressure.

(2) Atmospheric tank shall mean a storage tank which has been designed to operate at pressures from atmospheric through 0.5 p.s.i.g.

(3) Automotive service station shall mean that portion of property where flammable or combustible liquids used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles and shall include any facilities available for the sale and service of tires, batteries, and accessories, and for minor automotive maintenance work. Major automotive repairs, painting, body and fender work are excluded.

(4) Basement shall mean a story of a building or structure having one-half or more of its height below ground level and to which access for fire fighting purposes is unduly restricted.

(5) Boiling point shall mean the boiling point of a liquid at a pressure of 14.7 pounds per square inch absolute (p.s.i.a.) (760 mm.). Where an accurate boiling point is unavailable for the material in question, or for mixtures which do not have a constant boiling point, for purposes of this section the ~~((+0))~~ ten percent point of a distillation performed in accordance with the Standard Method of Test for Distillation of Petroleum Products, ASTM D-86-62, may be used as the boiling point of the liquid.

(6) Boilover shall mean the expulsion of crude oil (or certain other liquids) from a burning tank. The light fractions of the crude oil burnoff producing a heat wave in the residue, which on reaching a water strata may result in the expulsion of a portion of the contents of the tank in the form of froth.

(7) Bulk plant shall mean that portion of a property where flammable or combustible liquids are received by tank vessel, pipelines, tank car, or tank vehicle, and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, or container.

(8) Chemical plant shall mean a large integrated plant or that portion of such a plant other than a refinery or distillery where flammable or combustible liquids are produced by chemical reactions or used in chemical reactions.

(9) Closed container shall mean a container as herein defined, so sealed by means of a lid or other device that neither liquid nor vapor will escape from it at ordinary temperatures.

(10) Crude petroleum shall mean hydrocarbon mixtures that have a flash point below 150°F and which have not been processed in a refinery.

(11) Distillery shall mean a plant or that portion of a plant where flammable or combustible liquids produced by fermentation are concentrated, and where the concentrated products may also be mixed, stored, or packaged.

(12) Fire area shall mean an area of a building separated from the remainder of the building by construction having a fire resistance of at least ~~((+))~~ one hour and having all communicating openings properly protected by an assembly having a fire resistance rating of at least ~~((+))~~ one hour.

(13) Fire resistance or fire resistive construction shall mean construction to resist the spread of fire.

(14) Flammable aerosol shall mean an aerosol which is required to be labeled "Flammable" under the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261). For the purposes of WAC 296-24-33009, such aerosols are considered Class IA liquids.

(15) "Flashpoint" means the minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid, and shall be determined as follows:

(a) For a liquid which has a viscosity of less than 45 SUS at 100°F (37.8°C), does not contain suspended solids, and does not have a tendency to form a surface film while under test, the procedure specified in the Standard Method of Test for Flashpoint by Tag Closed Tester (ASTM D-56-70) shall be used.

(b) For a liquid which has a viscosity of 45 SUS or more at 100°F (37.8°C), or contains suspended solids, or has a tendency to form a surface film while under test, the Standard Method of Test for Flashpoint by Pensky-Martens Closed Tester (ASTM D-93-71) shall be used, except that the methods specified in Note 1 to section 1.1 of ASTM D-93-71 may be used for the respective materials specified in the note.

(c) For a liquid that is a mixture of compounds that have different volatilities and flashpoints, its flashpoint shall be determined by using the procedure specified in ~~((+5))~~(a) or (b) of this ~~((section))~~ subsection on the liquid in the form it is shipped. If the flashpoint, as determined by this test, is 100°F (37.8°C) or higher, an additional flashpoint determination shall be run on a sample of the liquid evaporated to ~~((90))~~ ninety percent of its original volume, and the lower value of the two tests shall be considered the flashpoint of the material.

(d) Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified in this section.

(16) Hotel shall mean buildings or groups of buildings under the same management in which there are sleeping accommodations for hire primarily used by transients who are lodged with or without meals including but not limited to inns, clubs, motels, and apartment hotels.

(17) Institutional occupancy shall mean the occupancy or use of a building or structure or any portion thereof by persons harbored or detained to receive medical, charitable or other care or treatment, or by persons involuntarily detained.

(18) Liquid shall mean, for the purpose of these standards, any material which has a fluidity greater than that of 300 penetration asphalt when tested in accordance with ASTM Test for Penetration for Bituminous Materials, D-5-65. When not otherwise identified, the term liquid shall include both flammable and combustible liquids.

(19) "Combustible liquid" means any liquid having a flashpoint at or above 100°F(;) (37.8°C). Combustible liquids shall be divided into two classes as follows:

(a) "Class II liquids" shall include those with flashpoints at or above 100°F (37.8°C) and below 140°F (60°C), except any mixture having components with flashpoints of 200°F (93.3°C) or higher, the volume of which make up ~~((99))~~ ninety-nine percent or more of the total volume of the mixture.

(b) "Class III liquids" shall include those with flashpoints at or above 140°F(;) (60°C). Class III liquids are subdivided into two subclasses:

(i) "Class IIIA liquids" shall include those with flashpoints at or above 140°F (60°C) and below 200°F (93.3°C) except any mixture having components with flashpoints of 200°F (93.3°C) or higher, the total volume of which make up ~~((99))~~ ninety-nine percent or more of the total volume of the mixture.

(ii) "Class IIIB liquids" shall include those with flashpoints at or above 200°F(;) (93.3°C). This section does not cover Class IIIB liquids. Where the term "Class III liquids" is used in this section, it shall mean only Class IIIA liquids.

(c) When a combustible liquid is heated for use to within 30°F (16.7°C) of its flashpoint, it shall be handled in accordance with the requirements for the next lower class of liquids.

(20) "Flammable liquid" means any liquid having a flashpoint below 100°F(;) (37.8°C), except any mixture having components with flashpoints of 100°F(;) (37.8°C), or higher, the total of which make up ~~((99))~~ ninety-nine percent or more of the total volume of the mixture. Flammable liquids shall be known as Class I liquids. Class I liquids are divided into three classes as follows:

(a) Class IA shall include liquids having flashpoints below 73°F (22.8°C) and having a boiling point below 100°F(;) (37.8°C).

(b) Class IB shall include liquids having flashpoints below 73°F (22.8°C) and having a boiling point at or above 100°F(;) (37.8°C).

(c) Class IC shall include liquids having flashpoints at or above 73°F (22.8°C) and below 100°F(;) (37.8°C).

(21) Unstable (reactive) liquid shall mean a liquid which in the pure state or as commercially produced or transported will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure, or temperature.

(22) Low-pressure tank shall mean a storage tank which has been designed to operate at pressures above 0.5 p.s.i.g. but not more than 15 p.s.i.g.

(23) Marine service station shall mean that portion of a property where flammable or combustible liquids used as fuels are stored and dispensed from fixed equipment on shore, piers, wharves, or floating docks into the fuel tanks or self-propelled craft, and shall include all facilities used in connection therewith.

(24) Mercantile occupancy shall mean the occupancy or use of a building or structure or any portion thereof for the displaying, selling, or buying of goods, wares, or merchandise.

(25) Office occupancy shall mean the occupancy or use of a building or structure or any portion thereof for the transaction of business, or the rendering or receiving of professional services.

(26) Portable tank shall mean a closed container having a liquid capacity over ~~((60-U.S.))~~ sixty United States gallons and not intended for fixed installation.

(27) Pressure vessel shall mean a storage tank or vessel which has been designed to operate at pressures above 15 p.s.i.g.

(28) Protection for exposure shall mean adequate fire protection for structures on property adjacent to tanks, where there are employees of the establishment.

(29) Refinery shall mean a plant in which flammable or combustible liquids are produced on a commercial scale from crude petroleum, natural gasoline, or other hydrocarbon sources.

(30) Safety can shall mean an approved container, of not more than ~~((5))~~ five gallons capacity, having a spring-closing lid and spout cover and so designed that it will safely relieve internal pressure when subjected to fire exposure.

(31) Vapor pressure shall mean the pressure, measured in pounds per square inch (absolute) exerted by a volatile liquid as determined by the "Standard Method of Test for Vapor Pressure of Petroleum Products (Reid Method)," American Society for Testing and Materials ASTM D323-68.

(32) Ventilation as specified in these standards is for the prevention of fire and explosion. It is considered adequate if it is sufficient to prevent accumulation of significant quantities of vapor-air mixtures in concentration over one-fourth of the lower flammable limit.

(33) Storage: Flammable or combustible liquids shall be stored in a tank or in a container that complies with WAC 296-24-33009(2).

(34) Barrel shall mean a volume of ~~((42-U.S.))~~ forty-two United States gallons.

(35) Container shall mean any can, barrel, or drum.

(36) Approved unless otherwise indicated, approved, or listed by ~~((at least one of the following nationally recognized testing laboratories: Underwriters Laboratories, Inc., Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(37) Listed see ~~(("approved" in WAC 296-24-33001))~~ subsection (36) of this section.

(38) "SUS" means Saybolt Universal Seconds as determined by the Standard Method of Test for Saybolt Viscosity (ASTM D-88-56), and may be determined by use of the SUS conversion tables specified in ASTM Method D2161-66 following determination of viscosity in

accordance with the procedures specified in the Standard Method of Test for Viscosity of Transparent and Opaque Liquids (ASTM D445-65).

(39) "Viscous" means a viscosity of 45 SUS or more.

Note: The volatility of liquids is increased when artificially heated to temperatures equal to or higher than their flashpoints. When so heated Class II and III liquids shall be subject to the applicable requirements for Class I or II liquids. These standards may also be applied to high flashpoint liquids when so heated even though these same liquids when not heated are outside of its scope.

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

WAC 296-24-37001 DEFINITIONS. (1) Aerated solid powders. Aerated powders shall mean any powdered material used as a coating material which shall be fluidized within a container by passing air uniformly from below. It is common practice to fluidize such materials to form a fluidized powder bed and then dip the part to be coated into the bed in a manner similar to that used in liquid dipping. Such beds are also used as sources for powder spray operations.

(2) Spraying area. Any area in which dangerous quantities of flammable vapors or mists, or combustible residues, dusts, or deposits are present due to the operation of spraying processes.

(3) Spray booth. A power-ventilated structure provided to enclose or accommodate a spraying operation to confine and limit the escape of spray, vapor, and residue, and to safely conduct or direct them to an exhaust system.

(4) Waterwash spray booth. A spray booth equipped with a water washing system designed to minimize dusts or residues entering exhaust ducts and to permit the recovery of overspray finishing material.

(5) Dry spray booth. A spray booth not equipped with a water washing system as described in subsection (4) of this section. A dry spray booth may be equipped with (a) distribution or baffle plates to promote an even flow of air through the booth or cause the deposit of overspray before it enters the exhaust duct; or (b) overspray dry filters to minimize dusts; or (c) overspray dry filters to minimize dusts or residues entering exhaust ducts; or (d) overspray dry filter rolls designed to minimize dusts or residues entering exhaust ducts; or (e) where dry powders are being sprayed, with powder collection systems so arranged in the exhaust to capture oversprayed material.

(6) Fluidized bed. A container holding powder coating material which is aerated from below so as to form an air-supported expanded cloud of such material through which the preheated object to be coated is immersed and transported.

(7) Electrostatic fluidized bed. A container holding powder coating material which is aerated from below so as to form an air-supported expanded cloud of such material which is electrically charged with a charge opposite to the charge of the object to be coated; such object is transported through the container immediately above the charged and aerated materials in order to be coated.

(8) Approved. Shall mean approved and listed by ~~((the following nationally recognized testing laboratories: Underwriters Laboratories, Inc., Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(9) Listed. See "approved" in ~~((WAC 296-24-37001))~~ subsection (8) of this section.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-40501 DEFINITIONS. (1) Dip tank. Shall mean a tank, vat, or container of flammable or combustible liquid in which articles or materials are immersed for the purpose of coating, finishing, treating, or similar processes.

(2) Vapor area. Shall mean any area containing dangerous quantities of flammable vapors in the vicinity of dip tanks, their drainboards or associated drying, conveying, or other equipment during operation or shutdown periods.

(3) Approved. Unless otherwise indicated, approval or listing by ~~((at least one of the following nationally recognized testing laboratories: Underwriters Laboratories, Inc., Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(4) Listed. See "approved" in subsection (3) of this section.

AMENDATORY SECTION (Amending Order 85-09, filed 4/19/85)

WAC 296-24-47505 BASIC RULES. (1) Odorizing gases.

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

(b) The odorization requirement of ~~((++))~~(a) of this ~~((section))~~ subsection shall be considered to be met by the use of 1.0 pounds of ethyl mercaptan, 1.0 pounds of thiophane or 1.4 pounds of amyl mercaptan per ~~((+0,000))~~ ten thousand gallons of LP-gas. However, this listing of odorants and quantities shall not exclude the use of other odorants that meet the odorization requirements of ~~((++))~~(a) of this ~~((section))~~ subsection.

(2) Approval of equipment and systems.

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

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

(c) In systems utilizing containers of over ~~((2,000))~~ two thousand gallons water capacity, each regulator, container, valve, excess flow valve, gaging device, and relief valve installed on or at the container, shall have its correctness as to design, construction, and performance determined by listing by ~~((Underwriters Laboratories, Inc., or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

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

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

(3) Requirements for construction and original test of containers.

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

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

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

(4) Welding of containers.

(a) Welding to the shell, head, or any other part of the container subject to internal pressure, shall be done in compliance with the code under which the tank was fabricated. Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the tank manufacturer.

(b) Where repair or modification involving welding of DOT containers is required, the container shall be returned to a qualified manufacturer making containers of the same type, and the repair or modification made in compliance with DOT regulations.

(5) Markings on container.

TABLE H-23

Water capacity per container	Minimum distances		Between above-ground containers
	Under-ground	Above-ground	
30,001 to 70,000 gallons	50 feet	75 feet	1/4 of sum of diameters of adjacent containers.
70,001 to 90,000 gallons	50 feet	100 feet	

¹If the aggregate water capacity of a multi((-))container installation at a consumer site is ((50+)) five hundred one gallons or greater, the minimum distance shall comply with the appropriate portion of this table, applying the aggregate capacity rather than the capacity per container. If more than one installation is made, each installation shall be separated from another installation by at least ((25)) twenty-five feet. Do not apply the MINIMUM DISTANCES BETWEEN ABOVE-GROUND CONTAINERS to such installations.

²Note: The above distance requirements may be reduced to not less than ((+0)) ten feet for a single container of ((+200)) one thousand two hundred gallons water capacity or less, providing such a container is at least ((25)) twenty-five feet from any other LP-gas container of more than ((+25)) one hundred twenty-five gallons water capacity.

(c) Containers installed for use shall not be stacked one above the other.

(d) In industrial installations involving containers of ((+100,000)) one hundred eighty thousand gallons aggregate water capacity or more, where serious mutual exposures between the container and adjacent properties prevail, firewalls or other means of special protection designed and constructed in accordance with good engineering practices are required.

(e) In the case of buildings devoted exclusively to gas manufacturing and distributing operations, the distances required by Table H-23 may be reduced provided that in no case shall containers of water capacity exceeding ((500)) five hundred gallons be located closer than ((+0)) ten feet to such gas manufacturing and distributing buildings.

(f) Readily ignitable material such as weeds and long dry grass shall be removed within ((+0)) ten feet of any container.

(g) The minimum separation between liquefied petroleum gas containers and flammable liquid tanks shall be ((20)) twenty feet, and the minimum separation between a container and the centerline of the dike shall be ((+0)) ten feet. The foregoing provision shall not apply when LP-gas containers of ((+25)) one hundred twenty-five gallons or less capacity are installed adjacent to Class III flammable liquid tanks of ((275)) two hundred seventy-five gallons or less capacity.

(h) Suitable means shall be taken to prevent the accumulation of flammable liquids under adjacent liquefied petroleum gas containers, such as by diking, diversion curbs, or grading.

(i) When dikes are used with flammable liquid tanks, no liquefied petroleum gas containers shall be located within the diked area.

(7) Container valves and container accessories.

(a) Valves, fittings, and accessories connected directly to the container including primary shutoff valves, shall have a rated working pressure of at least 250 p.s.i.g. and shall be of material and design suitable for LP-gas service. Cast iron shall not be used for container valves, fittings, and accessories. This does not prohibit the use of container valves made of malleable or nodular iron.

(b) Connections to containers, except safety relief connections, liquid level gaging devices, and plugged openings, shall have shutoff valves located as close to the container as practicable.

(c) Excess flow valves, where required shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections or line including valves, fittings, etc., being protected by an excess flow valve shall have a greater capacity than the rated flow of the excess flow valve.

(d) Liquid level gaging devices which are so constructed that outward flow of container contents shall not exceed that passed by a No. 54 drill size opening, need not be equipped with excess flow valves.

(e) Openings from container or through fittings attached directly on container to which pressure gage connection is made, need not be

(a) Each container covered in subsection (3)(a) of this section except as provided in subsection (2)(d) of this section shall be marked as specified in the following:

(i) With a marking identifying compliance with, and other markings required by, the rules of the reference under which the container is constructed; or with the stamp and other markings required by the laws, rules or regulations as administered by the state of Washington, department of labor and industries pertaining to such containers.

(ii) With notation as to whether the container is designed for underground or aboveground installation or both. If intended for both and different style hoods are provided, the marking shall indicate the proper hood for each type of installation.

(iii) With the name and address of the supplier of the container, or with the trade name of the container.

(iv) With the water capacity of the container in pounds or gallons, ((U.S.)) United States standard.

(v) With the pressure in p.s.i.g., for which the container is designed.

(vi) With the wording "This container shall not contain a product having a vapor pressure in excess of—p.s.i.g. at 100°F," see WAC 296-24-47509, Table H-31.

(vii) With the tare weight in pounds or other identified unit of weight for containers with a water capacity of ((300)) three hundred pounds or less.

(viii) With marking indicating the maximum level to which the container may be filled with liquid at temperatures between 20°F and 130°F, except on containers provided with fixed maximum level indicators or which are filled by weighing. Markings shall be increments of not more than 20°F. This marking may be located on the liquid level gaging device.

(ix) With the outside surface area in square feet.

(b) Markings specified shall be on a metal nameplate attached to the container and located in such a manner as to remain visible after the container is installed.

(c) When LP-gas and one or more other gases are stored or used in the same area, the containers shall be marked to identify their content. Marking shall be in compliance with American National Standard Z48.1-1954, "Method of Marking Portable Compressed Gas Containers to Identify the Material Contained."

(6) Location of containers and regulating equipment.

(a) Containers, and first stage regulating equipment if used, shall be located outside of buildings, except under one or more of the following:

(i) In buildings used exclusively for container charging, vaporization pressure reduction, gas mixing, gas manufacturing, or distribution.

(ii) When portable use is necessary and in accordance with WAC 296-24-47507(5).

(iii) LP-gas fueled stationary or portable engines in accordance with WAC 296-24-47511 (11) or (12).

(iv) LP-gas fueled industrial trucks used in accordance with WAC 296-24-47511(13).

(v) LP-gas fueled vehicles garaged in accordance with WAC 296-24-47511(14).

(vi) Containers awaiting use or resale when stored in accordance with WAC 296-24-47513.

(b) Each individual container shall be located with respect to the nearest important building or group of buildings or line of adjoining property which may be built on in accordance with Table H-23.

TABLE H-23

Water capacity per container	Minimum distances		Between above-ground containers
	Under-ground	Above-ground	
Less than 125 gals	10 feet	None	None
125 to 250 gallons	10 feet	10 feet	None.
251 to 500 gallons	10 feet	10 feet	3 feet.
501 to 2,000 gallons	25 feet ²	25 feet ²	3 feet.
2,001 to 30,000 gallons	50 feet	50 feet	5 feet.

equipped with shutoff or excess flow valves if such openings are restricted to not larger than No. 54 drill size opening.

(f) Except as provided in WAC 296-24-47507 (5)(a)(ii), excess flow and back pressure check valves where required by this section shall be located inside of the container or at a point outside where the line enters the container; in the latter case, installation shall be made in such manner that any undue strain beyond the excess flow or back pressure check valve will not cause breakage between the container and such valve.

(g) Excess flow valves shall be designed with a bypass, not to exceed a No. 60 drill size opening to allow equalization of pressures.

(h) Containers of more than ~~(30)~~ thirty gallons water capacity and less than ~~(2,000)~~ two thousand gallons water capacity, filled on a volumetric basis, and manufactured after December 1, 1963, shall be equipped for filling into the vapor space.

(8) Piping—Including pipe, tubing, and fittings.

(a) Pipe, except as provided in WAC 296-24-47511 (6)(a) and 296-24-47515 (10)(c) shall be wrought iron or steel (black or galvanized), brass, copper, or aluminum alloy. Aluminum alloy pipe shall be at least Schedule 40 in accordance with the specifications for Aluminum Alloy Pipe, American National Standards Institute ~~((ANSI))~~ (ANSI) H38.7-1969 (ASTM, B241-1969), except that the use of alloy 5456 is prohibited and shall be suitably marked at each end of each length indicating compliance with American National Standard Institute specifications. Aluminum alloy pipe shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by such liquids as water (except rain water), detergents, sewage, or leaking from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum nominal pipe size for aluminum pipe shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy pipe shall not be installed within ~~((6))~~ six inches of the ground.

(i) Vapor piping with operating pressures not exceeding 125 p.s.i.g. shall be suitable for a working pressure of at least 125 p.s.i.g. Pipe shall be at least Schedule 40 ASTM A-53-69, Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal.

(ii) Vapor piping with operating pressures over 125 p.s.i.g. and all liquid piping shall be suitable for a working pressure of at least 250 p.s.i.g. Pipe shall be at least Schedule 80 if joints are threaded or threaded and back welded. At least Schedule 40 (ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal) shall be used if joints are welded, or welded and flanged.

(b) Tubing shall be seamless and of copper, brass, steel, or aluminum alloy. Copper tubing shall be of Type K or L or equivalent as covered in the Specification for Seamless Copper Water Tube, ANSI H23.1-1970 (ASTM B88-1969). Aluminum alloy tubing shall be of Type A or B or equivalent as covered in Specification ASTM B210-1968 and shall be suitably marked every ~~((+8))~~ eighteen inches indicating compliance with ASTM specifications. The minimum nominal wall thickness of copper tubing and aluminum alloy tubing shall be as specified in Table H-24 and Table H-25.

TABLE H-24

WALL THICKNESS OF COPPER TUBING¹

Note: The standard size by which tube is designated is ~~((+8))~~ one-eighth-inch smaller than its nominal outside diameter.

Standard size (inches)	Nominal O.D. (inches)	Nominal wall thickness (inches)	
		Type K	Type L
1/4	0.375	0.035	0.030
3/8	0.500	0.049	0.035
1/2	0.625	0.049	0.040
5/8	0.750	0.049	0.042
3/4	0.875	0.065	0.045
1	1.125	0.065	0.050
1 1/4	1.375	0.065	0.055

TABLE H-24—cont.

Standard size (inches)	Nominal O.D. (inches)	Nominal wall thickness (inches)	
		Type K	Type L
1 1/2	1.625	0.072	0.060
2	2.125	0.083	0.070

¹Based on data in Specification for Seamless Copper Water Tubing, ANSI H23.1-1970 (ASTM B-88-69).

TABLE H-25

WALL THICKNESS OF ALUMINUM ALLOY TUBING¹

Outside diameter (inches)	Nominal wall thickness (inches)	
	Type A	Type B
3/8	0.035	0.049
1/2	0.035	0.049
5/8	0.042	0.049
3/4	0.049	0.058

¹Based on data in Standard Specification for Aluminum-Alloy Drawn Seamless Coiled Tubes for Special Purpose Applications, ASTM B210-68.

Aluminum alloy tubing shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by liquids such as water (except rainwater), detergents, sewage, or leakage from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum outside diameter for aluminum alloy tubing shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy tubing shall not be installed within ~~((6))~~ six inches of the ground.

(c) In systems where the gas in liquid form without pressure reduction enters the building, only heavy walled seamless brass or copper tubing with an internal diameter not greater than three thirty-seconds inch, and a wall thickness of not less than three sixty-fourths inch shall be used. This requirement shall not apply to research and experimental laboratories, buildings, or separate fire divisions of buildings used exclusively for housing internal combustion engines, and to commercial gas plants or bulk stations where containers are charged, nor to industrial vaporizer buildings, nor to buildings, structures, or equipment under construction or undergoing major renovation.

(d) Pipe joints may be screwed, flanged, welded, soldered, or brazed with a material having a melting point exceeding 1,000°F. Joints on seamless copper, brass, steel, or aluminum alloy gas tubing shall be made by means of approved gas tubing fittings, or soldered or brazed with a material having a melting point exceeding 1,000°F.

(e) For operating pressures of 125 p.s.i.g. or less, fittings shall be designed for a pressure of at least 125 p.s.i.g. For operating pressures above 125 p.s.i.g., fittings shall be designed for a minimum of 250 p.s.i.g.

(f) The use of threaded cast iron pipe fittings such as ells, tees, crosses, couplings, and unions is prohibited. Aluminum alloy fittings shall be used with aluminum alloy pipe and tubing. Insulated fittings shall be used where aluminum alloy pipe or tubing connects with a dissimilar metal.

(g) Strainers, regulators, meters, compressors, pumps, etc., are not to be considered as pipe fittings. This does not prohibit the use of malleable, nodular, or higher strength gray iron for such equipment.

(h) All materials such as valve seats, packing, gaskets, diaphragms, etc., shall be of such quality as to be resistant to the action of liquefied petroleum gas under the service conditions to which they are subjected.

(i) All piping, tubing, or hose shall be tested after assembly and proved free from leaks at not less than normal operating pressures. After installation, piping and tubing of all domestic and commercial systems shall be tested and proved free of leaks using a manometer or equivalent device that will indicate a drop in pressure. Test shall not be made with a flame.

(j) Provision shall be made to compensate for expansion, contraction, jarring, and vibration, and for settling. This may be accomplished by flexible connections.

(k) Piping outside buildings may be buried, above ground, or both, but shall be well supported and protected against physical damage. Where soil conditions warrant, all piping shall be protected against corrosion. Where condensation may occur, the piping shall be pitched back to the container, or suitable means shall be provided for reevaporation of the condensate.

(9) Hose specifications.

(a) Hose shall be fabricated of materials that are resistant to the action of LP-gas in the liquid and vapor phases. If wire braid is used for reinforcing the hose, it shall be of corrosion-resistant material such as stainless steel.

(b) Hose subject to container pressure shall be marked "LP-gas" or "LPG" at not greater than ((+0)) ten-foot intervals.

(c) Hose subject to container pressure shall be designed for a bursting pressure of not less than 1,250 p.s.i.g.

(d) Hose subject to container pressure shall have its correctness as to design construction and performance determined by being listed (see WAC 296-24-47501(15)).

(e) Hose connections subject to container pressure shall be capable of withstanding, without leakage, a test pressure of not less than 500 p.s.i.g.

(f) Hose and hose connections on the low-pressure side of the regulator or reducing valve shall be designed for a bursting pressure of not less than 125 p.s.i.g. or five times the set pressure of the relief devices protecting that portion of the system, whichever is higher.

(g) Hose may be used on the low-pressure side of regulators to connect to other than domestic and commercial gas appliances under the following conditions:

(i) The appliances connected with hose shall be portable and need a flexible connection.

(ii) For use inside buildings the hose shall be of minimum practical length, but shall not exceed ((6)) six feet except as provided in WAC 296-24-47507 (5)(a)(vii) and shall not extend from one room to another, nor pass through any walls, partitions, ceilings, or floors. Such hose shall not be concealed from view or used in a concealed location. For use outside of buildings, the hose may exceed this length but shall be kept as short as practical.

(iii) The hose shall be approved and shall not be used where it is likely to be subjected to temperatures above 125°F. The hose shall be securely connected to the appliance and the use of rubber slip ends shall not be permitted.

(iv) The shutoff valve for an appliance connected by hose shall be in the metal pipe or tubing and not at the appliance end of the hose. When shutoff valves are installed close to each other, precautions shall be taken to prevent operation of the wrong valve.

(v) Hose used for connecting to wall outlets shall be protected from physical damage.

(10) Safety devices.

(a) Every container except those constructed in accordance with DOT specifications and every vaporizer (except motor fuel vaporizers and except vaporizers described in subsection (11)(b)(iii) of this section and WAC 296-24-47509 (4)(e)(i)) whether heated by artificial means or not, shall be provided with one or more safety relief valves of spring-loaded or equivalent type. These valves shall be arranged to afford free vent to the outer air with discharge not less than ((5)) five feet horizontally away from any opening into the building which is below such discharge. The rate of discharge shall be in accordance with the requirements of ((+0))(b) ((of this section)) or ((+0)(c)) (d) of this ((section)) subsection in the case of vaporizers.

(b) Minimum required rate of discharge in cubic feet per minute of air at ((+20)) one hundred twenty percent of the maximum permitted start to discharge pressure for safety relief valves to be used on containers other than those constructed in accordance with DOT specification shall be as follows:

Surface area (sq. ft.)	Flow rate CFM air
20 or less	626
25	751
30	872
35	990
40	1,100
45	1,220

Surface area (sq. ft.)	Flow rate CFM air
50	1,330
55	1,430
60	1,540
65	1,640
70	1,750
75	1,850
80	1,950
85	2,050
90	2,150
95	2,240
100	2,340
105	2,440
110	2,530
115	2,630
120	2,720
125	2,810
130	2,900
135	2,990
140	3,080
145	3,170
150	3,260
155	3,350
160	3,440
165	3,530
170	3,620
175	3,700
180	3,790
185	3,880
190	3,960
195	4,050
200	4,130
210	4,300
220	4,470
230	4,630
240	4,800
250	4,960
260	5,130
270	5,290
280	5,450
290	5,610
300	5,760
310	5,920
320	6,080
330	6,230
340	6,390
350	6,540
360	6,690
370	6,840
380	7,000
390	7,150
400	7,300
450	8,040
500	8,760
550	9,470
600	10,170
650	10,860
700	11,550
750	12,220
800	12,880
850	13,540
900	14,190
950	14,830
1,000	15,470
1,050	16,100
1,100	16,720
1,150	17,350
1,200	17,960
1,250	18,570
1,300	19,180
1,350	19,780
1,400	20,380
1,450	20,980
1,500	21,570

Surface area (sq. ft.)	Flow rate CFM air
1,550	22,160
1,600	22,740
1,650	23,320
1,700	23,900
1,750	24,470
1,800	25,050
1,850	25,620
1,900	26,180
1,950	26,750
2,000	27,310

Surface area = total outside surface area of container in square feet.

(c) When the surface area is not stamped on the nameplate or when the marking is not legible, the area can be calculated by using one of the following formulas:

((+)) (i) Cylindrical container with hemispherical heads:

$$\text{Area} = \text{Overall length} \times \text{outside diameter} \times 3.1416.$$

((+)) (ii) Cylindrical container with other than hemispherical heads:

$$\text{Area} = (\text{Overall length} + 0.3 \text{ outside diameter}) \times \text{outside diameter} \times 3.1416.$$

Note: This formula is not exact, but will give results within the limits of practical accuracy for the sole purpose of sizing relief valves.

((+)) (iii) Spherical container:

$$\text{Area} = \text{Outside diameter squared} \times 3.1416.$$

Flow rate—CFM air = Required flow capacity in cubic feet per minute of air at standard conditions, 60°F and atmospheric pressure (14.7 p.s.i.a.).

The rate of discharge may be interpolated for intermediate values of surface area. For containers with total outside surface area greater than ((2,000)) two thousand square feet, the required flow rate can be ((calculate—calculated)) calculated using the formula, flow rate—CFM air = 53.632 A^{0.82}.

A = Total outside surface area of the container in square feet.

Valves not marked "air" have flow rate marking in cubic feet per minute of liquefied petroleum gas. These can be converted to ratings in cubic feet per minute of air by multiplying the liquefied petroleum gas ratings by factors listed below. Air flow ratings can be converted to ratings in cubic feet per minute of liquefied petroleum gas by dividing the air ratings by the factors listed below.

AIR CONVERSION FACTORS

Container type	100	125	150	175	200
Air conversion factor	1.162	1.142	1.113	1.078	1.010

((+)) (d) Minimum required rate of discharge for safety relief valves for liquefied petroleum gas vaporizers (steam heated, water heated, and direct fired).

The minimum required rate of discharge for safety relief valves shall be determined as follows:

(i) Obtain the total surface area by adding the surface area of vaporizer shell in square feet directly in contact with LP-gas and the heat exchanged surface area in square feet directly in contact with LP-gas.

(ii) Obtain the minimum required rate of discharge in cubic feet of air per minute, at 60°F and 14.7 p.s.i.a. from ((+)) (b) of this ((section)) subsection, for this total surface area.

((+)) (e) Container and vaporizer safety relief valves shall be set to start-to-discharge, with relation to the design pressure of the container, in accordance with Table H-26.

TABLE H-26

Containers	Minimum (percent)	Maximum (percent)
ASME Code; Par. U-68, U-69—1949 and earlier editions	110	¹ 125
ASME Code; Par. U-200, U-201—1949 edition	88	¹ 100
ASME Code—1950, 1952, 1956, 1959, 1962, 1965 and 1968 (Division I) editions	88	¹ 100
API—ASME Code—all editions	88	¹ 100
DOT—As prescribed in 49 CFR Chapter I		

¹Manufacturers of safety relief valves are allowed a plus tolerance not exceeding ((+)) ten percent of the set pressure marked on the valve.

((+)) (f) Safety relief devices used with systems employing containers other than those constructed according to DOT specifications shall be so constructed as to discharge at not less than the rates shown in ((+)) (b) of this ((section)) subsection, before the pressure is in excess of ((+20)) one hundred twenty percent of the maximum (not including the ((+)) ten percent referred to in ((+)) (e) of this ((section)) subsection) permitted start to discharge pressure setting of the device.

((+)) (g) In certain locations sufficiently sustained high temperatures prevail which require the use of a lower vapor pressure product to be stored or the use of a higher designed pressure vessel in order to prevent the safety valves opening as the result of these temperatures. As an alternative the tanks may be protected by cooling devices such as by spraying, by shading, or other effective means.

((+)) (h) Safety relief valves shall be arranged so that the possibility of tampering will be minimized. If pressure setting or adjustment is external, the relief valves shall be provided with approved means for sealing adjustment.

((+)) (i) Shutoff valves shall not be installed between the safety relief devices and the container, or the equipment or piping to which the safety relief device is connected except that a shutoff valve may be used where the arrangement of this valve is such that full required capacity flow through the safety relief device is always afforded.

((+)) (j) Safety relief valves shall have direct communication with the vapor space of the container at all times.

((+)) (k) Each container safety relief valve used with systems covered by WAC 296-24-47509, 296-24-47511, 296-24-47515 and 296-24-47517, except as provided in WAC 296-24-47511 (3)(c) shall be plainly and permanently marked with the following: "Container type" of the pressure vessel on which the valve is designed to be installed; the pressure in p.s.i.g. at which the valve is set to discharge; the actual rate of discharge of the valve in cubic feet per minute of air at 60°F and 14.7 p.s.i.a.; and the manufacturer's name and catalog number, for example: T200-250-4050 AIR—indicating that the valve is suitable for use on a Type 200 container, that it is set to start to discharge at 250 p.s.i.g.; and that its rate of discharge is ((4,050)) four thousand fifty cubic feet per minute of air as determined in ((+)) (b) of this ((section)) subsection.

((+)) (l) Safety relief valve assemblies, including their connections, shall be of sufficient size so as to provide the rate of flow required for the container on which they are installed.

((+)) (m) A hydrostatic relief valve shall be installed between each pair of shutoff valves on liquefied petroleum gas liquid piping so as to relieve into a safe atmosphere. The start-to-discharge pressure setting of such relief valves shall not be in excess of 500 p.s.i.g. The minimum setting on relief valves installed in piping connected to other than DOT containers shall not be lower than ((+)) one hundred forty percent of the container relief valve setting and in piping connected to DOT containers not lower than 400 p.s.i.g. Such a relief valve should not be installed in the pump discharge piping if the same protection can be provided by installing the relief valve in the suction piping. The start-to-discharge pressure setting of such a relief valve, if installed on the discharge side of a pump, shall be greater than the maximum pressure permitted by the recirculation device in the system.

~~((m))~~ (n) The discharge from any safety relief device shall not terminate in or beneath any building, except relief devices covered by subsection (6)(a)(i) ~~((t))~~ through (vi) of this section, or WAC 296-24-47507 (4)(a) or (5).

~~((m))~~ (o) Container safety relief devices and regulator relief vents shall be located not less than five feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(11) Vaporizer and housing.

(a) Indirect fired vaporizers utilizing steam, water, or other heating medium shall be constructed and installed as follows:

(i) Vaporizers shall be constructed in accordance with the requirements of subsection (3)(a) ~~((t))~~ through (c) of this section and shall be permanently marked as follows:

(A) With the code marking signifying the specifications to which the vaporizer is constructed.

(B) With the allowable working pressure and temperature for which the vaporizer is designed.

(C) With the sum of the outside surface area and the inside heat exchange surface area expressed in square feet.

(D) With the name or symbol of the manufacturer.

(ii) Vaporizers having an inside diameter of ~~((6))~~ six inches or less exempted by the ASME Unfired Pressure Vessel Code, Section VIII of the ASME Boiler and Pressure Vessel Code—1968 shall have a design pressure not less than 250 p.s.i.g. and need not be permanently marked.

(iii) Heating or cooling coils shall not be installed inside a storage container.

(iv) Vaporizers may be installed in buildings, rooms, sheds, or lean-tos exclusively for gas manufacturing or distribution, or in other structures of light, noncombustible construction or equivalent, well ventilated near the floor line and roof.

When vaporizing and/or mixing equipment is located in a structure or building not used exclusively for gas manufacturing or distribution, either attached to or within such a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least ~~((100))~~ one hundred pounds per square foot. This wall shall have no openings or pipe or conduit passing through it. Such structure or room shall be provided with adequate ventilation and shall have a roof or at least one exterior wall of lightweight construction.

(v) Vaporizers shall have, at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with subsection (10)~~((c))~~~~((d))~~ of this section, except as provided in WAC 296-24-47509 (4)(e)(i).

(vi) The heating medium lines into and leaving the vaporizer shall be provided with suitable means for preventing the flow of gas into the heat systems in the event of tube rupture in the vaporizer. Vaporizers shall be provided with suitable automatic means to prevent liquid passing through the vaporizers to the gas discharge piping.

(vii) The device that supplies the necessary heat for producing steam, hot water, or other heating medium may be installed in a building, compartment, room, or lean-to which shall be ventilated near the floorline and roof to the outside. The device location shall be separated from all compartments or rooms containing liquefied petroleum gas vaporizers, pumps, and central gas mixing devices by a wall designed to withstand a static pressure of at least ~~((100))~~ one hundred pounds per square foot. This wall shall have no openings or pipes or conduit passing through it. This requirement does not apply to the domestic water heaters which may supply heat for a vaporizer in a domestic system.

(viii) Gas-fired heating systems supplying heat exclusively for vaporization purposes shall be equipped with automatic safety devices to shut off the flow of gas to main burners, if the pilot light should fail.

(ix) Vaporizers may be an integral part of a fuel storage container directly connected to the liquid section or gas section or both.

(x) Vaporizers shall not be equipped with fusible plugs.

(xi) Vaporizer houses shall not have unprotected drains to sewers or sump pits.

(b) Atmospheric vaporizers employing heat from the ground or surrounding air shall be installed as follows:

(i) Buried underground, or

(ii) Located inside the building close to a point at which pipe enters the building provided the capacity of the unit does not exceed ~~((1))~~ one quart.

(iii) Vaporizers of less than ~~((1))~~ one quart capacity heated by the ground or surrounding air, need not be equipped with safety relief

valves provided that adequate tests demonstrate that the assembly is safe without safety relief valves.

(c) Direct gas-fired vaporizers shall be constructed, marked, and installed as follows:

(i) In accordance with the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code—1968 that are applicable to the maximum working conditions for which the vaporizer is designed.

(ii) With the name of the manufacturer; rated BTU input to the burner; the area of the heat exchange surface in square feet; the outside surface of the vaporizer in square feet; and the maximum vaporizing capacity in gallons per hour.

(iii) Vaporizers may be connected to the liquid section or the gas section of the storage container, or both; but in any case there shall be at the container a manually operated valve in each connection to permit completely shutting off when desired, of all flow of gas or liquid from container to vaporizer.

(iv) Vaporizers with capacity not exceeding ~~((35))~~ thirty-five gallons per hour shall be located at least ~~((5))~~ five feet from container shutoff valves. Vaporizers having capacity of more than ~~((35))~~ thirty-five gallons but not exceeding ~~((100))~~ one hundred gallons per hour shall be located at least ~~((10))~~ ten feet from the container shutoff valves. Vaporizers having a capacity greater than ~~((100))~~ one hundred gallons per hour shall be located at least ~~((15))~~ fifteen feet from container shutoff valves.

(v) Vaporizers may be installed in buildings, rooms, housings, sheds, or lean-tos used exclusively for vaporizing or mixing of liquefied petroleum gas. Vaporizing housing structures shall be of noncombustible construction, well ventilated near the floorline and the highest point of the roof. When vaporizer and/or mixing equipment is located in a structure or room attached to or within a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least ~~((100))~~ one hundred pounds per square foot. This wall shall have no openings or pipes or conduit passing through it. Such structure or room shall be provided with adequate ventilation, and shall have a roof or at least one exterior wall of lightweight construction.

(vi) Vaporizers shall have at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with subsection (10)~~((c))~~~~((d))~~ of this section. The relief valve shall be so located as not to be subjected to temperatures in excess of 140°F.

(vii) Vaporizers shall be provided with suitable automatic means to prevent liquid passing from the vaporizer to the gas discharge piping of the vaporizer.

(viii) Vaporizers shall be provided with means for manually turning off the gas to the main burner and pilot.

(ix) Vaporizers shall be equipped with automatic safety devices to shut off the flow of gas to main burners if the pilot light should fail. When the flow through the pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(x) Pressure regulating and pressure reducing equipment if located within ~~((10))~~ ten feet of a direct fired vaporizer shall be separated from the open flame by a substantially airtight noncombustible partition or partitions.

(xi) Except as provided in ~~((11))~~(c)(v)~~((:))~~ of this ~~((section))~~ subsection, the following minimum distances shall be maintained between direct fired vaporizers and the nearest important building or group of buildings or line of adjoining property which may be built upon:

(A) Ten feet for vaporizers having a capacity of ~~((15))~~ fifteen gallons per hour or less vaporizing capacity.

(B) Twenty-five feet for vaporizers having a vaporizing capacity of ~~((16))~~ sixteen to ~~((100))~~ one hundred gallons per hour.

(C) Fifty feet for vaporizers having a vaporizing capacity exceeding ~~((100))~~ one hundred gallons per hour.

(xii) Direct fired vaporizers shall not raise the product pressure above the design pressure of the vaporizer equipment nor shall they raise the product pressure within the storage container above the pressure shown in the second column of Table H-31. (See WAC 296-24-47509.)

(xiii) Vaporizers shall not be provided with fusible plugs.

(xiv) Vaporizers shall not have unprotected drains to sewers or sump pits.

(d) Direct gas-fired tank heaters, shall be constructed and installed as follows:

(i) Direct gas-fired tank heaters, and tanks to which they are applied, shall only be installed above ground.

(ii) Tank heaters shall be permanently marked with the name of the manufacturer, the rated B.T.U. input to the burner, and the maximum vaporizing capacity in gallons per hour.

Note: Tank heaters may be an integral part of a fuel storage container directly connected to the container liquid section, or vapor section, or both.

(iii) Tank heaters shall be provided with a means for manually turning off the gas to the main burner and pilot.

(iv) Tank heaters shall be equipped with an automatic safety device to shut off the flow of gas to main burners, if the pilot light should fail. When flow through pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(v) Pressure regulating and pressure reducing equipment if located within ((+0)) ten feet of a direct fired tank heater shall be separated from the open flame by a substantially airtight noncombustible partition.

(vi) The following minimum distances shall be maintained between a storage tank heated by a direct fired tank heater and the nearest important building or group of buildings or line of adjoining property which may be built upon:

(A) Ten feet for storage containers of less than ((500)) five hundred gallons water capacity.

(B) Twenty-five feet for storage containers of ((500)) five hundred to ((+200)) one thousand two hundred gallons water capacity.

(C) Fifty feet for storage containers of over ((+200)) one thousand two hundred gallons water capacity.

(vii) No direct fired tank heater shall raise the product pressure within the storage container over ((75)) seventy-five percent of the pressure set out in the second column of Table H-31. (See WAC 296-24-47509.)

(e) The vaporizer section of vaporizer-burners used for dehydrators or dryers shall be located outside of buildings; they shall be constructed and installed as follows:

(i) Vaporizer-burners shall have a minimum design pressure of 250 p.s.i.g. with a factor of safety of five.

(ii) Manually operated positive shutoff valves shall be located at the containers to shut off all flow to the vaporizer-burners.

(iii) Minimum distances between storage containers and vaporizer-burners shall be as follows:

Water capacity per container (gallons)	Minimum distances (feet)
Less than 501	10
501 to 2,000	25
Over 2,000	50

(iv) The vaporizer section of vaporizer-burners shall be protected by a hydrostatic relief valve. The relief valve shall be located so as not to be subjected to temperatures in excess of 140°F. The start-to-discharge pressure setting shall be such as to protect the components involved, but not less than 250 p.s.i.g. The discharge shall be directed upward and away from component parts of the equipment and away from operating personnel.

(v) Vaporizer-burners shall be provided with means for manually turning off the gas to the main burner and pilot.

(vi) Vaporizer-burners shall be equipped with automatic safety devices to shut off the flow of gas to the main burner and pilot in the event the pilot is extinguished.

(vii) Pressure regulating and control equipment shall be located or protected so that the temperatures surrounding this equipment shall not exceed 140°F except that equipment components may be used at higher temperatures if designed to withstand such temperatures.

(viii) Pressure regulating and control equipment when located downstream of the vaporizer shall be designed to withstand the maximum discharge temperature of the vapor.

(ix) The vaporizer section of vaporizer-burners shall not be provided with fusible plugs.

(x) Vaporizer coils or jackets shall be made of ferrous metal or high temperature alloys.

(xi) Equipment utilizing vaporizer-burners shall be equipped with automatic shutoff devices upstream and downstream of the vaporizer section connected so as to operate in the event of excessive temperature, flame failure, and, if applicable, insufficient airflow.

(12) Filling densities.

(a) The "filling density" is defined as the percent ratio of the weight of the gas in a container to the weight of water the container will hold

at 60°F. All containers shall be filled according to the filling densities shown in Table H-27.

TABLE H-27
MAXIMUM PERMITTED FILLING DENSITY

Specific gravity at 60°F (15.6°C)	Above ground containers		Under-ground containers, all capacities
	0 to 1,200 U.S. gals. (1,000 imp. gal. total water cap.	Over 1,200 U.S. gals. (1,000 imp. gals. 4,550 liters) total water cap.	
0.496-0.503	41	44	45
.504-.510	42	45	46
.511-.519	43	46	47
.520-.527	44	47	48
.528-.536	45	48	49
.537-.544	46	49	50
.545-.552	47	50	51
.553-.560	48	51	52
.561-.568	49	52	53
.569-.576	50	53	54
.577-.584	51	54	55
.585-.592	52	55	56
.593-.600	53	56	57

(b) Except as provided in ((+2))(c) of this ((section)) subsection, any container including mobile cargo tanks and portable tank containers regardless of size or construction, shipped under DOT jurisdiction or constructed in accordance with 49 CFR Chapter I specifications shall be charged according to 49 CFR Chapter I requirements.

(c) Portable containers not subject to DOT jurisdiction (such as, but not limited to, motor fuel containers on industrial and lift trucks, and farm tractors covered in subsection (5) of this section, or containers recharged at the installation) may be filled either by weight, or by volume using a fixed length dip tube gaging device.

(13) LP-gas in buildings.

(a) Vapor shall be piped into buildings at pressures in excess of 20 p.s.i.g. only if the buildings or separate areas thereof,

(i) Are constructed in accordance with this section;

(ii) Are used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard;

(iii) Buildings, structures, or equipment under construction or undergoing major renovation.

(b) Liquid may be permitted in buildings as follows:

(i) Buildings, or separate areas of buildings, used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard; and when such buildings, or separate areas thereof are constructed in accordance with this section.

(ii) Buildings, structures, or equipment under construction or undergoing major renovation provided the temporary piping meets the following conditions:

(A) Liquid piping inside the building shall conform to the requirements of subsection (8) of this section, and shall not exceed three-fourths iron pipe size. Copper tubing with an outside diameter of three-fourths inch or less may be used provided it conforms to Type K of Specifications for Seamless Water Tube, ANSI H23.1-1970 (ASTM B88-1969) (see WAC 296-24-47505 Table H-24). All such piping shall be protected against construction hazards. Liquid piping inside buildings shall be kept to a minimum. Such piping shall be securely fastened to walls or other surfaces so as to provide adequate protection from breakage and so located as to subject the liquid line to lowest ambient temperatures.

(B) A shutoff valve shall be installed in each intermediate branch line where it takes off the main line and shall be readily accessible. A shutoff valve shall also be placed at the appliance end of the intermediate branch line. Such shutoff valve shall be upstream of any flexible connector used with the appliance.

(C) Suitable excess flow valves shall be installed in the container outlet line supplying liquid LP-gas to the building. A suitable excess flow valve shall be installed immediately downstream of each shutoff valve. Suitable excess flow valves shall be installed where piping size is reduced and shall be sized for the reduced size piping.

(D) Hydrostatic relief valves shall be installed in accordance with subsection (10)((+))(m) of this section.

(E) The use of hose to carry liquid between the container and the building or at any point in the liquid line, except at the appliance connector, shall be prohibited.

(F) Where flexible connectors are necessary for appliance installation, such connectors shall be as short as practicable and shall comply with subsection (8)(b) or (9) of this section.

(G) Release of fuel when any section of piping or appliances is disconnected shall be minimized by either of the following methods:

~~((+))~~ (I) Using an approved automatic quick-closing coupling (a type closing in both directions when coupled in the fuel line), or

~~((+))~~ (II) Closing the valve nearest to the appliance and allowing the appliance to operate until the fuel in the line is consumed.

~~((+))~~ (III) Portable containers shall not be taken into buildings except as provided in subsection (6)(a) of this section.

(14) Transfer of liquids. The employer shall assure that:

(a) At least one attendant shall remain close to the transfer connection from the time the connections are first made until they are finally disconnected, during the transfer of the product.

(b) Containers shall be filled or used only upon authorization of the owner.

(c) Containers manufactured in accordance with specifications of 49 CFR Part 178 and authorized by 49 CFR Chapter 1 as a "single trip" or "nonrefillable container" shall not be refilled or reused in LP-gas service.

(d) Gas or liquid shall not be vented to the atmosphere to assist in transferring contents of one container to another, except as provided in WAC 296-24-47511 (5)(d) and except that this shall not preclude the use of listed pump utilizing LP-gas in the vapor phase as a source of energy and venting such gas to the atmosphere at a rate not to exceed that from a No. 31 drill size opening and provided that such venting and liquid transfer shall be located not less than ~~((50))~~ fifty feet from the nearest important building.

(e) Filling of fuel containers for industrial trucks or motor vehicles from industrial bulk storage containers shall be performed not less than ~~((10))~~ ten feet from the nearest important masonry-walled building or not less than ~~((25))~~ twenty-five feet from the nearest important building or other construction and, in any event, not less than ~~((25))~~ twenty-five feet from any building opening.

(f) Filling of portable containers, containers mounted on skids, fuel containers on farm tractors, or similar applications, from storage containers used in domestic or commercial service, shall be performed not less than ~~((50))~~ fifty feet from the nearest important building.

(g) The filling connection and the vent from the liquid level gages in containers, filled at point of installation, shall not be less than ~~((10))~~ ten feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(h) Fuel supply containers shall be gaged and charged only in the open air or in buildings especially provided for that purpose.

(i) The maximum vapor pressure of the product at 100°F which may be transferred into a container shall be in accordance with WAC 296-24-47509(2) and 296-24-47511(3). (For DOT containers use DOT requirements.)

(j) Marketers and users shall exercise precaution to assure that only those gases for which the system is designed, examined, and listed, are employed in its operation, particularly with regard to pressures.

(k) Pumps or compressors shall be designed for use with LP-gas. When compressors are used they shall normally take suction from the vapor space of the container being filled and discharge to the vapor space of the container being emptied.

(l) Pumping systems, when equipped with a positive displacement pump, shall include a recirculating device which shall limit the differential pressure on the pump under normal operating conditions to the maximum differential pressure rating of the pump. The discharge of the pumping system shall be protected so that pressure does not exceed 350 p.s.i.g. If a recirculation system discharges into the supply tank

and contains a manual shutoff valve, an adequate secondary safety recirculation system shall be incorporated which shall have no means of rendering it inoperative. Manual shutoff valves in recirculation systems shall be kept open except during an emergency or when repairs are being made to the system.

(m) When necessary, unloading piping or hoses shall be provided with suitable bleeder valves for relieving pressure before disconnection.

(n) Agricultural air moving equipment, including crop dryers, shall be shut down when supply containers are being filled unless the air intakes and sources of ignition on the equipment are located ~~((50))~~ fifty feet or more from the container.

(o) Agricultural equipment employing open flames or equipment with integral containers, such as flame cultivators, weed burners, and, in addition, tractors, shall be shut down during refueling.

(15) Tank car or transport truck loading or unloading points and operations.

(a) The track of tank car siding shall be relatively level.

(b) A "tank car connected" sign, as covered by DOT rules, shall be installed at the active end or ends of the siding while the tank car is connected.

(c) While cars are on side track for loading or unloading, the wheels at both ends shall be blocked on the rails.

(d) The employer shall insure that an employee is in attendance at all times while the tank car, cars, or trucks are being loaded or unloaded.

(e) A backflow check valve, excess-flow valve, or a shutoff valve with means of remote closing, to protect against uncontrolled discharge of LP-gas from storage tank piping shall be installed close to the point where the liquid piping and hose or swing joint pipe is connected.

(f) Except as provided in ~~((+))~~(g) of this ~~((section))~~ subsection, when the size (diameter) of the loading or unloading hoses and/or piping is reduced below the size of the tank car or transport truck loading or unloading connections, the adaptors to which lines are attached shall be equipped with either a backflow check valve, a properly sized excess flow valve, or shutoff valve with means of remote closing, to protect against uncontrolled discharge from the tank car or transport truck.

(g) The requirement of ~~((+))~~(f) of this ~~((section))~~ subsection shall not apply if the tank car or transport is equipped with a quick-closing internal valve that can be remotely closed.

(h) The tank car or transport truck loading or unloading point shall be located with due consideration to the following:

(i) Proximity to railroads and highway traffic.

(ii) The distance of such unloading or loading point from adjacent property.

(iii) With respect to buildings on installer's property.

(iv) Nature of occupancy.

(v) Topography.

(vi) Type of construction of buildings.

(vii) Number of tank cars or transport trucks that may be safely loaded or unloaded at one time.

(viii) Frequency of loading or unloading.

(i) Where practical, the distance of the unloading or loading point shall conform to the distances in subsection (6)(b) of this section.

(16) Instructions. Personnel performing installation, removal, operation, and maintenance work shall be properly trained in such function.

(17) Electrical equipment and other sources of ignition.

(a) Electrical equipment and wiring shall be of a type specified by and shall be installed in accordance with WAC 296-24-956 through 296-24-960, for ordinary locations except that fixed electrical equipment in classified areas shall comply with subsection (18) of this section.

(b) Open flames or other sources of ignition shall not be permitted in vaporizer rooms (except those housing direct-fired vaporizers), pumphouses, container charging rooms or other similar locations. Direct-fired vaporizers shall not be permitted in pumphouses or container charging rooms.

Note: Liquefied petroleum gas storage containers do not require lightning protection. Since liquefied petroleum gas is contained in a closed system of piping and equipment, the system need not be electrically conductive or electrically bonded for protection against static electricity (see NFPA No. 77-1972-1973, Recommended Practice for Static Electricity).

(c) Open flames (except as provided for in ~~((+))~~(b) of this ~~((section))~~ subsection), cutting or welding, portable electric tools, and extension lights capable of igniting LP-gas, shall not be permitted within classified areas specified in Table H-28 ~~((sec WAC 296-24-47505))~~ of this section unless the LP-gas facilities have been freed of all liquid

and vapor, or special precautions observed under carefully controlled conditions.

(18) Fixed electrical equipment in classified areas. Fixed electrical equipment and wiring installed within classified areas shall comply with Table H-28 (~~(see WAC 296-24-47505)~~) of this section and shall be installed in accordance with WAC 296-24-956 through 296-24-960. This provision does not apply to fixed electrical equipment at residential or commercial installations of LP-gas systems or to systems covered by WAC 296-24-47511 or 296-24-47515.

(19) Liquid-level gaging device.

(a) Each container manufactured after December 31, 1965, and filled on a volumetric basis shall be equipped with a fixed liquid-level gage to indicate the maximum permitted filling level as provided in ~~((19))~~(e) of this ~~(section)~~ subsection. Each container manufactured after December 31, 1969, shall have permanently attached to the container adjacent to the fixed level gage a marking showing the percentage full that will be shown by that gage. When a variable liquid-level gage is also provided, the fixed liquid-level gage will also serve as a means for checking the variable gage. These gages shall be used in charging containers as required in subsection (12) of this section.

(b) All variable gaging devices shall be arranged so that the maximum liquid level for butane, for a ~~((50-50))~~ fifty-fifty mixture of butane and propane, and for propane, to which the container may be charged is readily determinable. The markings indicating the various liquid levels from empty to full shall be on the system nameplate or gaging device or part may be on the system nameplate and part on the gaging device. Dials of magnetic or rotary gages shall show whether they are for cylindrical or spherical containers and whether for above-ground or underground service. The dials of gages intended for use only on aboveground containers of over ~~((1-200))~~ one thousand two hundred gallons water capacity shall be so marked.

(c) Gaging devices that require bleeding of the product to the atmosphere, such as the rotary tube, fixed tube, and slip tube, shall be designed so that the bleed valve maximum opening is not larger than a No. 54 drill size, unless provided with excess flow valve.

(d) Gaging devices shall have a design working pressure of at least 250 p.s.i.g.

(e) Length of tube or position of fixed liquid-level gage shall be designed to indicate the maximum level to which the container may be filled for the product contained. This level shall be based on the volume of the product at 40°F at its maximum permitted filling density for aboveground containers and at 50°F for underground containers. The employer shall calculate the filling point for which the fixed liquid level gage shall be designed according to the method in this subsection.

TABLE H-28

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
A	Storage containers other than DOT cylinders.	Within 15 feet in all directions from connections, except connections otherwise covered in Table H-28.	Division 2.
B	Tank vehicle and tank car loading and unloading.	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and	Division 2.

TABLE H-28

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
C	Gage vent openings other than those on DOT cylinders.	grade. (See Figure H-1.)	
		Within 5 feet in all directions from point of discharge.	Division 1.
D	Relief valve discharge other than those on DOT cylinders.	Beyond 5 feet but within 15 feet in all directions from point of discharge.	Division 2.
		Within direct path of discharge.	Division 1. NOTE—Fixed electrical equipment should preferably not be installed.
E	Pumps, compressors, gas-air mixers and vaporizers other than direct fired.	Within 5 feet in all directions from point of discharge.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from point of discharge except within the direct path of discharge.	Division 2.
E	Indoors without ventilation	Entire room and any adjacent room not separated by a gastight partition.	Division 1.
		Within 15 feet of the exterior side of any exterior wall or roof that is not vaportight or within 15 feet of any exterior opening.	Division 2.
E	Indoors with adequate ventilation. ⁴	Entire room and any adjacent room not separated by a gastight partition.	Division 2.
		Outdoors in open air at or abovegrade.	Division 2.
F	Service station dispensing units.	Within 15 feet (π) in all directions from this equipment and within the cylindrical volume between the horizontal equator of the sphere and grade. See Figure H-1.	Division 2.
		Entire space within dispenser enclosure, and 18 inches horizontally from enclosure exterior up to an elevation 4 ft. above dispenser base. Entire pit or open space beneath dispenser.	Division 1.

TABLE H-28

TABLE H-28

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
		Up to 18 inches abovegrade within 20 ft. horizontally from any edge of enclosure.	Division 2.
		NOTE: For pits within this area, see Part F of this table.	
G	Pits or trenches containing or located beneath LP-gas valves, pumps, compressors, regulators, and similar equipment.		
	Without mechanical ventilation.	Entire pit or trench	Division 1.
		Entire room and any adjacent room not separated by a gastight partition.	Division 2.
		Within 15 feet in all directions from pit or trench when located outdoors.	Division 2.
	With adequate mechanical ventilation.	Entire pit or trench	Division 2.
		Entire room and any adjacent room not separated by a gastight partition.	Division 2.
		Within 15 feet in all directions from pit or trench when located outdoors.	Division 2.
H	Special buildings or rooms for storage of portable containers.	Entire room	Division 2.
I	Pipelines and connections containing operational bleeds, drips, vents or drains.	Within 5 ft. in all directions from point of discharge.	Division 1.
		Beyond 5 ft. from point of discharge, same as Part E of this table.	
J	Container filling: Indoors without ventilation.	Entire room	Division 1.
	Indoors with adequate ventilation. ⁴	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
		Beyond 5 feet and entire room	Division 2.
	Outdoors in open air	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.

Part	Location	Extent of classified area ¹	Equipment shall be suitable for National Electrical Code, Class 1, Group D ²
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade (See Fig. H-1.)	Division 2.

¹The classified area shall not extend beyond an unpierced wall, roof, or solid vaportight partition.
²See chapter 296-46 WAC, and WAC 296-24-956 through 296-24-960.
³When classifying extent of hazardous area, consideration shall be given to possible variations in the spotting of tank cars and tank vehicles at the unloading points and the effect these variations of actual spotting point may have on the point of connection.
⁴Ventilation, either natural or mechanical, is considered adequate when the concentration of the gas in a gas-air mixture does not exceed ((25)) twenty-five percent of the lower flammable limit under normal operating conditions.

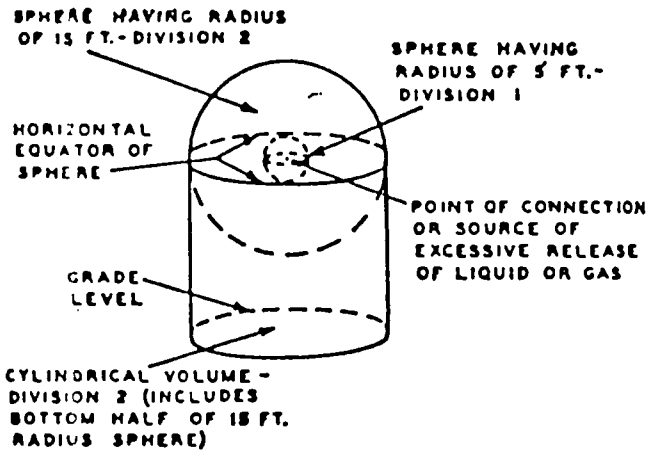


Figure H-1

Note: It is impossible to set out in a table the length of a fixed dip tube for various capacity tanks because of the varying tank diameters and lengths and because the tank may be installed either in a vertical or horizontal position. Knowing the maximum permitted filling volume in gallons, however, the length of the fixed tube can be determined by the use of a strapping table obtained from the container manufacturer. The length of the fixed tube should be such that when its lower end touches the surface of the liquid in the container, the contents of the container will be the maximum permitted volume as determined by the following formula:

$$\frac{\text{Water capacity (gals.) of container}^* \times \text{filling density}^{**}}{\text{Specific gravity of LP-gas}^* \times \text{volume correction factor}^{***} \times 100} = \text{Maximum volume of LP-gas}$$

*Measure at 60°F.
 **From (((+2(±)))) subsection (12)(a) of this section "filling densities."
 ***For aboveground containers the liquid temperature is assumed to be 40°F and for underground containers the liquid temperature is assumed to be 50°F. To correct the liquid volumes at these temperatures to 60°F((-)) the following factors shall be used.

(i) Formula for determining maximum volume of liquefied petroleum gas for which a fixed length of dip tube shall be set:

TABLE H-29
VOLUME CORRECTION FACTORS

Specific gravity	Aboveground	Underground
0.500	1.033	1.017
.510	1.031	1.016
.520	1.029	1.015
.530	1.028	1.014
.540	1.026	1.013
.550	1.025	1.013
.560	1.024	1.012
.570	1.023	1.011
.580	1.021	1.011
.590	1.020	1.010

(ii) The maximum volume of LP-gas which can be placed in a container when determining the length of the dip tube expressed as a percentage of total water content of the container is calculated by the following formula.

(iii) The maximum weight of LP-gas which may be placed in a container for determining the length of a fixed dip tube is determined by multiplying the maximum volume of liquefied petroleum gas obtained by the formula in ((+19))(e)(i) of this ((section)) subsection by the pounds of liquefied petroleum gas in a gallon at 40°F for aboveground and at 50°F for underground containers. For example, typical pounds per gallon are specified below:

Example: Assume a ((+00)) one hundred-gallon total water capacity tank for aboveground storage of propane having a specific gravity of 0.510 of 60°F.

$$\frac{100 \text{ (gals.)} \times 42 \text{ (filling density from (12)(a) of this ((section)) subsection)}}{0.510 \times 1.031 \text{ (correction factor from Table H-29)} \times 100} = \frac{4200}{52.6}$$

79.8 gallons propane, the maximum amount permitted to be placed in a 100-gallon total water capacity aboveground container equipped with a fixed dip tube.

$$\frac{\text{Maximum volume of LP-gas (from formula in ((+19))(e)(i) of this ((section)) subsection)} \times 100}{\text{Total water content of container in gallons.}} = \text{Maximum percent of LP-gas}$$

	Aboveground, pounds per gallon	Underground, pounds per gallon
Propane	4.37	4.31
N Butane	4.97	4.92

(f) Fixed liquid-level gages used on containers other than DOT containers shall be stamped on the exterior of the gage with the letters "DT" followed by the vertical distance (expressed in inches and carried out to one decimal place) from the top of container to the end of the dip tube or to the centerline of the gage when it is located at the maximum permitted filling level. For portable containers that may be filled in the horizontal and/or vertical position the letters "DT" shall be followed by "V" with the vertical distance from the top of the container to the end of the dip tube for vertical filling and with "H" followed by the proper distance for horizontal filling. For DOT containers the stamping shall be placed both on the exterior of the gage and on the container. On aboveground or cargo containers where the gages are positioned at specific levels, the marking may be specified in percent of total tank contents and the marking shall be stamped on the container.

(g) Gage glasses of the columnar type shall be restricted to charging plants where the fuel is withdrawn in the liquid phase only. They shall

be equipped with valves having metallic handwheels, with excess flow valves, and with extra-heavy glass adequately protected with a metal housing applied by the gage manufacturer. They shall be shielded against the direct rays of the sun. Gage glasses of the columnar type are prohibited on tank trucks, and on motor fuel tanks, and on containers used in domestic, commercial, and industrial installations.

(h) Gaging devices of the float, or equivalent type which do not require flow for their operation and having connections extending to a point outside the container do not have to be equipped with excess flow valves provided the piping and fittings are adequately designed to withstand the container pressure and are properly protected against physical damage and breakage.

(20) Requirements for appliances.

(a) Except as provided in ((+20)) (b) of this ((section)) subsection, new commercial and industrial gas consuming appliances shall be approved.

(b) Any appliance that was originally manufactured for operation with a gaseous fuel other than LP-gas and is in good condition may be used with LP-gas only after it is properly converted, adapted, and tested for performance with LP-gas before the appliance is placed in use.

(c) Unattended heaters used inside buildings for the purpose of animal or poultry production or care shall be equipped with an approved automatic device designed to shut off the flow of gas to the main burners, and pilot if used, in the event of flame extinguishment.

(d) All commercial, industrial, and agricultural appliances or equipment shall be installed in accordance with the requirements of these standards and in accordance with the following:

(i) Domestic and commercial appliances—NFPA 54-1969, Standard for the Installation of Gas Appliances and Gas Piping.

(ii) Industrial appliances—NFPA 54A-1969, Standard for the Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises.

(iii) Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines—NFPA 37-1970.

(iv) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment, NFPA 96-1970.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-47507 CYLINDER SYSTEMS. (1) Application. This section applies specifically to systems utilizing containers constructed in accordance with DOT specifications. All requirements of WAC 296-24-47505 apply to this section unless otherwise noted in WAC 296-24-47505.

(2) Marking of containers.

(a) Containers shall be marked in accordance with DOT regulations. Additional markings not in conflict with DOT regulations may be used.

(b) Except as provided in ((+2)) (c) of this ((section)) subsection each container shall be marked with its water capacity in pounds or other identified unit of weight.

(c) If a container is filled and maintained only by the owner or his representative and if the water capacity of each container is identified by a code, compliance with ((+2)) (b) of this ((section)) subsection is not required.

(d) Each container shall be marked with its tare weight in pounds or other identified unit of weight including all permanently attached fittings but not the cap.

(3) Description of a system. A system shall include the container base or bracket, containers, container valves, connectors, manifold valve assembly, regulators, and relief valves.

(4) Containers and regulating equipment installed outside of buildings or structures.

(a) Containers shall not be buried below ground. However, this shall not prohibit the installation in a compartment or recess below grade level, such as a niche in a slope or terrace wall which is used for no other purpose, providing that the container and regulating equipment are not in contact with the ground and the compartment or recess is drained and ventilated horizontally to the outside air from its lowest level, with the outlet at least ((3)) three feet away from any building opening which is below the level of such outlet.

Except as provided in WAC 296-24-47505 (10)((+m)) (n), the discharge from safety relief devices shall be located not less than ((3)) three feet horizontally away from any building opening which is below

the level of such discharge and shall not terminate beneath any building unless such space is well ventilated to the outside and is not enclosed on more than two sides.

(b) Containers shall be set upon firm foundation or otherwise firmly secured; the possible effect on the outlet piping of settling shall be guarded against by a flexible connection or special fitting.

(5) Containers and equipment used inside of buildings or structures.

(a) When operational requirements make portable use of containers necessary and their location outside of buildings or structures is impracticable, containers and equipment are permitted to be used inside of buildings or structures in accordance with ~~((5))~~(a)(i) through (xii) of this ~~((section))~~ subsection, and, in addition, such other provisions of this section as are applicable to the particular use or occupancy.

(i) Containers in use shall mean connected for use.

(ii) Systems utilizing containers having a water capacity greater than ~~((2+1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) shall be equipped with excess flow valves. Such excess flow valves shall be either integral with the container valves or in the connections to the container valve outlets. In either case, an excess flow valve shall be installed in such a manner that any undue strain beyond the excess flow valve will not cause breakage between the container and the excess flow valve. The installation of excess flow valves shall take into account the type of valve protection provided.

(iii) Regulators, if used, shall be either directly connected to the container valves or to manifolds connected to the container valves. The regulator shall be suitable for use with LP-gas. Manifolds and fittings connecting containers to pressure regulator inlets shall be designed for at least 250 p.s.i.g. service pressure.

(iv) Valves on containers having a water capacity greater than ~~((50))~~ fifty pounds (nominal ~~((20))~~ twenty pounds LP-gas capacity) shall be protected while in use.

(v) Containers shall be marked in accordance with WAC 296-24-47505 (5)(c) and subsection (2) of this section.

(vi) Pipe or tubing shall conform to WAC 296-24-47505(8) except that aluminum pipe or tubing shall not be used.

(vii) Hose shall be designed for a working pressure of at least 250 p.s.i.g. Hose and hose connections shall have their correctness as to design, construction and performance determined by listing by ~~((Underwriters Laboratories, Inc., or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory.

(A) The hose length may exceed the length specified in WAC 296-24-47505 (9)(g)(ii), but shall be as short as practicable. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(B) Hose shall be long enough to permit compliance with spacing provisions of this section without kinking or straining or causing hose to be so close to a burner as to be damaged by heat.

(viii) Portable heaters, including salamanders, shall be equipped with an approved automatic device to shut off the flow of gas to the main burner, and pilot if used, in the event of flame extinguishment. Such heaters having inputs above 50,000 B.t.u. manufactured on or after May 17, 1967, and such heaters having inputs above 100,000 B.t.u. manufactured before May 17, 1967, shall be equipped with either:

(A) A pilot which must be lighted and proved before the main burner can be turned on; or

(B) An electric ignition system. The provisions of ~~((5))~~ (a)(viii) of this ~~((section))~~ subsection do not apply to tar kettle burners, torches, melting pots, nor do they apply to portable heaters under 7,500 B.t.u.h. input when used with containers having a maximum water capacity of ~~((2+1/2))~~ two and one-half pounds. Container valves, connectors, regulators, manifolds, piping, and tubing shall not be used as structural supports for heaters.

(ix) Containers, regulating equipment, manifolds, pipe, tubing, and hose shall be located so as to minimize exposure to abnormally high temperatures (such as may result from exposure to convection or radiation from heating equipment or installation in confined spaces), physical damage, or tampering by unauthorized persons.

(x) Heat producing equipment shall be located and used so as to minimize the possibility of ignition of combustibles.

(xi) Containers having water capacity greater than ~~((2+1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) connected for use, shall stand on a firm and substantially level surface and, when necessary, shall be secured in an upright position.

(xii) Containers, including the valve protective devices, shall be installed so as to minimize the probability of impingement of discharge of safety relief devices upon containers.

(b) Containers having a maximum water capacity of ~~((2+1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) are permitted to be used inside of buildings as part of approved self-contained hand torch assemblies or similar appliances.

(c) Containers having a maximum water capacity of ~~((+2))~~ twelve pounds (nominal ~~((5))~~ five pounds LP-gas capacity) are permitted to be used temporarily inside of buildings for public exhibition or demonstration purposes, including use for classroom demonstrations.

(d) When buildings frequented by the public are open to the public, containers are permitted to be used for repair or minor renovation as follows:

(i) The maximum water capacity of individual containers shall be ~~((50))~~ fifty pounds (nominal ~~((20))~~ twenty pounds LP-gas capacity).

(ii) The number of LP-gas containers shall not exceed the number of workmen assigned to using the LP-gas.

(iii) Containers having a water capacity of greater than ~~((2+1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) shall not be left unattended in such buildings.

(e) When buildings frequented by the public are not open to the public, containers are permitted to be used for repair or minor renovations, as follows:

The provisions of ~~((5))~~(f) of this ~~((section))~~ subsection shall apply except that containers having a water capacity greater than ~~((2+1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) shall not be left unattended in such buildings.

(f) Containers are permitted to be used in buildings or structures under construction or undergoing major renovation when such buildings or structures are not occupied by the public, as follows:

(i) The maximum water capacity of individual containers shall be ~~((245))~~ two hundred forty-five pounds (nominal ~~((+100))~~ one hundred pounds LP-gas capacity).

(ii) For temporary heating such as curing concrete, drying plaster and similar applications, heaters (other than integral heater-container units) shall be located at least ~~((6))~~ six feet from any LP-gas container. This shall not prohibit the use of heaters specifically designed for attachment to the container or to a supporting standard, provided they are designed and installed so as to prevent direct or radiant heat application from the heater onto the container. Blower and radiant type heater shall not be directed toward any LP-gas container within ~~((20))~~ twenty feet.

(iii) If two or more heater-container units, of either the integral or nonintegral type, are located in an unpartitioned area on the same floor, the container or containers of each unit shall be separated from the container or containers of any other unit by at least ~~((20))~~ twenty feet.

(iv) When heaters are connected to containers for use in an unpartitioned area on the same floor, the total water capacity of containers manifolded together for connection to a heater or heaters shall not be greater than ~~((735))~~ seven hundred thirty-five pounds (nominal ~~((300))~~ three hundred pounds LP-gas capacity). Such manifolds shall be separated by at least ~~((20))~~ twenty feet.

(v) On floors on which heaters are not connected for use, containers are permitted to be manifolded together for connection to a heater or heaters on another floor, provided:

(A) The total water capacity of containers connected to any one manifold is not greater than ~~((2,450))~~ two thousand four hundred fifty pounds (nominal ~~((+1,000))~~ one thousand pounds LP-gas capacity) and;

(B) Where more than one manifold having a total water capacity greater than ~~((735))~~ seven hundred thirty-five pounds (nominal ~~((300))~~ three hundred pounds LP-gas capacity) are located in the same unpartitioned area, they shall be separated by at least ~~((50))~~ fifty feet.

(vi) Storage of containers awaiting use shall be in accordance with WAC 296-24-47513.

(g) Containers are permitted to be used in industrial occupancies for processing, research, or experimental purposes as follows:

(i) The maximum water capacity of individual containers shall be ~~((245))~~ two hundred forty-five pounds (nominal ~~((+100))~~ one hundred pounds LP-gas capacity).

(ii) Containers connected to a manifold shall have a total water capacity not greater than ~~((735))~~ seven hundred thirty-five pounds (nominal ~~((300))~~ three hundred pounds LP-gas capacity) and not more than one such manifold may be located in the same room unless separated at least ~~((20))~~ twenty feet from a similar unit.

(iii) The amount of LP-gas in containers for research and experimental use shall be limited to the smallest practical quantity.

TABLE H-30

Regulator delivery pressure	Relief valve start to discharge pressure setting (percent of regulator deliver pressure)	
	Minimum	Maximum
1 p.s.i.g. or less	200	300
Above 1 p.s.i.g. but not over 3 p.s.i.g.	140	200
Above 3 p.s.i.g.	125	200

(h) Containers are permitted to be used in industrial occupancies with essentially noncombustible contents where portable equipment for space heating is essential and where a permanent heating installation is not practical, as follows:

((††)) Containers and heaters shall comply with and be used in accordance with ((5))(f) of this ((section)) subsection.

(i) Containers are permitted to be used in buildings for temporary emergency heating purposes, if necessary to prevent damage to the buildings or contents, when the permanent heating system is temporarily out of service, as follows:

(i) Containers and heaters shall comply with and be used in accordance with ((5))(f) of this ((section)) subsection.

(ii) The temporary heating equipment shall not be left unattended.

(j) Containers are permitted to be used temporarily in buildings for training purposes related in installation and use of LP-gas systems, as follows:

(i) The maximum water capacity of individual containers shall be ((245)) two hundred forty-five pounds (nominal ((100)) one hundred pounds LP-gas capacity), but the maximum quantity of LP-gas that may be placed in each container shall be ((20)) twenty pounds.

(ii) If more than one such container is located in the same room, the containers shall be separated by at least ((20)) twenty feet.

(iii) Containers shall be removed from the building when the training class has terminated.

(6) Container valves and accessories.

(a) Valves in the assembly of multiple container systems shall be arranged so that replacement of containers can be made without shutting off the flow of gas in the system.

Note: This provision is not to be construed as requiring an automatic change-over device.

(b) Regulators and low-pressure relief devices shall be rigidly attached to the cylinder valves, cylinders, supporting standards, the building walls or otherwise rigidly secured and shall be so installed or protected that the elements (sleet, snow, or ice) will not affect their operation.

(c) Valves and connections to the containers shall be protected while in transit, in storage, and while being moved into final utilization, as follows:

(i) By setting into the recess of the container to prevent the possibility of their being struck if the container is dropped upon a flat surface, or

(ii) By ventilated cap or collar, fastened to the container capable of withstanding a blow from any direction equivalent to that of a ((30)) thirty-pound weight dropped ((4)) four feet. Construction must be such that a blow will not be transmitted to the valve or other connection.

(d) When containers are not connected to the system, the outlet valves shall be kept tightly closed or plugged, even though containers are considered empty.

(e) Containers having a water capacity in excess of ((50)) fifty pounds (approximately ((21)) twenty-one pounds LP-gas capacity), recharged at the installation, shall be provided with excess flow or backflow check valves to prevent the discharge of container contents in case of failure of the filling or equalizing connection.

(7) Safety devices.

(a) Containers shall be provided with safety devices as required by DOT regulations.

(b) A final stage regulator of an LP-gas system (excluding any appliance regulator) shall be equipped on the low-pressure side with a relief valve which is set to start to discharge within the limits specified in Table H-30.

(c) When a regulator or pressure relief valve is used inside a building for other than purposes specified in WAC 296-24-47505 (6)(a)(i) through (vi), the relief valve and the space above the regulator and relief valve diaphragms shall be vented to the outside air with the discharge outlet located not less than ((3)) three feet horizontally away from any building opening which is below such discharge. These provisions do not apply to individual appliance regulators when protection is otherwise provided nor to subsection (5) of this section and WAC 296-24-47505 (10)((m))(n). In buildings devoted exclusively to gas distribution purposes, the space above the diaphragm need not be vented to the outside.

(8) Reinstallation of containers. Containers shall not be reinstalled unless they are requalified in accordance with DOT regulations.

((††)) Permissible product. A product shall not be placed in a container marked with a service pressure less than four-fifths of the maximum vapor pressure of product at 130°F.

AMENDATORY SECTION (Amending Order 80-21, filed 11/13/80)

WAC 296-24-47513 STORAGE OF CONTAINERS AWAITING USE OR RESALE. (1) Application. This ((paragraph)) section shall apply to the storage of portable containers not in excess of ((1,000)) one thousand pounds water capacity, filled or partially filled, at user location but not connected for use, or in storage for resale by dealers or resellers. This section shall not apply to containers stored at charging plants or at plants devoted primarily to the storage and distribution of LP-gas or other petroleum products.

(2) General.

(a) Containers in storage shall be located so as to minimize exposure to excessive temperature rise, physical damage, or tampering by unauthorized persons.

(b) Containers when stored inside shall not be located near exits, stairways, or in areas normally used or intended for the safe exit of people.

(c) Container valves shall be protected while in storage as follows:

(i) By setting into recess of container to prevent the possibility of their being struck if the container is dropped upon a flat surface, or

(ii) By ventilated cap or collar, fastened to container capable of withstanding blow from any direction equivalent to that of a ((30)) thirty-pound weight dropped ((4)) four feet. Construction must be such that a blow will not be transmitted to a valve or other connection.

(d) The outlet valves of containers in storage shall be closed.

(e) Empty containers which have been in LP-gas service should preferably be stored in the open. When stored inside, they shall be considered as full containers for the purpose of determining the maximum quantity of LP-gas permitted by this section.

(3) Storage within buildings frequented by the public.

(a) DOT specification containers having a maximum individual water capacity of ((2+1/2)) two and one-half pounds, used with completely self-contained hand torches and similar applications, are permitted to be stored or displayed in a building frequented by the public. The display of such containers shall be limited to a total of ((24)) twenty-four units of each brand and size. The total quantity on display and in storage shall not exceed ((200)) two hundred pounds LP-gas.

(b) Storage as provided in subsection (5) of this section shall not be permitted within or attached to such a building.

(4) Storage within buildings not frequented by the public (such as industrial buildings).

(a) The quantity of LP-gas stored shall not exceed ~~((300))~~ three hundred pounds (approximately ~~((2,550))~~ two thousand five hundred fifty cubic feet in vapor form) except as provided in subsection (5) of this section.

(b) Containers carried as a part of service equipment on highway mobile vehicles are not to be considered in the total storage capacity in ~~((4))~~(a) of this ~~((section))~~ subsection provided such vehicles are stored in private garages, and are limited to one container per vehicle with an LP-gas capacity of not more than ~~((100))~~ one hundred pounds. All container valves shall be closed.

(5) Storage within special buildings or rooms.

(a) The quantity of LP-gas stored in special buildings or rooms shall not exceed ~~((10,000))~~ ten thousand pounds.

(b) The walls, floors, and ceilings of container storage rooms that are within or adjacent to other parts of the building shall be constructed of material having at least a ~~((2))~~ two-hour fire resistance rating.

(c) A portion of the exterior walls or roof having an area not less than ~~((10))~~ ten percent of that of the combined area of the enclosing walls and roof shall be of explosion relieving construction.

(d) Each opening from such storage rooms to other parts of the building shall be protected by a ~~((1-1/2))~~ one and one-half-hour "(B)" fire door listed by ~~((Underwriters Laboratories Inc))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(e) Such rooms shall have no open flames for heating or lighting.

(f) Such rooms shall be adequately ventilated both top and bottom to the outside only. The openings from such vents shall be at least ~~((5))~~ five feet away from any other opening into any building.

(g) The floors of such rooms shall not be below ground level. Any space below the floor shall be of solid fill or properly ventilated to the open air.

(h) Such storage rooms shall not be located adjoining the line of property occupied by schools, churches, hospitals, athletic fields or other points of public gathering.

(i) Fixed electrical equipment shall be installed in accordance with WAC 296-24-47505(18).

(6) Storage outside of buildings.

(a) Storage outside of buildings, for containers awaiting use or resale, shall be located in accordance with Table H-33 with respect to ~~((:))~~:

(i) The nearest important building or group of buildings;

(ii) The line of adjoining property which may be built upon;

(iii) Busy thoroughfares;

(vi) The line of adjoining property occupied by schools, churches, hospitals, athletic fields, or other points of public gathering.

TABLE H-33

Quantity of LP-Gas Stored:	Distance
500 pounds or less _____	0
501 to 2,500 pounds _____	0*
2,501 to 6,000 pounds _____	10 feet
6,001 to 10,000 pounds _____	20 feet
Over 10,000 pounds _____	25 feet

*Container or containers shall be at least ~~((10))~~ ten feet from any building on adjoining property, any sidewalk, or any of the exposures described in ~~((6))~~(a)(iii) or (iv) of this ~~((section))~~ subsection.

(b) Containers shall be in a suitable enclosure or otherwise protected against tampering.

(7) Fire protection. Storage locations other than supply depots separated and located apart from dealer, reseller, or user establishments shall be provided with at least one approved portable fire extinguisher having a minimum rating of 8-B, C.

AMENDATORY SECTION (Amending Order 80-21, filed 11/13/80)

WAC 296-24-51009 BASIC RULES. This section applies to all sections of this chapter which include WAC 296-24-510 in the section number unless otherwise noted.

(1) Approval of equipment and systems. Each appurtenance shall be approved in accordance with ~~((1))~~(a), (b), (c), and (d) of this ~~((section))~~ subsection.

(a) It was installed before February 8, 1973 and was approved and tested, and installed in accordance with either the provisions of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the

Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(b) It is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory (~~((;))~~ such as, but not limited to, Underwriters Laboratories Inc. and Factory Mutual Research Corporation); or

(c) It is a type which no nationally recognized testing laboratory does, or will undertake to ~~((;))~~ accept, certify, list, label, or determine to be safe; and such equipment is inspected or tested by any federal, state, municipal, or other local authority responsible for enforcing occupational safety provisions of a federal, state, municipal or other local law, code, or regulation pertaining to the storage, handling, transport, and use of anhydrous ammonia, and found to be in compliance with either the provisions of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(d) It is a custom-designed and custom-built unit, which no nationally recognized testing laboratory, or federal, state, municipal or local authority responsible for the enforcement of a federal, state, municipal, or local law, code or regulation pertaining to the storage, transportation and use of anhydrous ammonia is willing to undertake to accept, certify, list, label or determine to be safe, and the employer has on file a document attesting to its safe condition following the conduct of appropriate tests. The document shall be signed by a registered professional engineer or other person having special training or experience sufficient to permit him/her to form an opinion as to safety of the unit involved. The document shall set forth the test bases, test data and results, and also the qualifications of the certifying person.

(e) For the purposes of this section the word "listed" means that equipment is of a kind mentioned in a list which is published by a nationally recognized laboratory which makes periodic inspection of the production of such equipment, and states such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner. "Labeled" means there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment, and whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner. "Certified" means it has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner, or is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and it bears a label, tag, or other record of certification.

(f) For purposes of this section, refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(2) Requirements for construction, original test and requalification of not-refrigerated containers.

(a) Containers used with systems covered in ~~((subsections))~~ WAC 296-24-51011 and 296-24-51017 through 296-24-51021 ~~((of this section))~~ shall be constructed and tested in accordance with the code except that construction under Table UW-12 at a basic joint efficiency of under ~~((80))~~ eighty percent is not authorized.

~~((1))~~ Containers built according to the code do not have to comply with paragraphs UG-125 to UG-128, inclusive, and paragraphs UG-132 and UG-133 of the code.

(b) Containers exceeding ~~((36))~~ thirty-six inches in diameter or ~~((250))~~ two hundred fifty gallons water capacity shall be constructed to comply with one or more of the following:

(i) Containers shall be stress relieved after fabrication in accordance with the code, or

(ii) Cold-formed heads, when used, shall be stress relieved or,

(iii) Hot-formed heads shall be used.

(c) Welding to the shell, head, or any other part of the container subject to internal pressure shall be done in compliance with WAC 296-24-51005(5). Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the container manufacturer.

(d) Containers used with systems covered by ~~((WAC 296-24-51009))~~ subsection (3)(b)(iv) of this section shall be constructed and tested in accordance with the DOT specifications.

(e) The provisions of ~~((2))~~(a) of this ~~((section))~~ subsection shall not be construed as prohibiting the continued use or reinstallation of containers constructed and maintained in accordance with the 1949, 1950, 1952, 1956, 1959, 1962, 1965 and 1968 editions of the Unfired Pressure Vessel Code of the ASME or any revisions thereof in effect at the time of fabrication.

(3) Markings on nonrefrigerated containers and systems other than DOT containers.

(a) System nameplates, when required, shall be permanently attached to the system so as to be readily accessible for inspection and shall include markings as prescribed in ~~((3))~~(b) of this ~~((section))~~ subsection.

(b) Each container or system covered in WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be marked as specified in the following:

- (i) With a marking identifying compliance with the rules of the code under which the container is constructed.
- (ii) With a notation on the container and system nameplate when the system is designed for underground installation.
- (iii) With the name and address of the supplier of the container or the trade name of the container and with the date of fabrication.
- (iv) With the water capacity of the container in pounds at 60°F or gallons, ~~((U.S.))~~ United States standard.
- (v) With the design pressure in pounds per square inch gage.
- (vi) With the wall thickness of the shell and heads.
- (vii) With marking indicating the maximum level to which the container may be filled with liquid anhydrous ammonia at temperatures between 20°F and 100°F except on containers provided with fixed maximum level indicators, such as fixed length dip tubes, or containers that are filled by weight. Markings shall be in increments of not more than 20°F.
- (viii) With the outside surface area in square feet.
- (ix) With minimum temperature in Fahrenheit for which the container is designed.

(x) Marking specified on container shall be on the container itself or on a nameplate permanently affixed thereto.

(c) All main operating valves on permanently installed containers having a capacity of over three thousand water gallons shall be identified to show whether the valve is in liquid or vapor service. The recommended method of identification may be legend or color code as specified in ~~(c)~~(i) and (ii) ~~((as follows))~~ of this subsection:

- (i) Legend: The legend LIQUID (or LIQUID VALVE), VAPOR (or VAPOR VALVE), as appropriate, shall be placed on or within twelve inches of the valve by means of a stencil tag, or decal.
- (ii) Color code: Liquid valves shall be painted orange and vapor valves shall be painted yellow. The legend ORANGE-LIQUID, YELLOW-VAPOR shall be displayed in one or more conspicuous places at each permanent storage location. The legend shall have letters at least two inches high and shall be placed against a contrasting background. This is in accordance with American National Standard A13.1 "Schemes for Identification of Piping Systems"—1956, Page 5.

(4) Marking refrigerated containers. (See WAC 296-24-51013(3). Marking refrigerated containers.)

(5) Location of containers.

(a) Consideration shall be given to the physiological effects of ammonia as well as to adjacent fire hazards in selecting the location for a storage container. Containers shall be located outside of buildings or in buildings or sections thereof especially approved for this purpose.

(b) Containers shall be located at least ~~((50))~~ fifty feet from a dug well or other sources of potable water supply, unless the container is a part of a water treatment installation.

(c) The location of permanent storage containers shall be outside densely populated areas.

(d) Container locations shall comply with the following table:

Nominal Capacity of Container	Minimum Distances (feet) from Container to:		
	Line of Adjoining Property Which may be Built upon, Highways & Mainline of Railroad	Place of Public Assembly	Institution Occupancy
Over 500 to 2,000	25	150	250
Over 2,000 to 30,000	50	300	500
Over 30,000 to 100,000	50	450	750
Over 100,000	50	600	1,000

(e) Storage areas shall be kept free of readily ignitable materials such as waste, weeds and long dry grass.

(6) Container appurtenances.

(a) All appurtenances shall be designed for not less than the maximum working pressure of that portion of the system on which they are

installed. All appurtenances shall be fabricated from materials proved suitable for anhydrous ammonia service.

(b) All connections to containers except safety relief devices, gaging devices, or those fitted with a No. 54 drill size orifice shall have ~~((shut-off))~~ shutoff valves located as close to the container as practicable.

(c) Excess flow valves where required by these standards shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections and line including valves and fittings being protected by an excess flow valve shall have a greater capacity than the rated flow of the excess flow valve.

(d) Liquid level gaging devices that require bleeding of the product to the atmosphere and which are so constructed that outward flow will not exceed that passed by a No. 54 drill size opening need not be equipped with excess flow valves.

(e) Openings from container or through fittings attached directly on container to which pressure gage connections are made need not be equipped with excess flow valves if such openings are not larger than No. 54 drill size.

(f) Excess flow and back pressure check valves where required by these standards shall be located inside of the container or at a point outside as close as practicable to where the line enters the container. In the latter case, installation shall be made in such manner that any undue stress beyond the excess flow or back pressure check valve will not cause breakage between the container and the valve.

(g) Excess flow valves shall be designed with a bypass, not to exceed a No. 60 drill size opening to allow equalization of pressures.

(h) ~~((Shut-off))~~ Shutoff valves provided with an excess flow valve shall be designed for proper installation in a container connection so that the excess flow valve will close should the shutoff valve break.

(i) All excess flow valves shall be plainly and permanently marked with the name or ~~((trade-mark))~~ trademark of the manufacturer, the catalog number, and the rated capacity.

(7) Piping, tubing and fittings.

(a) All piping, tubing and fittings shall be made of material suitable for anhydrous ammonia service.

(b) All piping, tubing and fittings shall be designed for a pressure not less than the maximum pressure to which they may be subjected in service.

(c) All piping shall be well supported and provision shall be made for expansion and contraction. All refrigeration system piping shall conform to the Refrigeration Piping Code (ANSI B31.5 1966 addenda B31.1a-1968), a section of the American Standard Code for Pressure Piping, as it applies to ammonia.

(d) Piping used on nonrefrigerated systems shall be at least ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal. Such pipe shall be at least Schedule 40 when joints are welded, or welded and flanged. Such pipe shall be at least Schedule 80 when joints are threaded. Brass, copper, or galvanized steel pipe or tubing shall not be used.

(e) All metal flexible connections for permanent installations shall have a minimum working pressure of 250 ~~((psig))~~ p.s.i.g. (safety factor of 4). For temporary installations, hose meeting the requirement of ~~((WAC 296-24-51009))~~ subsection (8) of this section may be used.

(f) Cast iron fittings shall not be used but this shall not prohibit the use of fittings made specially for ammonia service of malleable or nodular iron such as Specification ASTM A47 or ASTM A395.

(g) Provisions shall be made for expansion, contraction, jarring, vibration, and for settling.

(h) Adequate provisions shall be made to protect all exposed piping from physical damage that might result from moving machinery, the presence of automobiles or trucks, or any other undue strain that may be placed upon the piping.

(i) Joint compounds shall be resistant to ammonia.

(j) After assembly, all piping and tubing shall be tested and proved to be free from leaks at a pressure not less than the normal operating pressure of the system.

(8) Hose specification.

(a) Hose used in ammonia service and subject to container pressure shall conform to the joint Rubber Manufacturers Association and the Fertilizer Institute "Hose Specifications for Anhydrous Ammonia" (see Appendix B).

(b) Hose subject to container pressure shall be designed for a minimum working pressure of 350 ~~((psig))~~ p.s.i.g. and a minimum burst pressure of 1750 ~~((psig))~~ p.s.i.g. Hose assemblies, when made up, shall be capable of withstanding a test pressure of 500 ~~((psig))~~ p.s.i.g.

(c) Hose and hose connections located on the low pressure side of flow control or pressure reducing valves on devices discharging to atmospheric pressure shall be designed for the maximum low side working pressure. All connections shall be designed, constructed, and installed so that there will be no leakage when connected.

(d) Where liquid transfer hose is not drained of liquid upon completion of transfer operations, such hose shall be equipped with an approved (~~shut-off~~) shutoff valve at the discharge end. Provision shall be made to prevent excessive hydrostatic pressure in the hose. (See ((WAC 296-24-51009)) subsection (9)(j) of this section.)

(e) On all hose one-half inch O.D. and larger, used for the transfer of anhydrous ammonia liquid or vapor, there shall be etched, cast, or impressed at five-foot intervals the following information:

"Anhydrous Ammonia"
xxx ((psig)) p.s.i.g. (Maximum working pressure)
Manufacturer's Name or Trademark
Year of Manufacture

(9) Safety relief devices.

(a) Every container used in systems covered by WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be provided with one or more safety relief valves of the spring-loaded or equivalent type. The discharge from safety relief valves shall be vented away from the container, upward and unobstructed to the atmosphere. All safety relief valve discharge openings shall have suitable raincaps that will allow free discharge of the vapor and prevent the entrance of water. Provision shall be made for draining condensate which may accumulate. The rate of the discharge shall be in accordance with the provisions of Appendix A.

(b) Container safety relief valves shall be set to start-to-discharge as follows, with relations to the design pressure of the container.

Containers	Minimum	Maximum*
ASME U-68, U-69	110%	125%
ASME U-200, U-201	95%	100%
ASME 1952, 1956, 1959, 1962, 1965, 1968 or 1971	95%	100%
API-ASME	95%	100%
U.S. Coast Guard		
(As required by USCG regulations)		
DOT		
(As required by DOT regulations)		

*Note: A relief valve manufacturer's tolerance of plus ((+10%)) ten percent is permitted.

(c) Safety relief devices used in systems covered by WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be constructed to discharge at not less than the rates required in ((~~subsection (9)~~))(a) of this subsection before the pressure is in excess of ((+20%)) one hundred twenty percent (not including the ((+10%)) ten percent tolerance referred to in ((~~subsection (9)~~))(b) of this subsection) of the maximum permitted start-to-discharge pressure setting of the device.

(d) Safety relief valves shall be so arranged that the possibility of tampering will be minimized. If the pressure setting adjustment is external, the relief valves shall be provided with means for sealing the adjustment.

(e) ((~~Shut-off~~) Shutoff valves shall not be installed between the safety relief valves and the containers or systems described in WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021, except that a ((~~shut-off~~) shutoff valve may be used where the arrangement of this valve is such as always to afford required capacity flow through the relief valves.

Note: The above exception is made to cover such cases as a threeway valve installed under two safety relief valves, each of which has the required rate of discharge and is so installed as to allow either of the safety relief valves to be closed off, but does not allow both safety valves to be closed off at the same time. Another exception to this may be where two separate relief valves are installed with individual ((~~shut-off~~) shutoff valves. In this case, the two ((~~shut-off~~) shutoff valve stems shall be mechanically interconnected in a manner which will allow full required flow of one safety relief valve at all times. Still another exception is a safety relief valve manifold which allows one valve of two, three, four or more to be closed off and the remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

(f) Safety relief valves shall have direct communication with the vapor space of the container.

(g) Each safety relief valve used with systems described in WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be plainly and permanently marked as follows:

(i) With the letters "AA" or the symbol "NH3."

(ii) The pressure in pounds per square inch gage (((psig)) p.s.i.g.) at which the valve is set to start-to-discharge.

(iii) The rate of discharge of the valve in cubic feet per minute of air at 60°F and atmospheric pressure (14.7 ((psia)) p.s.i.a.).

(iv) The manufacturer's name and catalog number.

For example, a safety relief valve marked AA-250-4200 (air) would mean that this valve is suitable for use on an anhydrous ammonia container; that it is set to start-to-discharge at 250 ((psig)) p.s.i.g.; and that its rate of discharge (see ((WAC 296-24-51009)) subsection (8)(a) ((~~to~~) through (c) of this section) is ((4200)) four thousand two hundred cubic feet per minute of air.

(h) The flow capacity of the safety relief valve shall not be restricted by any connection to it on either the upstream or downstream side.

(i) The manufacturer or supplier of a safety relief valve manifold shall publish complete data showing the flow rating through the combined assembly of the manifold with safety relief valves installed. The manifold flow rating shall be determined by testing the manifold with all but one valve discharging. If one or more openings have restrictions not present in the remaining openings, the restricted opening or openings or those having the lowest flow shall be used to establish the flow rate marked on the manifold nameplate. The marking shall be similar to that required in ((~~subsection (9)~~))(g) of this subsection for individual valves.

(j) A hydrostatic relief valve shall be installed between each pair of valves in the liquid ammonia piping or hose where liquid may be trapped so as to relieve into the atmosphere at a safe location.

(k) Discharge from safety relief devices shall not terminate in or beneath any building.

(l) Safety. See CGA Pamphlet G-2, TFI Operational Safety Manual M-2 and MCA Safety Data Sheet SD-8 (see Appendix C for availability).

(a) Personnel required to handle ammonia shall be trained in safe operating practices and the proper action to take in the event of emergencies. Personnel shall be instructed to use the equipment listed in ((~~subsection (10)~~))(c) of this subsection in the event of an emergency. (Rev. 1-22-76)

(b) If a leak occurs in an ammonia system, the personnel trained for and designated to act in such emergencies shall:

(i) See that persons not required to deal with an emergency are evacuated from the contaminated area.

(ii) Put on a suitable gas mask.

(iii) Wear gauntlet type plastic or rubber gloves and wear plastic or rubber suits in heavily contaminated atmospheres.

(iv) Shut off the appropriate valves.

(c) All storage systems shall have on hand, as a minimum, the following equipment for emergency and rescue purposes:

** (i) One full face gas mask with anhydrous ammonia refill canisters.

** (ii) One pair of protective gloves.

** (iii) One pair of protective boots.

** (iv) One protective slicker and/or protective pants and jacket.

(v) Easily accessible shower and/or at least ((50)) fifty gallons of clean water in an open top container.

((~~to~~)) (vi) Tight fitting vented goggles or one full face shield.

*An ammonia canister is effective for short periods of time in light concentrations of ammonia vapor, generally ((+5)) fifteen minutes in concentrations of ((3%)) three percent and will not protect breathing in heavier concentrations. If ammonia vapors are detected when mask is applied the concentration is too high for safety. The life of a canister in service is controlled by the percentage of vapors to which it is exposed. Canisters must not be opened until ready for use and should be discarded after use. Unopened canisters may be guaranteed for as long as three years. All should be dated when received because of this limited life. In addition to this protection, an independently supplied air mask of the type used by fire departments may be used for severe emergencies.

**Gloves, boots, slickers, jackets and pants shall be made of rubber or other material impervious to ammonia.

(d) Where several persons are usually present, additional safety equipment may be desirable.

(e) Each tank motor vehicle transporting anhydrous ammonia, except farm applicator vehicles, shall carry a container of at least five gallons of water and shall be equipped with a full face gas mask, a pair

of tight-fitting goggles or one full face shield. The driver shall be instructed in their use and the proper action to take to provide for his/her safety.

(f) If a leak occurs in transportation equipment and it is not practical to stop the leak, the driver should move the vehicle to an isolated location away from populated communities or heavily traveled highways.

(g) If liquid ammonia contacts the skin or eyes, the affected area should be promptly and thoroughly flushed with water. Do not use neutralizing solutions or ointments on affected areas. A physician shall treat all cases of eye exposure to liquid ammonia.

(11) Filling densities. (See WAC 296-24-51005(9).)

(a) The filling densities for nonrefrigerated containers shall not exceed the following:

	Aboveground	Underground
(i) Uninsulated	56%*	58%
(ii) Insulated	57%	
(iii) DOT containers shall be filled in accordance with DOT regulations.		

*This corresponds to 82% by volume at -28°F, 85% by volume at 5°F, 87.5% by volume at 30°F, and 90.6% by volume at 60°F.

(b) The filling density for refrigerated storage tanks temperature corresponding to the vapor pressure at the start-to-discharge pressure setting of the safety relief valve.

(c) If containers are to be filled according to liquid level by any gaging method other than a fixed length dip tube gage, each container should have a thermometer well so that the internal liquid temperature can be easily determined and the amount of liquid and vapor in the container corrected to a 60°F basis.

(12) Transfer of liquids.

(a) Anhydrous ammonia shall always be at a temperature suitable for the material of construction and design of the receiving containers. Ordinary steels are not suitable for refrigerated ammonia. See Appendix R of API Standard 620 "Recommended Rules for Design and Construction of Large Welded Low-Pressure Storage Tanks" for materials for low temperature service.

(b) At least one attendant shall supervise the transfer of liquids from the time the connections are first made until they are finally disconnected.

(c) Flammable gases or gases which will react with ammonia (such as air) shall not be used to unload tank cars or transport trucks.

(d) Containers shall be charged or used only upon authorization of the owner.

(e) Containers shall be gaged and charged only in the open atmosphere or in buildings approved for that purpose.

(f) Pumps used for transferring ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Pumps shall be designed for at least 250 ((psig)) p.s.i.g. working pressure.

(ii) Positive displacement pumps shall have installed, off the discharge port, a constant differential relief valve discharging into the suction port of the pump through a line of sufficient size to carry the full capacity of the pump at relief valve setting, which setting and installation shall be according to pump manufacturer's recommendations.

(iii) On the discharge side of the pump, before the relief valve line, there shall be installed a pressure gage graduated from 0 to 400 ((psig)) p.s.i.g.

(iv) Plant piping shall contain shutoff valves located as close as practical to pump connections.

(g) Compressors used for transferring or refrigerating ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Compressors, except those used for refrigeration, shall be designed for at least 250 ((psig)) p.s.i.g. working pressure. Crank cases of compressors not designed to withstand system pressure shall be protected with a suitable safety relief valve.

(ii) Plant piping shall contain shutoff valves located as close as practical to compressor connections.

(iii) A safety relief valve large enough to discharge the full capacity of the compressor shall be connected to the discharge before any shutoff valve.

(iv) Compressors shall have pressure gages at suction and discharge graduated to at least one and one-half times the maximum pressure that can be developed.

(v) Adequate means, such as drainable liquid trap, may be provided on the compressor suction to minimize the entry of liquid into the compressor.

(vi) Where necessary to prevent contamination, an oil separator shall be provided on the discharge side of the compressor.

(h) Loading and unloading systems shall be protected by suitable devices to prevent emptying of the storage container or the container being loaded or unloaded in the event of severance of the hose. Back-flow check valves or properly sized excess flow valves shall be installed where necessary to provide such protection. In the event that such valves are not practical, remotely operated shutoff valves may be installed.

(i) Meters used for the measurement of liquid anhydrous ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Liquid meters shall be designed for a minimum working pressure of 250 ((psig)) p.s.i.g.

(ii) The metering system shall incorporate devices that will prevent the inadvertent measurement of vapor.

(13) Tank car unloading points and operations.

(a) Provisions for unloading tank cars shall conform to the regulations of the department of transportation.

(b) Unloading operations shall be performed by reliable persons properly instructed and made responsible for careful compliance with all applicable procedures.

(c) Caution signs shall be so placed on the track or car as to give necessary warning to persons approaching car from open end or ends of siding and shall be left up until after car is unloaded and disconnected from discharge connections. Signs shall be of metal or other suitable material, at least ((+2)) twelve by ((+5)) fifteen inches in size and bear the words "STOP—Tank car connected" or "STOP—Men at work" the word "STOP," being in letters at least ((+4)) four inches high and the other words in letters at least ((2)) two inches high. The letters shall be white on a blue background.

(d) The track of a tank car siding shall be substantially level.

(e) Brakes shall be set and wheels blocked on all cars being unloaded.

(f) Tank cars of anhydrous ammonia shall be unloaded only at approved locations meeting the requirements of ((WAC 296-24-51009)) subsections (9)(c) and (12)(h) of this section.

(14) Liquid level gaging device.

(a) Each container except those filled by weight shall be equipped with an approved liquid level gaging device.

(b) All gaging devices shall be arranged so that the maximum liquid level to which the container is filled is readily determined. (See ((WAC 296-24-51009)) subsection (4)(b)(vii) of this section.)

(c) Gaging devices that require bleeding of the product to the atmosphere such as the rotary tube, fixed tube, and slip tube devices, shall be designed so that the maximum opening of the bleed valve is not larger than No. 54 drill size unless provided with an excess flow valve. (This requirement does not apply to farm vehicles used for the application of ammonia as covered in WAC 296-24-51021.)

(d) Gaging devices shall have a design pressure equal to or greater than the design pressure of the container on which they are installed.

(e) Fixed liquid level gages shall be so designed that the maximum volume of the container filled by liquid shall not exceed ((85%)) eighty-five percent of its water capacity. The coupling into which the fixed liquid level gage is threaded must be placed at the ((85%)) eighty-five percent level of the container. If located elsewhere, the dip tube of this gage must be installed in such a manner that it cannot be readily removed.

Note: This does not apply to refrigerated storage.

(f) Gage glasses of the columnar type shall be restricted to stationary storage installation. They shall be equipped with shutoff valves having metallic handwheels, with excess-flow valves, and with extra heavy glass adequately protected with a metal housing applied by the gage manufacturer. They shall be shielded against the direct rays of the sun.

(15) Painting of containers. Aboveground uninsulated containers should have a reflective surface maintained in good condition. White is recommended for painted surfaces, but other light reflecting colors are acceptable.

(16) Electrical equipment and wiring.

(a) Electrical equipment and wiring for use in ammonia installations shall be general purpose or weather resistant as appropriate.

(b) Where concentrations of ammonia in air in excess of ~~((16%))~~ sixteen percent by volume are likely to be encountered, electrical equipment and wiring shall be of a type specified by and be installed in accordance with National Electrical Code, NFPA 70 (ANSI-C1), for Class I, Group D locations.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-55001 DEFINITIONS. (1) Means of egress. A means of egress is a continuous and unobstructed way of exit travel from any point in a building or structure to a public way and consists of three separate and distinct parts: The way of exit access, the exit, and the way of exit discharge. A means of egress comprises the vertical and horizontal ways of travel and shall include intervening room spaces, doorways, hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators, horizontal exits, courts, and yards.

(2) Exit access. Exit access is that portion of a means of egress which leads to an entrance to an exit.

(3) Exit. Exit is that portion of a means of egress which is separated from all other spaces of the building or structure by construction or equipment as required in these standards to provide a protected way of travel to the exit of discharge.

(4) Exit discharge. Exit discharge is that portion of a means of egress between the termination of an exit and a public way.

(5) Low hazard contents. Low hazard contents shall be classified as those of such low combustibility that no self-propagating fire therein can occur and that consequently the only probable danger requiring the use of emergency exits will be from panic, fumes, or smoke, or fire from some external source.

(6) High-hazard contents. High-hazard contents shall be classified as those which are liable to burn with extreme rapidity or from which poisonous fumes or explosions are to be feared in the event of fire.

(7) Ordinary hazard contents. Ordinary hazard contents shall be classified as those which are liable to burn with moderate rapidity and to give off a considerable volume of smoke but from which neither poisonous fumes nor explosions are to be feared in case of fire.

(8) Approved. For the purposes of ~~((these standards))~~ WAC 296-24-550 through 296-24-56701, Part G-1, WAC 296-24-585 through 296-24-58517, Part G-2, and WAC 296-24-590 through 296-24-63599, Part G-3, approved shall mean listed or approved equipment by a nationally recognized testing laboratory. Refer to WAC 296-24-58501(19) for definition of listed, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

(9) Emergency action plan. A plan for a workplace, or parts thereof, describing what procedures the employer and employees must take to ensure employee safety from fire or other emergencies.

(10) Emergency escape route. The route that employees are directed to follow in the event they are required to evacuate the workplace or seek a designated refuge area.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-24-58503 SCOPE, APPLICATION AND DEFINITIONS APPLICABLE. (1) Scope. This ~~((subpart))~~ section contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of this chapter ((296-24 WAC)).

(2) Application. This ~~((subpart))~~ section applies to all employments except for maritime, construction, and agriculture.

(3) Definitions applicable to this ~~((subpart))~~ section.

(a) "After-flame," means the time a test specimen continues to flame after the flame source has been removed.

(b) "Aqueous film forming foam (AFFF)," means a fluorinated surfactant with a foam stabilizer which is diluted with water to act as a temporary barrier to exclude air from mixing with the fuel vapor by developing an aqueous film on the fuel surface of some hydrocarbons which is capable of suppressing the generation of fuel vapors.

(c) "Approved," means acceptable to the director under the following criteria:

(i) If it is accepted, or certified, or listed, or labeled or otherwise determined to be safe by a nationally recognized testing laboratory (~~(; such as, but not limited to, Underwriters' Laboratories, Inc. or the Factory Mutual System)~~); or

(ii) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency and found in compliance with the provisions of the applicable National Fire Protection Association Fire Code; or

(iii) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director; and

(iv) For the purposes of (c) of this subsection:

(A) Equipment is listed if it is of a kind mentioned in a list which is published by a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and which states that such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner;

(B) Equipment is labeled if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner;

(C) Equipment is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes; ~~((and))~~

(D) Equipment is certified if it has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner or is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and if it bears a label, tag, or other record of certification; and

(E) Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(d) "Automatic fire detection device," means a device designed to automatically detect the presence of fire by heat, flame, light, smoke or other products of combustion.

(e) "Buddy-breathing device," means an accessory to self-contained breathing apparatus which permits a second person to share the same air supply as that of the wearer of the apparatus.

(f) "Carbon dioxide," means a colorless, odorless, electrically non-conductive inert gas (chemical formula CO₂) that is a medium for extinguishing fires by reducing the concentration of oxygen or fuel vapor in the air to the point where combustion is impossible.

(g) "Class A fire," means a fire involving ordinary combustible materials such as paper, wood, cloth, and some rubber and plastic materials.

(h) "Class B fire," means a fire involving flammable or combustible liquids, flammable gases, greases and similar materials, and some rubber and plastic materials.

(i) "Class C fire," means a fire involving energized electrical equipment where safety to the employee requires the use of electrically non-conductive extinguishing media.

(j) "Class D fire," means a fire involving combustible metals such as magnesium, titanium, zirconium, sodium, lithium and potassium.

(k) "Dry chemical," means an extinguishing agent composed of very small particles of chemicals such as, but not limited to, sodium bicarbonate, potassium bicarbonate, urea-based potassium bicarbonate, potassium chloride, or monoammonium phosphate supplemented by special treatment to provide resistance to packing and moisture absorption (caking) as well as to provide proper flow capabilities. Dry chemical does not include dry powders.

(l) "Dry powder," means a compound used to extinguish or control Class D fires.

(m) "Education," means the process of imparting knowledge or skill through systematic instruction. It does not require formal classroom instruction.

(n) "Enclosed structure," means a structure with a roof or ceiling and at least two walls which may present fire hazards to employees, such as accumulations of smoke, toxic gases and heat similar to those found in buildings.

(o) "Extinguisher classification," means the letter classification given an extinguisher to designate the class or classes of fire on which an extinguisher will be effective.

(p) "Extinguisher rating," means the numerical rating given to an extinguisher which indicates the extinguishing potential of the unit based on standardized tests developed by Underwriters' Laboratories, Inc.

(q) "Fire brigade," (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.

(r) "Fixed extinguishing system," means a permanently installed system that either extinguishes or controls a fire at the location of the system.

(s) "Flame resistance," is the property of materials, or combinations of component materials, to retard ignition and restrict the spread of flame.

(t) "Foam," means a stable aggregation of small bubbles which flow freely over a burning liquid surface and form a coherent blanket which seals combustible vapors and thereby extinguishes the fire.

(u) "Gaseous agent," is a fire extinguishing agent which is in the gaseous state at normal room temperature and pressure. It has low viscosity, can expand or contract with changes in pressure and temperature, and has the ability to diffuse readily and to distribute itself uniformly throughout an enclosure.

(v) "Halon 1211," means a colorless, faintly sweet smelling, electrically nonconductive liquefied gas (chemical formula CBrClF_2) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromochlorodifluoromethane.

(w) "Halon 1301," means a colorless, odorless, electrically nonconductive gas (chemical formula CBrF_3) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromotrifluoromethane.

(x) "Helmet," is a head protective device consisting of a rigid shell, energy absorption system and chin strap intended to be worn to provide protection for the head or portions thereof, against impact, flying or falling objects, electric shock, penetration, heat and flame.

(y) "Incipient stage fire," means a fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.

(z) "Inspection," means a visual check of fire protection systems and equipment to ensure that they are in place, charged, and ready for use in the event of a fire.

(aa) "Interior structural fire fighting," means the physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage.

(bb) "Lining," means a material permanently attached to the inside of the outer shell of a garment for the purpose of thermal protection and padding.

(cc) "Local application system," means a fixed fire suppression system which has a supply of extinguishing agent, with nozzles arranged to automatically discharge extinguishing agent directly on the burning material to extinguish or control a fire.

(dd) "Maintenance," means the performance of services on fire protection equipment and systems to assure that they will perform as expected in the event of a fire. Maintenance differs from inspection in that maintenance requires the checking of internal fitting, devices and agent supplies.

(ee) "Multipurpose dry chemical," means a dry chemical which is approved for use on Class A, Class B and Class C fires.

(ff) "Outer shell," is the exterior layer of material on the fire coat and protective trousers which forms the outermost barrier between the fire fighter and the environment. It is attached to the vapor barrier and liner and is usually constructed with a storm flap, suitable closures, and pockets.

(gg) "Positive-pressure breathing apparatus," means self-contained breathing apparatus in which the pressure in the breathing zone is positive in relation to the immediate environment during inhalation and exhalation.

(hh) "Predischage employee alarm," means an alarm which will sound at a set time prior to actual discharge of an extinguishing system so that employees may evacuate the discharge area prior to system discharge.

(ii) "Quick disconnect valve," means a device which starts the flow of air by inserting of the hose (which leads from the facepiece) into the regulator of self-contained breathing apparatus, and stops the flow of air by disconnection of the hose from the regulator.

(jj) "Sprinkler alarm," means an approved device installed so that any waterflow from a sprinkler system equal to or greater than that from single automatic sprinkler will result in an audible alarm signal on the premises.

(kk) "Sprinkler system," means a system of piping designed in accordance with fire protection engineering standards and installed to

control or extinguish fires. The system includes an adequate and reliable water supply, and a network of specially sized piping and sprinklers which are interconnected. The system also includes a control valve and a device for actuating an alarm when the system is in operation.

(ll) "Standpipe systems:"

(i) "Class I standpipe system," means a two and one-half-inch (6.3 cm) hose connection for use by fire departments and those trained in handling heavy fire streams.

(ii) "Class II standpipe system," means a one and one-half-inch (3.8 cm) hose system which provides a means for the control or extinguishment of incipient stage fires.

(iii) "Class III standpipe system," means a combined system of hose which is for the use of employees trained in the use of hose operations and which is capable of furnishing effective water discharge during the more advanced stages of fire (beyond the incipient stage) in the interior of workplaces. Hose outlets are available for both one and one-half-inch (3.8 cm) and two and one-half-inch (6.3 cm) hose.

(iv) "Small hose system," means a system of hose ranging in diameter from five-eighths-inch (1.6 cm) up to one and one-half-inch (3.8 cm) which is for the use of employees and which provides a means for the control and extinguishment of incipient stage fires.

(mm) "Total flooding system," means a fixed suppression system which is arranged to automatically discharge a predetermined concentration of agent into an enclosed space for the purpose of fire extinguishment or control.

(nn) "Training," means the process of making proficient through instruction and hands-on practice in the operation of equipment, including respiratory protection equipment, that is expected to be used in the performance of assigned duties.

(oo) "Vapor barrier," means that material used to prevent or substantially inhibit the transfer of water, corrosive liquids and steam or other hot vapors from the outside of a garment to the wearer's body.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-68001 DEFINITIONS. (1) "Welder" and "welding operator" mean any operator of electric or gas welding and cutting equipment.

(2) "Approved" means listed or approved by a nationally recognized testing laboratory (~~such as Factory Mutual Engineering Corp. or Underwriters' Laboratories, Inc.~~). Refer to WAC 296-24-58501(19) for definitions of listed and approved, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

(3) All other welding terms are used in accordance with American Welding Society—Terms and Definitions—A3.0-1969.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-82513 MASONS' ADJUSTABLE MULTIPLE-POINT SUSPENSION SCAFFOLDS. (1) The scaffold shall be capable of sustaining a working load of ~~((50))~~ fifty pounds per square foot and shall not be loaded in excess of that figure.

(2) The scaffold shall be provided with hoisting machines that meet the requirements of ~~((Underwriters' Laboratories or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of a nationally recognized testing laboratory.

(3) The platform shall be supported by wire ropes in conformity with WAC 296-24-82503(22), suspended from overhead outrigger beams.

(4) The scaffold outrigger beams shall consist of structural metal securely fastened or anchored to the frame or floor system of the building or structure.

(5) Each outrigger beam shall be equivalent in strength to at least a standard ~~((7))~~ seven-inch, 15.3-pound steel I-beam, be at least ~~((15))~~ fifteen feet long, and shall not project more than ~~((6))~~ six feet ~~((6))~~ six inches beyond the bearing point.

(6) Where the overhang exceeds ~~((6))~~ six feet ~~((6))~~ six inches, outrigger beams shall be composed of stronger beams or multiple beams and be installed in accordance with approved designs and instructions.

(7) If channel iron outrigger beams are used in place of I-beams, they shall be securely fastened together with the flanges turned out.

(8) All outrigger beams shall be set and maintained with their webs in a vertical position.

(9) A stop bolt shall be placed at each end of every outrigger beam.

(10) The outrigger beam shall rest on suitable wood-bearing blocks.

(11) All parts of the scaffold such as bolts, nuts, fittings, clamps, wire rope, and outrigger beams and their fastenings, shall be maintained in sound and good working condition and shall be inspected before each installation and periodically thereafter.

(12) The free end of the suspension wire ropes shall be equipped with proper size thimbles and be secured by splicing or other equivalent means. The running ends shall be securely attached to the hoisting drum and at least four turns of rope shall at all times remain on the drum.

(13) Where a single outrigger beam is used, the steel shackles or clevises with which the wire ropes are attached to the outrigger beams shall be placed directly over the hoisting drums.

(14) The scaffold platform shall be equivalent in strength to at least ~~(2)~~ two-inch planking. (For maximum planking spans see WAC 296-24-82503(22)).

(15) Guardrails not less than ~~(2x4)~~ two by four inches or the equivalent and not less than ~~(36)~~ thirty-six inches or more than ~~(42)~~ forty-two inches high, with a mid-rail, when required, of ~~(1x4)~~ one-inch by four-inch nominal lumber or equivalent, and toeboards, shall be installed at all open sides on all scaffolds more than ~~(8)~~ eight feet above the ground or floor. Toeboards shall be a minimum of ~~(4)~~ four inches nominal lumber in height. Wire mesh shall be installed in accordance with WAC 296-24-82503(17).

(16) Overhead protection shall be provided on the scaffold, not more than ~~(9)~~ nine feet above the platform, consisting of ~~(2)~~ two-inch planking or material of equivalent strength laid tight, when men are at work on the scaffold and an overhead hazard exists.

(17) Each scaffold shall be installed or relocated in accordance with designs and instructions, of a registered professional engineer, and supervised by a competent, designated person to comply with the requirements of this section.

AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-24-82515 TWO-POINT SUSPENSION SCAFFOLDS (SWINGING SCAFFOLDS). (1) Two-point suspension scaffold platforms shall be not less than ~~(20)~~ twenty inches nor more than ~~(36)~~ thirty-six inches wide overall. The platform shall be securely fastened to the hangers by U-bolts or by other equivalent means.

(2) The hangers of two-point suspension scaffolds shall be made of wrought iron, mild steel, or other equivalent material having a cross-sectional area capable of sustaining four times the maximum intended load, and shall be designed with a support for guardrail, intermediate rail, and toeboard.

(3) When hoisting machines are used on two-point suspension scaffolds, such machines shall be of a design tested and approved by ~~((Underwriters' Laboratories or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(4) The roof irons or hooks shall be of wrought iron, mild steel, or other equivalent material of proper size and design, securely installed and anchored. Tiebacks of ~~((3/4))~~ three-fourths-inch manila rope or the equivalent shall serve as a secondary means of anchorage, installed at right angles to the face of the building whenever possible and secured to a structurally sound portion of the building.

(5) Guardrails not less than ~~((2x4))~~ two by four inches or the equivalent and not less than ~~((36))~~ thirty-six inches or more than ~~((42))~~ forty-two inches high, with a mid-rail, when required, of ~~((1x4))~~ one-inch by four-inch nominal lumber or equivalent, and toeboards, shall be installed at all open sides on all scaffolds more than ~~((10))~~ ten feet above the ground or floor. Toeboards shall be a minimum of ~~((4))~~ four inches nominal lumber in height. Wire mesh shall be installed in accordance with WAC 296-24-82503(17).

(6) Two-point suspension scaffolds shall be suspended by wire or fiber ropes. Wire and fiber ropes shall conform to WAC 296-24-82503(22).

(7) The blocks for fiber ropes shall be of standard ~~((6))~~ six-inch size, consisting of at least one double and one single block. The sheaves of all blocks shall fit the size of rope used.

(8) All wire ropes, fiber ropes, slings, hangers, platforms, and other supporting parts shall be inspected before every installation. Periodic inspections shall be made while the scaffold is in use.

(9) On suspension scaffolds designed for a working load of ~~((500))~~ five hundred pounds, no more than two men shall be permitted to work at one time. On suspension scaffolds with a working load of ~~((750))~~ seven hundred fifty pounds, no more than three men shall be permitted

to work at one time. Each workman shall be protected by a safety life-belt attached to a lifeline. The lifeline shall be securely attached to substantial members of the structure (not scaffold), or to securely rigged lines, which will safely suspend the workman in case of a fall.

(10) Where acid solutions are used, fiber ropes are not permitted unless acid-proof.

(11) Two-point suspension scaffolds shall be securely lashed to the building or structure to prevent them from swaying. Window cleaners' anchors shall not be used for this purpose.

(12) The platform of every two-point suspension scaffold shall be one of the following types:

(a) The side stringer of ladder-type platforms shall be clear straight-grained spruce or materials of equivalent strength and durability. The rungs shall be of straight-grained oak, ash, or hickory, at least ~~((17/8))~~ one and one-eighths-inch in diameter, with seven-eighths inch tenons mortised into the side stringers at least seven-eighths inch. The stringers shall be tied together with the tie rods not less than one-quarter inch in diameter, passing through the stringers and riveted up tight against washers on both ends. The flooring strips shall be spaced not more than five-eighths inch apart except at the side rails where the space may be ~~((1))~~ one inch. Ladder-type platforms shall be constructed in accordance with Table D-17.

(b) Plank-type platforms shall be composed of not less than nominal ~~((2x8))~~ two-inch by eight-inch unspliced planks, properly cleated together on the underside starting ~~((6))~~ six inches from each end; intervals in between shall not exceed ~~((4))~~ four feet. The plank-type platform shall not extend beyond the hangers more than ~~((18))~~ eighteen inches. A bar or other effective means shall be securely fastened to the platform at each end to prevent its slipping off the hanger. The span between hangers for plank-type platforms shall not exceed ~~((10))~~ ten feet.

(c) Beam platforms shall have side stringers of lumber not less than ~~((2x6))~~ two by six inches set on edge. The span between hangers shall not exceed ~~((12))~~ twelve feet when beam platforms are used. The flooring shall be supported on ~~((2-and-6))~~ two-inch and six-inch crossbeams, laid flat and set into the upper edge of the stringers with a snug fit, at intervals of not more than ~~((4))~~ four feet, securely nailed in place. The flooring shall be of ~~((1x6))~~ one-inch by six-inch material properly nailed. Floorboards shall not be spaced more than one-half inch apart. (See Table D-17.)

TABLE D-17
SCHEDULE FOR LADDER-TYPE PLATFORMS

	Length of platform (feet)				
	12	14&16	18&20	22&24	28&30
Side stringers, minimum cross section (finished sizes):					
At ends (in.)	1 3/4 x2 3/4	1 3/4 x2 3/4	1 3/4 x3	1 3/4 x3	1 3/4 x3 1/2
At middle (in.)	1 3/4 x3 3/4	1 3/4 x3 3/4	1 3/4 x4	1 3/4 x4 1/4	1 3/4 x5
Reinforcing strip (minimum)	A 1/8x7/8-in. steel reinforcing strip or its equivalent shall be attached to the side or underside, full length.				
Rungs	Rungs shall be 1 1/8-in. minimum diameter with at least 7/8-in. diameter tenons, and the maximum spacing shall be 12 in. center to center.				
Tie rods:					
Number (minimum)	3	4	4	5	6
Diameter (minimum)	1/4 in.	1/4 in.	1/4 in.	1/4 in.	1/4 in.
Flooring, minimum finished size (in.)	1/2 x2 3/4	1/2 x2 3/4	1/2 x2 3/4	1/2 x2 3/4	1/2 x2 3/4

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-24-95601 DEFINITIONS APPLICABLE TO WAC 296-24-956 THROUGH 296-24-95615. Unless the context indicates otherwise, words used in this section shall have the meaning given.

(1) Acceptable. An installation or equipment is acceptable to the director of labor and industries, and approved within the meaning of this section:

(a) If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory (such as, but not limited to, Underwriters' Laboratories, Inc. and Factory Mutual Engineering Corp); or

(b) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or

(c) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his authorized representatives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(2) Accepted. An installation is "accepted" if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

(3) Accessible. (As applied to wiring methods.) Capable of being removed or exposed without damaging the building structure of finish, or not permanently closed in by the structure or finish of the building. (See "concealed" and "exposed.")

(4) Accessible. (As applied to equipment.) Admitting close approach; not guarded by locked doors, elevation, or other effective means. (See "readily accessible.")

(5) Ampacity. Current-carrying capacity of electric conductors expressed in amperes.

(6) Appliances. Utilization equipment, generally other than industrial, normally built in standardized sizes or types, which is installed or connected as a unit to perform one or more functions such as clothes washing, air conditioning, food mixing, deep frying, etc.

(7) Approved. Acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of "acceptable" indicates what is acceptable to the director and therefore approved within the meaning of this section.

(8) Approved for the purpose. Approved for a specific purpose, environment, or application described in a particular standard requirement.

Suitability of equipment or materials for a specific purpose, environment or application may be determined by a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation as part of its listing and labeling program. (See "labeled" or "listed.")

(9) Armored cable. Type AC armored cable is a fabricated assembly of insulated conductors in a flexible metallic enclosure.

(10) Askarel. A generic term for a group of nonflammable synthetic chlorinated hydrocarbons used as electrical insulating media. Askarels of various compositional types are used. Under arcing conditions the gases produced, while consisting predominantly of noncombustible hydrogen chloride, can include varying amounts of combustible gases depending upon the askarel type.

(11) Attachment plug (plug cap) (cap). A device which, by insertion in a receptacle, establishes connection between the conductors of the attached flexible cord and the conductors connected permanently to the receptacle.

(12) Automatic. Self-acting, operating by its own mechanism when actuated by some impersonal influence, as, for example, a change in current strength, pressure, temperature, or mechanical configuration.

(13) Bare conductor, see "conductor."

(14) Bonding. The permanent joining of metallic parts to form an electrically conductive path which will assure electrical continuity and the capacity to conduct safely any current likely to be imposed.

(15) Bonding jumper. A reliable conductor to assure the required electrical conductivity between metal parts required to be electrically connected.

(16) Branch circuit. The circuit conductors between the final over-current device protecting the circuit and the outlet(s).

(17) Building. A structure which stands alone or which is cut off from adjoining structures by fire walls with all openings therein protected by approved fire doors.

(18) Cabinet. An enclosure designed either for surface or flush mounting, and provided with a frame, mat, or trim in which a swinging door or doors are or may be hung.

(19) Cable tray system. A cable tray system is a unit or assembly of units or sections, and associated fittings, made of metal or other non-combustible materials forming a rigid structural system used to support cables. Cable tray systems include ladders, troughs, channels, solid bottom trays, and other similar structures.

(20) Cablebus. Cablebus is an approved assembly of insulated conductors with fittings and conductor terminations in a completely enclosed, ventilated, protective metal housing.

(21) Center pivot irrigation machine. A center pivot irrigation machine is a multimotored irrigation machine which revolves around a central pivot and employs alignment switches or similar devices to control individual motors.

(22) Certified. Equipment is "certified" if it (a) has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner, or (b) is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and (c) it bears a label, tag, or other record of certification.

(23) Circuit breaker.

(a) (600 volts nominal, or less.) A device designed to open and close a circuit by nonautomatic means and to open the circuit automatically on a predetermined overcurrent without injury to itself when properly applied within its rating.

(b) (Over 600 volts, nominal.) A switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit.

(24) Class I locations. Class I locations are those in which flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitable mixtures. Class I locations include the following:

(a) Class I, Division 1. A Class I, Division 1 location is a location:

(i) In which hazardous concentrations of flammable gases or vapors may exist under normal operating conditions; or

(ii) In which hazardous concentrations of such gases or vapors may exist frequently because of repair or maintenance operations or because of leakage; or

(iii) In which breakdown or faulty operation of equipment or processes might release hazardous concentrations of flammable gases or vapors, and might also cause simultaneous failure of electric equipment.

Note: This classification usually includes locations where volatile flammable liquids or liquefied flammable gases are transferred from one container to another; interiors of spray booths and areas in the vicinity of spraying and painting operations where volatile flammable solvents are used; locations containing open tanks or vats of volatile flammable liquids; drying rooms or compartments for the evaporation of flammable solvents; locations containing fat and oil extraction equipment using volatile flammable solvents; portions of cleaning and dyeing plants where flammable liquids are used; gas generator rooms and other portions of gas manufacturing plants where flammable gas may escape; inadequately ventilated pump rooms for flammable gas or for volatile flammable liquids; the interiors of refrigerators and freezers in which volatile flammable materials are stored in open, lightly stoppered, or easily ruptured containers; and all other locations where ignitable concentrations of flammable vapors or gases are likely to occur in the course of normal operations.

(b) Class I, Division 2. A Class I, Division 2 location is a location:

(i) In which volatile flammable liquids or flammable gases are handled, processed, or used, but in which the hazardous liquids, vapors, or gases will normally be confined within closed containers or closed systems from which they can escape only in case of accidental rupture or breakdown of such containers or systems, or in case of abnormal operation of equipment; or

(ii) In which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation, and which might become hazardous through failure or abnormal operations of the ventilating equipment; or

(iii) That is adjacent to a Class I, Division 1 location, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clean air, and effective safeguards against ventilation failure are provided.

Note: This classification usually includes locations where volatile flammable liquids or flammable gases or vapors are used, but which would become

hazardous only in case of an accident or of some unusual operating condition. The quantity of flammable material that might escape in case of accident, the adequacy of ventilating equipment, the total area involved, and the record of the industry or business with respect to explosions or fires are all factors that merit consideration in determining the classification and extent of each location.

Piping without valves, checks, meters, and similar devices would not ordinarily introduce a hazardous condition even though used for flammable liquids or gases. Locations used for the storage of flammable liquids or a liquefied or compressed gases in sealed containers would not normally be considered hazardous unless also subject to other hazardous conditions.

Electrical conduits and their associated enclosures separated from process fluids by a single seal or barrier are classed as a Division 2 location if the outside of the conduit and enclosures is a nonhazardous location.

(25) Class II locations. Class II locations are those that are hazardous because of the presence of combustible dust. Class II locations include the following:

- (a) Class II, Division 1. A Class II, Division 1 location is a location:
 - (i) In which combustible dust is or may be in suspension in the air under normal operating conditions, in quantities sufficient to produce explosives or ignitable mixtures; or
 - (ii) Where mechanical failure or abnormal operation of machinery or equipment might cause such explosive or ignitable mixtures to be produced, and might also provide a source of ignition through simultaneous failure of electric equipment, operation of protection devices, or from other causes; or
 - (iii) In which combustible dusts of an electrically conductive nature may be present.

Note: This classification may include areas of grain handling and processing plants, starch plants, sugar-pulverizing plants, malting plants, hay-grinding plants, coal pulverizing plants, areas where metal dusts and powders are produced or processed, and other similar locations which contain dust producing machinery and equipment (except where the equipment is dust-tight or vented to the outside). These areas would have combustible dust in the air, under normal operating conditions, in quantities sufficient to produce explosive or ignitable mixtures. Combustible dusts which are electrically nonconductive include dusts produced in the handling and processing of grain and grain products, pulverized sugar and cocoa, dried egg and milk powders, pulverized spices, starch and pastes, potato and woodflour, oil meal from beans and seed, dried hay, and other organic materials which may produce combustible dusts when processed or handled. Dusts containing magnesium or aluminum are particularly hazardous and the use of extreme caution is necessary to avoid ignition and explosion.

(b) Class II, Division 2. A Class II, Division 2 location is a location in which:

- (i) Combustible dust will not normally be in suspension in the air in quantities sufficient to produce explosive or ignitable mixtures; and dust accumulations are normally insufficient to interfere with the normal operation of electrical equipment or other apparatus; or
- (ii) Dust may be in suspension in the air as a result of infrequent malfunctioning of handling or processing equipment, and dust accumulations resulting therefrom may be ignitable by abnormal operation or failure of electrical equipment or other apparatus.

Note: This classification includes locations where dangerous concentrations of suspended dust would not be likely but where dust accumulations might form on or in the vicinity of electric equipment. These areas may contain equipment from which appreciable quantities of dust would escape under abnormal operating conditions or be adjacent to a Class II Division 1 location, as described above, into which an explosive or ignitable concentration of dust may be put into suspension under abnormal operating conditions.

(26) Class III locations. Class III locations are those that are hazardous because of the presence of easily ignitable fibers or flyings but in which such fibers or flyings are not likely to be in suspension in the air in quantities sufficient to produce ignitable mixtures. Class III locations include the following:

(a) Class III, Division 1. A Class III, Division 1 location is a location in which easily ignitable fibers or materials producing combustible flyings are handled, manufactured, or used.

Note: Such locations usually include some parts of rayon, cotton, and other textile mills; combustible fiber manufacturing and processing plants; cotton gins and cottonseed mills; flax-processing plants; clothing manufacturing plants; woodworking plants, and establishments; and industries involving similar hazardous processes or conditions.

Easily ignitable fibers and flyings include rayon, cotton (including cotton linters and cotton waste), sisal or henequen, istle, jute, hemp, tow, cocoa fiber, oakum, baled waste kapok, Spanish moss, excelsior, and other materials of similar nature.

(b) Class III, Division 2. A Class III, Division 2 location is a location in which easily ignitable fibers are stored or handled, except in process of manufacture.

(27) Collector ring. A collector ring is an assembly of slip rings for transferring electrical energy from a stationary to a rotating member.

(28) Concealed. Rendered inaccessible by the structure or finish of the building. Wires in concealed raceways are considered concealed, even though they may become accessible by withdrawing them. (See "accessible. (As applied to wiring methods.)")

(29) Conductor.

(a) Bare. A conductor having no covering or electrical insulation whatsoever.

(b) Covered. A conductor encased within material of composition or thickness that is not recognized as electrical insulation.

(c) Insulated. A conductor encased within material of composition and thickness that is recognized as electrical insulation.

(30) Conduit body. A separate portion of a conduit or tubing system that provides access through a removable cover(s) to the interior of the system at a junction of two or more sections of the system or at a terminal point of the system. Boxes such as FS and FD or larger cast or sheet metal boxes are not classified as conduit bodies.

(31) Controller. A device or group of devices that serves to govern, in some predetermined manner, the electric power delivered to the apparatus to which it is connected.

(32) Cooking unit, counter-mounted. A cooking appliance designed for mounting in or on a counter and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "oven, wall-mounted.")

(33) Covered conductor. See "conductor."

(34) Cutout. (Over 600 volts, nominal.) An assembly of a fuse support with either a fuseholder, fuse carrier, or disconnecting blade. The fuseholder or fuse carrier may include a conducting element (fuse link), or may act as the disconnecting blade by the inclusion of a nonfusible member.

(35) Cutout box. An enclosure secured for surface mounting and having swinging doors or covers secured directly to and telescoping with the walls of the box proper. (See "cabinet.")

(36) Damp location. See "location."

(37) Dead front. Without live parts exposed to a person on the operating side of the equipment.

(38) Device. A unit of an electrical system which is intended to carry but not utilize electric energy.

(39) Dielectric heating. Dielectric heating is the heating of a nominally insulating material due to its own dielectric losses when the materials is placed in a varying electric field.

(40) Disconnecting means. A device, or group of devices, or other means by which the conductors of a circuit can be disconnected from their source of supply.

(41) Disconnecting (or isolating) switch. (Over 600 volts, nominal.) A mechanical switching device used for isolating a circuit or equipment from a source of power.

(42) Dry location. See "location."

(43) Electric sign. A fixed, stationary, or portable self-contained, electrically illuminated utilization equipment with words or symbols designed to convey information or attract attention.

(44) Enclosed. Surrounded by a case, housing, fence or walls which will prevent persons from accidentally contacting energized parts.

(45) Enclosure. The case or housing of apparatus, or the fence or walls surrounding an installation to prevent personnel from accidentally contacting energized parts, or to protect the equipment from physical damage.

(46) Equipment. A general term including material, fittings, devices, appliances, fixtures, apparatus, and the like, used as a part of, or in connection with, an electrical installation.

(47) Equipment grounding conductor. See "grounding conductor, equipment."

(48) Explosion-proof apparatus. Apparatus enclosed in a case that is capable of withstanding an explosion of a specified gas or vapor which may occur within it and of preventing the ignition of a specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas or vapor within, and which operates at such an external temperature that it will not ignite a surrounding flammable atmosphere.

(49) Exposed. (As applied to live parts.) Capable of being inadvertently touched or approached nearer than a safe distance by a person. It is applied to parts not suitably guarded, isolated, or insulated. (See "accessible" and "concealed.")

(50) Exposed. (As applied to wiring methods.) On or attached to the surface or behind panels designed to allow access. (See "accessible. (As applied to wiring methods.)")

(51) Exposed. (For the purpose of WAC 296-24-95615(5), communications systems.) Where the circuit is in such a position that in case of failure of supports or insulation, contact with another circuit may result.

(52) Externally operable. Capable of being operated without exposing the operator to contact with live parts.

(53) Feeder. All circuit conductors between the service equipment, or the generator switchboard of an isolated plant, and the final branch-circuit overcurrent device.

(54) Fitting. An accessory such as a locknut, bushing, or other part of a wiring system that is intended primarily to perform a mechanical rather than an electrical function.

(55) Fuse. (Over 600 volts, nominal.) An overcurrent protective device with a circuit opening fusible part that is heated and severed by the passage of overcurrent through it. A fuse comprises all the parts that form a unit capable of performing the prescribed functions. It may or may not be the complete device necessary to connect it into an electrical circuit.

(56) Ground. A conducting connection, whether intentional or accidental, between an electrical circuit or equipment and the earth, or to some conducting body that serves in place of the earth.

(57) Grounded. Connected to earth or to some conducting body that serves in place of the earth.

(58) Grounded, effectively. (Over 600 volts, nominal.) Permanently connected to earth through a ground connection of sufficiently low impedance and having sufficient ampacity that ground fault current which may occur cannot build up to voltages dangerous to personnel.

(59) Grounded conductor. A system or circuit conductor that is intentionally grounded.

(60) Grounding conductor. A conductor used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

(61) Grounding conductor, equipment. The conductor used to connect the noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

(62) Grounding electrode conductor. The conductor used to connect the grounding electrode to the equipment grounding conductor and/or to the grounded conductor of the circuit at the service equipment or at the source of a separately derived system.

(63) Ground-fault circuit-interrupter. A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

(64) Guarded. Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of approach to a point of danger or contact by persons or objects.

(65) Health care facilities. Buildings or portions of buildings and mobile homes that contain, but are not limited to, hospitals, nursing homes, extended care facilities, clinics, and medical and dental offices, whether fixed or mobile.

(66) Heating equipment. For the purposes of WAC 296-24-95611(7), the term "heating equipment" includes any equipment used for heating purposes if heat is generated by induction or dielectric methods.

(67) Hoistway. Any shaftway, hatchway, well hole, or other vertical opening or space in which an elevator or dumbwaiter is designed to operate.

(68) Identified. Identified, as used in reference to a conductor or its terminal, means that such conductor or terminal can be readily recognized as grounded.

(69) Induction heating. Induction heating is the heating of a nominally conductive material due to its own I²R losses when the material is placed in a varying electromagnetic field.

(70) Insulated conductor. See "conductor."

(71) Interrupter switch. (Over 600 volts, nominal.) A switch capable of making, carrying, and interrupting specified currents.

(72) Irrigation machine. An irrigation machine is an electrically driven or controlled machine, with one or more motors, not hand portable, and used primarily to transport and distribute water for agricultural purposes.

(73) Isolated. Not readily accessible to persons unless special means for access are used.

(74) Isolated power system. A system comprising an isolating transformer or its equivalent, a line isolation monitor, and its ungrounded circuit conductors.

(75) Labeled. Equipment is "labeled" if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which, (a) makes periodic inspections of the production of such equipment, and (b) whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

(76) Lighting outlet. An outlet intended for the direct connection of a lampholder, a lighting fixture, or a pendant cord terminating in a lampholder.

(77) Listed. Equipment is "listed" if it is of a kind mentioned in a list which, (a) is published by a nationally recognized laboratory which makes periodic inspection of the production of such equipment, and (b) states such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner.

(78) Location.

(a) Damp location. Partially protected locations under canopies, marquees, roofed open porches, and like locations, and interior locations subject to moderate degrees of moisture, such as some basements, some barns, and some cold-storage warehouses.

(b) Dry location. A location not normally subject to dampness or wetness. A location classified as dry may be temporarily subject to dampness or wetness, as in the case of a building under construction.

(c) Wet location. Installations underground or in concrete slabs or masonry in direct contact with the earth, and locations subject to saturation with water or other liquids, such as vehicle-washing areas, and locations exposed to weather and unprotected.

(79) Medium voltage cable. Type MV medium voltage cable is a single or multiconductor solid dielectric insulated cable rated 2000 volts or higher.

(80) Metal-clad cable. Type MC cable is a factory assembly of one or more conductors, each individually insulated and enclosed in a metallic sheath of interlocking tape, or a smooth or corrugated tube.

(81) Mineral-insulated metal-sheathed cable. Type MI mineral-insulated metal-sheathed cable is a factory assembly of one or more conductors insulated with a highly compressed refractory mineral insulation and enclosed in a liquidtight and gastight continuous copper sheath.

(82) Mobile x-ray. X-ray equipment mounted on a permanent base with wheels and/or casters for moving while completely assembled.

(83) Nonmetallic-sheathed cable. Nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors having an outer sheath of moisture resistant, flame-retardant, nonmetallic material. Nonmetallic sheathed cable is manufactured in the following types:

(a) Type NM. The overall covering has a flame-retardant and moisture-resistant finish.

(b) Type NMC. The overall covering is flame-retardant, moisture-resistant, fungus-resistant, and corrosion-resistant.

(84) Oil (filled) cutout. (Over 600 volts, nominal.) A cutout in which all or part of the fuse support and its fuse link or disconnecting blade are mounted in oil with complete immersion of the contacts and the fusible portion of the conducting element (fuse link), so that arc interruption by severing of the fuse link or by opening of the contacts will occur under oil.

(85) Open wiring on insulators. Open wiring on insulators is an exposed wiring method using cleats, knobs, tubes, and flexible tubing for the protection and support of single insulated conductors run in or on buildings, and not concealed by the building structure.

(86) Outlet. A point on the wiring system at which current is taken to supply utilization equipment.

(87) Outline lighting. An arrangement of incandescent lamps or electric discharge tubing to outline or call attention to certain features such as the shape of a building or the decoration of a window.

(88) Oven, wall-mounted. An oven for cooking purposes designed for mounting in or on a wall or other surface and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "cooking unit, counter-mounted.")

(89) Overcurrent. Any current in excess of the rated current of equipment or the ampacity of a conductor. It may result from overload

(see definition), short circuit, or ground fault. A current in excess of rating may be accommodated by certain equipment and conductors for a given set of conditions. Hence the rules for overcurrent protection are specific for particular situations.

(90) Overload. Operation of equipment in excess of normal, full load rating, or of a conductor in excess of rated ampacity which, when it persists for a sufficient length of time, would cause damage or dangerous overheating. A fault, such as a short circuit or ground fault, is not an overload. (See "overcurrent.")

(91) Panelboard. A single panel or group of panel units designed for assembly in the form of a single panel; including buses, automatic overcurrent devices, and with or without switches for the control of light, heat, or power circuits; designed to be placed in a cabinet or cutout box placed in or against a wall or partition and accessible only from the front. (See "switchboard.")

(92) Permanently installed decorative fountains and reflection pools. Those that are constructed in the ground, on the ground, or in a building in such a manner that the pool cannot be readily disassembled for storage and are served by electrical circuits of any nature. These units are primarily constructed for their aesthetic value and not intended for swimming or wading.

(93) Permanently installed swimming pools, wading and therapeutic pools. Those that are constructed in the ground, on the ground, or in a building in such a manner that the pool cannot be readily disassembled for storage whether or not served by electrical circuits of any nature.

(94) Portable x-ray. X-ray equipment designed to be hand-carried.

(95) Power and control tray cable. Type TC power and control tray cable is a factory assembly of two or more insulated conductors, with or without associated bare or covered grounding conductors under a nonmetallic sheath, approved for installation in cable trays, in raceways, or where supported by a messenger wire.

(96) Power fuse. (Over 600 volts, nominal.) See "fuse."

(97) Power-limited tray cable. Type PLTC nonmetallic-sheathed power limited tray cable is a factory assembly of two or more insulated conductors under a nonmetallic jacket.

(98) Power outlet. An enclosed assembly which may include receptacles, circuit breakers, fuseholders, fused switches, buses and watt-hour meter mounting means; intended to supply and control power to mobile homes, recreational vehicles or boats, or to serve as a means for distributing power required to operate mobile or temporarily installed equipment.

(99) Premises wiring system. That interior and exterior wiring, including power, lighting, control, and signal circuit wiring together with all of its associated hardware, fittings, and wiring devices, both permanently and temporarily installed, which extends from the load end of the service drop, or load end of the service lateral conductors to the outlet(s). Such wiring does not include wiring internal to appliances, fixtures, motors, controllers, motor control centers, and similar equipment.

(100) Qualified person. One familiar with the construction and operation of the equipment and the hazards involved.

(101) Raceway. A channel designed expressly for holding wires, cables, or busbars, with additional functions as permitted in this subpart. Raceways may be of metal or insulating material, and the term includes rigid metal conduit, rigid nonmetallic conduit, intermediate metal conduit, liquidtight flexible metal conduit, flexible metallic tubing, flexible metal conduit, electrical metallic tubing, underfloor raceways, cellular concrete floor raceways, cellular metal floor raceways, surface raceways, wireways, and busways.

(102) Readily accessible. Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See "accessible.")

(103) Receptacle. A receptacle is a contact device installed at the outlet for the connection of a single attachment plug. A single receptacle is a single contact device with no other contact device on the same yoke. A multiple receptacle is a single device containing two or more receptacles.

(104) Receptacle outlet. An outlet where one or more receptacles are installed.

(105) Remote-control circuit. Any electric circuit that controls any other circuit through a relay or an equivalent device.

(106) Sealable equipment. Equipment enclosed in a case or cabinet that is provided with a means of sealing or locking so that live parts cannot be made accessible without opening the enclosure. The equipment may or may not be operable without opening the enclosure.

(107) Separately derived system. A premises wiring system whose power is derived from generator, transformer, or converter winding and has no direct electrical connection, including a solidly connected grounded circuit conductor, to supply conductors originating in another system.

(108) Service. The conductors and equipment for delivering energy from the electricity supply system to the wiring system of the premises served.

(109) Service cable. Service conductors made up in the form of a cable.

(110) Service conductors. The supply conductors that extend from the street main or from transformers to the service equipment of the premises supplied.

(111) Service drop. The overhead service conductors from the last pole or other aerial support to and including the splices, if any, connecting to the service-entrance conductors at the building or other structure.

(112) Service-entrance cable. Service-entrance cable is a single conductor or multiconductor assembly provided with or without an overall covering, primarily used for services and of the following types:

(a) Type SE, having a flame-retardant, moisture-resistant covering, but not required to have inherent protection against mechanical abuse.

(b) Type USE, recognized for underground use, having a moisture-resistant covering, but not required to have a flame-retardant covering or inherent protection against mechanical abuse. Single-conductor cables having an insulation specifically approved for the purpose do not require an outer covering.

(113) Service-entrance conductors, overhead system. The service conductors between the terminals of the service equipment and a point usually outside the building, clear of building walls, where joined by tap or splice to the service drop.

(114) Service entrance conductors, underground system. The service conductors between the terminals of the service equipment and the point of connection to the service lateral. Where service equipment is located outside the building walls, there may be no service-entrance conductors, or they may be entirely outside the building.

(115) Service equipment. The necessary equipment, usually consisting of a circuit breaker or switch and fuses, and their accessories, located near the point of entrance of supply conductors to a building or other structure, or an otherwise defined area, and intended to constitute the main control and means of cutoff of the supply.

(116) Service raceway. The raceway that encloses the service-entrance conductors.

(117) Shielded nonmetallic-sheathed cable. Type SNM, shielded nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors in an extruded core of moisture-resistant, flame-resistant nonmetallic material, covered with an overlapping spiral metal tape and wire shield and jacketed with an extruded moisture-resistant, flame-resistant, oil-resistant, corrosion-resistant, fungus-resistant, and sunlight-resistant nonmetallic material.

(118) Show window. Any window used or designed to be used for the display of goods or advertising material, whether it is fully or partly enclosed or entirely open at the rear and whether or not it has a platform raised higher than the street floor level.

(119) Sign. See "electric sign."

(120) Signaling circuit. Any electric circuit that energizes signaling equipment.

(121) Special permission. The written consent of the authority having jurisdiction.

(122) Storable swimming or wading pool. A pool with a maximum dimension of ((+5)) fifteen feet and a maximum wall height of ((3)) three feet and is so constructed that it may be readily disassembled for storage and reassembled to its original integrity.

(123) Switchboard. A large single panel, frame, or assembly of panels which have switches, buses, instruments, overcurrent and other protective devices mounted on the face or back or both. Switchboards are generally accessible from the rear as well as from the front and are not intended to be installed in cabinets. (See "panelboard.")

(124) Switches.

(a) General-use switch. A switch intended for use in general distribution and branch circuits. It is rated in amperes, and it is capable of interrupting its rated current at its rated voltage.

(b) General-use snap switch. A form of general-use switch so constructed that it can be installed in flush device boxes or on outlet box covers, or otherwise used in conjunction with wiring systems recognized by this subpart.

(c) Isolating switch. A switch intended for isolating an electric circuit from the source of power. It has no interrupting rating, and it is intended to be operated only after the circuit has been opened by some other means.

(d) Motor-circuit switch. A switch, rated in horsepower, capable of interrupting the maximum operating overload current of a motor of the same horsepower rating as the switch at the rated voltage.

(125) Switching devices. (Over 600 volts, nominal.) Devices designed to close and/or open one or more electric circuits. Included in this category are circuit breakers, cutouts, disconnecting (or isolating) switches, disconnecting means, interrupter switches, and oil (filled) cutouts.

(126) Transportable x-ray. X-ray equipment installed in a vehicle or that may readily be disassembled for transport in a vehicle.

(127) Utilization equipment. Utilization equipment means equipment which utilizes electric energy for mechanical, chemical, heating, lighting, or similar useful purpose.

(128) Utilization system. A utilization system is a system which provides electric power and light for employee workplaces, and includes the premises wiring system and utilization equipment.

(129) Ventilated. Provided with a means to permit circulation of air sufficient to remove an excess of heat, fumes, or vapors.

(130) Volatile flammable liquid. A flammable liquid having a flash point below 38 degrees C (100 degrees F) or whose temperature is above its flash point.

(131) Voltage (of a circuit). The greatest root-mean-square (effective) difference of potential between any two conductors of the circuit concerned.

(132) Voltage, nominal. A nominal value assigned to a circuit or system for the purpose of conveniently designating its voltage class (as 120/240, 480Y/277, 600, etc.). The actual voltage at which a circuit operates can vary from the nominal within a range that permits satisfactory operation of equipment.

(133) Voltage to ground. For grounded circuits, the voltage between the given conductor and that point or conductor of the circuit that is grounded; for undergrounded circuits, the greatest voltage between the given conductor and any other conductor of the circuit.

(134) Watertight. So constructed that moisture will not enter the enclosure.

(135) Weatherproof. So constructed or protected that exposure to the weather will not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

(136) Wet location. See "location."

(137) Wireways. Wireways are sheet-metal troughs with hinged or removable covers for housing and protecting electric wires and cable and in which conductors are laid in place after the wireway has been installed as a complete system.

AMENDATORY SECTION (Amending Order 85-09, filed 4/19/85)

WAC 296-24-31505 LIQUEFIED HYDROGEN SYSTEMS.

(1) Design.

(a) Containers.

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

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

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

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

(d) Safety relief devices.

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

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

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

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

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

(e) Piping, tubing, and fittings.

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

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

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

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

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

(f) Equipment assembly.

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

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

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

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

(g) Testing.

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

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

(h) Liquefied hydrogen vaporizers.

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

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

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

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

(i) Electrical systems.

(i) Electrical wiring and equipment located within 3 feet of a point where connections are regularly made and disconnected, shall meet the requirements of WAC 296-24-956 through 296-24-960 for Class I, Division 1 locations.

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

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

(B) Intrinsically safe, or

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

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

(2) Location of liquefied hydrogen storage.

(a) General requirements.

(i) The storage containers shall be located so that they are readily accessible to mobile supply equipment at ground level and to authorized personnel.

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

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

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

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

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

(b) Specific requirements.

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

TABLE H-3
MAXIMUM TOTAL QUANTITY OF LIQUEFIED HYDROGEN STORAGE PERMITTED

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

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

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

TABLE H-4
MINIMUM DISTANCE (FEET) FROM LIQUEFIED HYDROGEN SYSTEMS TO EXPOSURE

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

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

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

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

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

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

- (i) Be located 20 feet from flammable liquids and readily combustible materials such as excelsior or paper.
- (ii) Be located 25 feet from ordinary electrical equipment and other sources of ignition including process or analytical equipment.
- (iii) Be located 25 feet from concentrations of people.
- (iv) Be located 50 feet from intakes of ventilation and air-conditioning equipment or intakes of compressors.
- (v) Be located 50 feet from storage of other flammable-gases or storage of oxidizing gases.
- (vi) Containers shall be protected against damage or injury due to falling objects or work activity in the area.
- (vii) Containers shall be firmly secured and stored in an upright position.

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

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

(3) Design considerations at specific locations.

(a) Outdoor locations.

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

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

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

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

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

(b) Separate buildings.

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

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

(iii) There shall be no sources of ignition.

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

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

(c) Special rooms.

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

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

(iii) Explosion venting shall be provided in exterior walls or roof only. The venting area shall be equal to not less than 1 square foot per

30 cubic feet of room volume and may consist of any one or any combination of the following: Walls of light noncombustible material; lightly fastened hatch covers; lightly fastened swinging doors opening outward in exterior walls; lightly fastened walls or roofs designed to relieve at a maximum pressure of 25 pounds per square foot.

(iv) There shall be no sources of ignition.

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

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

(4) Operating instructions.

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

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

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

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

(5) Maintenance.

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

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

WAC 296-24-33005 TANK STORAGE. (1) Design and construction of tanks.

(a) Materials.

(i) Tanks shall be built of steel except as provided in (1)(a)(ii) through (v) of this section.

(ii) Tanks may be built of materials other than steel for installation underground or if required by the properties of the liquid stored. Tanks located above ground or inside buildings shall be of noncombustible construction.

(iii) Tanks built of materials other than steel shall be designed to specifications embodying principles recognized as good engineering design for the material used.

(iv) Unlined concrete tanks may be used for storing flammable or combustible liquids having a gravity of 40°API or heavier. Concrete tanks with special lining may be used for other services provided the design is in accordance with sound engineering practice.

(v) Tanks may have combustible or noncombustible linings.

(vi) Special engineering consideration shall be required if the specific gravity of the liquid to be stored exceeds that of water or if the tanks are designed to contain flammable or combustible liquids at a liquid temperature below 0°F.

(b) Fabrication.

(i) Tanks may be of any shape or type consistent with sound engineering design.

(ii) Metal tanks shall be welded, riveted, and caulked, brazed, or bolted, or constructed by use of a combination of these methods. Filler metal used in brazing shall be nonferrous metal or an alloy having a melting point above 1000°F and below that of the metal joined.

(c) Atmospheric tanks.

(i) Atmospheric tanks shall be built in accordance with acceptable good standards of design. Atmospheric tanks may be built in accordance with:

(A) Underwriters' Laboratories, Inc., Subjects No. 142, Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids, 1968; No. 58, Standards for Steel Underground Tanks for Flammable and COMBUSTIBLE Liquids, Fifth Edition, December 1961; or No. 80, Standard for Steel Inside Tanks for Oil-Burner Fuel, September 1963.

(B) American Petroleum Institute Standards No. 12A, Specification for Oil Storage Tanks with Riveted Shells, Seventh Edition, September 1951, or No. 650, Welded Steel Tanks for Oil Storage, Third Edition, 1966.

(C) American Petroleum Institute Standards No. 12B, Specification for Bolted Production Tanks, Eleventh Edition, May 1958, and Supplement 1, March 1962; No. 12D, Specification for Large Welded Production Tanks, Seventh Edition, August 1957; or No. 12F, Specification for Small Welded Production Tanks, Fifth Edition, March

1961. Tanks built in accordance with these standards shall be used only as production tanks for storage of crude petroleum in oil-producing areas.

(ii) Tanks designed for underground service not exceeding 2,500 gallons capacity may be used aboveground.

(iii) Low-pressure tanks and pressure vessels may be used as atmospheric tanks.

(iv) Atmospheric tanks shall not be used for the storage of a flammable or combustible liquid at a temperature at or above its boiling point.

(d) Low pressure tanks.

(i) The normal operating pressure of the tank shall not exceed the design pressure of the tank.

(ii) Low-pressure tanks shall be built in accordance with acceptable standards of design. Low-pressure tanks may be built in accordance with:

(A) American Petroleum Institute Standard No. 620, Recommended Rules for the Design and Construction of Large, Welded, Low-Pressure Storage Tanks, Third Edition, 1966.

(B) The principles of the Code for Unfired Pressure Vessels, Section VIII of the ASME Boiler and Pressure Vessels Code, 1968.

(iii) Atmospheric tanks built according to the Underwriters' Laboratories, Inc., requirements in (1)(c)(i) of this section may be used for operating pressures not exceeding 1 p.s.i.g. and shall be limited to 2.5 p.s.i.g. under emergency venting conditions. Pressure vessels may be used as low-pressure tanks.

(e) Pressure vessels.

(i) The normal operating pressure of the vessel shall not exceed the design pressure of the vessel.

(ii) Pressure vessels shall be built in accordance with the Code for Unfired Pressure Vessels, Section VIII of the ASME Boiler and Pressure Vessel Code, 1968.

(f) Provisions for internal corrosion. When tanks are not designed in accordance with the American Petroleum Institute, American Society of Mechanical Engineers, or the Underwriters' Laboratories, Inc.'s standards, or if corrosion is anticipated beyond that provided for in the design formulas used, additional metal thickness or suitable protective coatings or linings shall be provided to compensate for the corrosion loss expected during the design life of the tank.

(2) Installation of outside aboveground tanks.

(a) Location with respect to property lines and public ways.

(i) Every aboveground tank for the storage of flammable or combustible liquids, except those liquids with boil-over characteristics and unstable liquids, operating at pressures not in excess of 2.5 p.s.i.g. and equipped with emergency venting which will not permit pressures to exceed 2.5 p.s.i.g. shall be located in accordance with Table H-5.

(ii) Every aboveground tank for the storage of flammable or combustible liquids, except those liquids with boil-over characteristics and unstable flammable or combustible liquids, operating at pressures exceeding 2.5 p.s.i.g. or equipped with emergency venting which will permit pressures to exceed 2.5 p.s.i.g. shall be located in accordance with Table H-6.

TABLE H-5

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building and shall be not less than 5 feet.
Floating roof	Protection for exposures.	1/2 times diameter of tank but need not exceed 90 ft.	1/6 times diameter of tank but need not exceed 30 ft.
	None	Diameter of tank but need not exceed 175 ft.	1/6 times diameter of tank but need not exceed 30 ft.
Vertical with weak roof to shell seam	Approved foam or inerting system on the tank.	1/2 times diameter of tank but need not exceed 90 ft. and shall not be less than 5 ft.	1/6 times diameter of tank but need not exceed 30 ft.

TABLE H-5

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building and shall be not less than 5 feet.
	Protection for exposures.	Diameter of tank but, need not exceed 175 ft.	1/3 times diameter of tank but need not exceed 60 ft.
	None	2 times diameter of tank but need not exceed 350 ft.	1/3 times diameter of tank but need not exceed 60 ft.
Horizontal and vertical, with emergency relief venting to limit pressures to 2.5 p.s.i.g.	Approved inerting system on the tank or approved foam system on vertical tanks.	1/2 times Table H-9 but shall not be less than 5 ft.	1/2 times Table H-9.
	Protection for exposures.	Table H-9	Table H-9
	None	2 times table	Table H-9

TABLE H-6

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
Any type	Protection for exposures.	1 1/2 times Table H-9 but shall not be less than 25 ft.	1 1/2 times Table H-9 but shall not be less than 25 ft.
	None	3 times Table H-9 but shall not be less than 50 ft.	1 1/2 times Table H-9 but shall not be less than 25 ft.

(iii) Every aboveground tank for the storage of flammable or combustible liquids with boil-over characteristics shall be located in accordance with Table H-7.

TABLE H-7

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
Floating roof	Protection for exposures.	Diameter of tank but need not exceed 175 ft.	1/3 times diameter of tank but need not exceed 60 ft.
	None	2 times diameter of tank but need not exceed 350 ft.	1/3 times diameter of tank but need not exceed 60 ft.
Fixed roof	Approved foam or inerting system.	Diameter of tank but need not exceed 175 ft.	1/3 times diameter of tank but need not exceed 60 ft.

TABLE H-7

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
	Protection for exposures.	2 times diameter of tank but need not exceed 350 ft.	2/3 times diameter of tank but need not exceed 120 ft.
	None	4 times diameter of tank but need not exceed 350 ft.	2/3 times diameter of tank but need not exceed 120 ft.

(iv) Every aboveground tank for the storage of unstable liquids shall be located in accordance with Table H-8.

TABLE H-8

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
Horizontal and vertical tanks with emergency relief venting to permit pressure not in excess of 2.5 p.s.i.g.	Tank protected with any of the following: Approved water spray, approved inerting, approved insulation and refrigeration, approved barricade.	See Table H-9, but the distance may be not less than 25 ft.	Not less than 25 ft.
	Protection for exposures.	2 1/2 times Table H-9 but not less than 50 ft.	Not less than 50 ft.
	None	5 times Table H-9 but not less than 100 ft.	Not less than 100 ft.
Horizontal and vertical tanks with emergency relief venting to permit pressure over 2.5 p.s.i.g.	Tank protected with any one of the following: Approved water spray, approved inerting, approved insulation and refrigeration, approved barricade.	2 times Table H-9 but not less than 50 ft.	Not less than 50 ft.
	Protection for exposures.	4 times Table H-9 but not less than 100 ft.	Not less than 100 ft.
	None	8 times Table H-9 but not less than 150 ft.	Not less than 150 ft.

(v) Reference minimum distances for use in Tables H-5 to H-8 inclusive.

TABLE H-9

Capacity tank gallons	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
275 or less	5	5
276 to 750	10	5
751 to 12,000	15	5
12,001 to 30,000	20	5
30,001 to 50,000	30	10
50,001 to 100,000	50	15
100,001 to 500,000	80	25
500,001 to 1,000,000	100	35
1,000,001 to 2,000,000	135	45
2,000,001 to 3,000,000	165	55
3,000,001 or more	175	60

(vi) Where end failure or horizontal pressure tanks and vessels may expose property, the tank shall be placed with the longitudinal axis parallel to the nearest important exposure.

(b) Spacing (shell-to-shell) between aboveground tanks.

(i) The distance between any two flammable or combustible liquid storage tanks shall not be less than 3 feet.

(ii) Except as provided in (2)(b)(iii) of this section, the distance between any two adjacent tanks shall not be less than one-sixth the sum of their diameters. When the diameter of one tank is less than one-half the diameter of the adjacent tank, the distance between the two tanks shall not be less than one-half the diameter of the smaller tank.

(iii) Where crude petroleum in conjunction with production facilities are located in noncongested areas and have capacities not exceeding 126,000 gallons (3,000 barrels), the distance between such tanks shall not be less than 3 feet.

(iv) Where unstable flammable or combustible liquids are stored, the distance between such tanks shall not be less than one-half the sum of their diameters.

(v) When tanks are compacted in three or more rows or in an irregular pattern, greater spacing or other means shall be provided so that inside tanks are accessible for firefighting purposes.

(vi) The minimum separation between a liquefied petroleum gas container and a flammable or combustible liquid storage tank shall be 20 feet, except in the case of flammable or combustible liquid tanks operating at pressures exceeding 2.5 p.s.i.g. or equipped with emergency venting which will permit pressures to exceed 2.5 p.s.i.g. in which case the provisions of (2)(b)(i) and (ii) of this section shall apply. Suitable means shall be taken to prevent the accumulation of flammable or combustible liquids under adjacent liquefied petroleum gas containers such as by diversion curbs or grading. When flammable or combustible liquid storage tanks are within a diked area, the liquefied petroleum gas containers shall be outside the diked area and at least 10 feet away from the centerline of the wall of the diked area. The foregoing provisions shall not apply when liquefied petroleum gas containers of 125 gallons or less capacity are installed adjacent to fuel oil supply tanks of 550 gallons or less capacity.

(c) Location of outside aboveground tanks with respect to important buildings on same property. Every outside aboveground tank shall be separated from important buildings on the same property by distances not less than those specified in (2)(a)(i), (ii), (iii) and (iv) of this section, whichever is applicable. The appropriate distance column in Tables H-5, H-6, H-7, H-8, or H-9, that shall be used shall be the one reading: "Minimum distance in feet from nearest side of any public way or from nearest important building."

(d) Normal venting for aboveground tanks. (i) Atmospheric storage tanks shall be adequately vented to prevent the development of vacuum or pressure sufficient to distort the roof of a cone roof tank or exceed the design pressure in the case of other atmospheric tanks, as a result of filling or emptying, and atmospheric temperature changes.

(ii) Normal vents shall be sized either in accordance with: (A) The American Petroleum Institute Standard 2000 (1968), Venting Atmospheric and Low-Pressure Storage Tanks; or (B), other accepted standard; or (C) shall be at least as large as the filling or withdrawal connection, whichever is larger but in no case less than 1 1/4 inch nominal inside diameter.

(iii) Low-pressure tanks and pressure vessels shall be adequately vented to prevent development of pressure or vacuum, as a result of filling or emptying and atmospheric temperature changes, from exceeding the design pressure of the tank or vessel. Protection shall also be provided to prevent over-pressure from any pump discharging into the tank or vessel when the pump discharge pressure can exceed the design pressure of the tank or vessel.

(iv) If any tank or pressure vessel has more than one fill or withdrawal connection and simultaneous filling or withdrawal can be made, the vent size shall be based on the maximum anticipated simultaneous flow.

(v) Unless the vent is designed to limit the internal pressure 2.5 p.s.i. or less, the outlet of vents and vent drains shall be arranged to discharge in such a manner as to prevent localized overheating of any part of the tank in the event vapors from such vents are ignited.

(vi) Tanks and pressure vessels storing Class IA liquids shall be equipped with venting devices which shall be normally closed except when venting to pressures or vacuum conditions. Tanks and pressure vessels storing Class IB and IC liquids shall be equipped with venting devices which shall be normally closed except when venting under pressure or vacuum conditions, or with approved flame arresters.

Exemption: Tanks of 3,000 bbls. capacity or less containing crude petroleum in crude-producing areas; and, outside aboveground atmospheric tanks under 1,000 gallons capacity containing other than Class IA flammable liquids may have open vents. (See (2)(f)(ii) of this section.)

(vii) Flame arresters or venting devices required in (2)(e)(vi) of this section may be omitted for Class IB and IC liquids where conditions are such that their use may, in case of obstruction, result in tank damage.

(e) Emergency relief venting for fire exposure for aboveground tanks.

(i) Every aboveground storage tank shall have some form of construction or device that will relieve excessive internal pressure caused by exposure fires.

(ii) In a vertical tank the construction referred to in (2)(e)(i) of this section may take the form of a floating roof, lifter roof, a weak roof-to-shell seam, or other approved pressure relieving construction. The weak roof-to-shell seam shall be constructed to fail preferential to any other seam.

(iii) Where entire dependence for emergency relief is placed upon pressure relieving devices, the total venting capacity of both normal and emergency vents shall be enough to prevent rupture of the shell or bottom of the tank if vertical, or of the shell or heads if horizontal. If unstable liquids are stored, the effects of heat or gas resulting from polymerization, decomposition, condensation, or self-reactivity shall be taken into account. The total capacity of both normal and emergency venting devices shall be not less than that derived from Table H-10 except as provided in (2)(e)(v) and (vi) of this section. Such device may be a self-closing manhole cover, or one using long bolts that permit the cover to lift under internal pressure, or an additional or larger relief valve or valves. The wetted area of the tank shall be calculated on the basis of 55 percent of the total exposed area of a sphere or spheroid, 75 percent of the total exposed area of a horizontal tank and the first 30 feet above grade of the exposed shell area of a vertical tank.

TABLE 10

WETTED AREA VERSUS CUBIC FEET FREE AIR PER HOUR (14.7 psia and 60°F)

Square feet	CFH	Square feet	CFH	Square feet	CFH
20	21,100	200	211,000	1,000	524,000
30	31,600	250	239,000	1,200	557,000
40	42,100	300	265,000	1,400	587,000
50	52,700	350	288,000	1,600	614,000

TABLE 10

WETTED AREA VERSUS CUBIC FEET FREE AIR PER HOUR (14.7 psia and 60°F)

Square feet	CFH	Square feet	CFH	Square feet	CFH
60	63,200	400	312,000	1,800	639,000
70	73,700	500	354,000	2,000	662,000
80	84,200	600	392,000	2,400	704,000
90	94,800	700	428,000	2,800	742,000
100	105,000	800	462,000	and	
120	126,000	900	493,000	over	
140	147,000	1,000	524,000		
160	168,000				
180	190,000				
200	211,000				

(iv) For tanks and storage vessels designed for pressure over 1 p.s.i.g., the total rate of venting shall be determined in accordance with Table H-10, except that when the exposed wetted area of the surface is greater than 2,800 square feet, the total rate of venting shall be calculated by the following formula:

$$CFH = 1,107A^{0.82}$$

Where:

CFH = Venting requirement, in cubic feet of free air per hour.

A = Exposed wetted surface, in square feet.

Note: The foregoing formula is based on Q = 21,000A^{0.82}

(v) The total emergency relief venting capacity for any specific stable liquid may be determined by the following formula:

Cubic feet of free air per hour = V

$$V = \frac{1337}{L M}$$

V = Cubic feet of free air per hour from Table H-10.

L = Latent heat of vaporization of specific liquid in B.t.u. per pound.

M = Molecular weight of specific liquids.

(vi) The required airflow rate of (2)(e)(iii) or (v) of this section may be multiplied by the appropriate factor listed in the following schedule when protection is provided as indicated. Only one factor may be used for any one tank.

0.5 for drainage in accordance with (2)(g)(ii) of this section for tanks over 200 square feet of wetted area.

0.3 for approved water spray.

0.3 for approved insulation.

0.15 for approved water spray with approved insulation.

(vii) The outlet of all vents and vent drains on tanks equipped with emergency venting to permit pressures exceeding 2.5 p.s.i.g. shall be arranged to discharge in such a way as to prevent localized overheating of any part of the tank, in the event vapors from such vents are ignited.

(viii) Each commercial tank venting device shall have stamped on it the opening pressure, the pressure at which the valve reaches the full open position, and the flow capacity at the latter pressure, expressed in cubic feet per hour of air at 60°F and at a pressure of 14.7 p.s.i.a.

(ix) The flow capacity of tank venting devices 12 inches and smaller in nominal pipe size shall be determined by actual test of each type and size of vent. These flow tests may be conducted by the manufacturer if certified by a qualified impartial observer, or may be conducted by an outside agency. The flow capacity of tank venting devices larger than 12 inches nominal pipe size, including manhole covers with long bolts or equivalent, may be calculated provided that the opening pressure is actually measured, the rating pressure and corresponding free orifice area are stated, the word "calculated" appears on the nameplate, and the computation is based on a flow coefficient of 0.5 applied to the rated orifice area.

(f) Vent piping for aboveground tanks.

(i) Vent piping shall be constructed in accordance with WAC 296-24-33007 of this section.

(ii) Where vent pipe outlets for tanks storing Class I liquids are adjacent to buildings or public ways, they shall be located so that the vapors are released at a safe point outside of buildings and not less than 12 feet above the adjacent ground level. In order to aid their dispersion, vapors shall be discharged upward or horizontally away from closely adjacent walls. Vent outlets shall be located so that flammable vapors will not be trapped by eaves or other obstructions and shall be at least five feet from building openings.

(iii) When tank vent piping is manifolded, pipe sizes shall be such as to discharge within the pressure limitations of the system, the vapors they may be required to handle when manifolded tanks are subject to the same fire exposure.

(g) Drainage, dikes, and walls for aboveground tanks.

(i) Drainage and diked areas. The area surrounding a tank or a group of tanks shall be provided with drainage as in (2)(g)(ii) of this section, or shall be diked as provided in (2)(g)(iii), to prevent accidental discharge of liquid from endangering adjoining property or reaching waterways.

(ii) Drainage. Where protection of adjoining property or waterways is by means of a natural or manmade drainage system, such systems shall comply with the following:

(A) A slope of not less than 1 percent away from the tank toward the drainage system shall be provided.

(B) The drainage system shall terminate in vacant land or other area or in an impounding basin having a capacity not smaller than that of the largest tank served. This termination area and the route of the drainage system shall be so located that, if the flammable or combustible liquids in the drainage system are ignited, the fire will not seriously expose tanks or adjoining property.

(C) The drainage system, including automatic drainage pumps, shall not discharge to adjoining property, natural water courses, public sewers, or public drains unless the discharge of flammable or combustible liquids would not constitute a hazard, or the system is so designed that it will not permit flammable or combustible liquids to be released.

(iii) Diked areas. Where protection of adjoining property or waterways is accomplished by retaining the liquid around the tank by means of a dike, the volume of the diked area shall comply with the following requirements:

(A) Except as provided in (2)(g)(iii)(B) of this section, the volumetric capacity of the diked area shall not be less than the greatest amount of liquid that can be released from the largest tank within the diked area, assuming a full tank. The capacity of the diked area enclosing more than one tank shall be calculated by deducting the volume of the tanks other than the largest tank below the height of the dike.

(B) For a tank or group of tanks with fixed roofs containing crude petroleum with boilover characteristics, the volumetric capacity of the diked area shall be not less than the capacity of the largest tank served by the enclosure, assuming a full tank. The capacity of the diked enclosure shall be calculated by deducting the volume below the height of the dike of all tanks within the enclosure.

(C) Walls of the diked area shall be of earth, steel, concrete or solid masonry designed to be liquidtight and to withstand a full hydrostatic head. Earthen walls 3 feet or more in height shall have a flat section at the top not less than 2 feet wide. The slope of an earthen wall shall be consistent with the angle of repose of the material of which the wall is constructed.

(D) The walls of the diked area shall be restricted to an average height of 6 feet above interior grade.

(E) Where provision is made for draining water from diked areas, drainage shall be provided at a uniform slope of not less than 1 percent away from tanks toward a sump, drainbox, or other safe means of disposal located at the greatest practical distance from the tank. Such drains shall normally be controlled in a manner so as to prevent flammable or combustible liquids from entering natural water courses, public sewers, or public drains, if their presence would constitute a hazard. Control of drainage shall be accessible under fire conditions.

(F) No loose combustible material, empty or full drum or barrel, shall be permitted within the diked area.

(G) Each diked area containing two or more tanks shall be subdivided preferably by drainage channels or at least by intermediate curbs in order to prevent spills from endangering adjacent tanks within the diked area as follows:

~~((aa))~~ (I) When storing normally stable liquids in vertical cone roof tanks constructed with weak roof-to-shell seam or approved floating roof tanks or when storing crude petroleum in producing areas in any type of tank, one subdivision for each tank in excess of 10,000

bbls. and one subdivision for each group of tanks (no tank exceeding 10,000 bbls. capacity) having an aggregate capacity not exceeding 15,000 bbls.

~~((bb))~~ (II) When storing normally stable flammable or combustible liquids in tanks not covered in ~~((aa) of this section)~~ (g)(iii)(G)(I) of this subsection, one subdivision for each tank in excess of 100,000 gallons (2,500 bbls.) and one subdivision for each group of tanks (no tank exceeding 100,000 gallons capacity) having an aggregate capacity not exceeding 150,000 gallons (3,570 bbls.).

~~((cc))~~ (III) When storing unstable liquids in any type of tank, one subdivision for each tank except that tanks installed in accordance with the drainage requirements of NFPA 15-1969, Standard for Water Spray Fixed Systems for Fire Protection shall require no additional subdivision.

~~((dd))~~ (IV) The drainage channels or intermediate curbs shall be located between tanks so as to take full advantage of the available space with due regard for the individual tank capacities. Intermediate curbs, where used, shall be not less than 18 inches in height.

(h) Tank openings other than vents for aboveground tanks.

(i) Connections for all tank openings shall be vaportight and liquid tight. Vents are covered in (2)(d) through (f) of this section.

(ii) Each connection to an aboveground tank through which liquid can normally flow shall be provided with an internal or an external valve located as close as practical to the shell of the tank. Such valves, when external, and their connections to the tank shall be of steel except when the chemical characteristics of the liquid stored are incompatible with steel. When materials other than steel are necessary, they shall be suitable for the pressures, structural stresses, and temperatures involved, including fire exposures.

(iii) Each connection below the liquid level through which liquid does not normally flow shall be provided with a liquid tight closure. This may be a valve, plug, or blind, or a combination of these.

(iv) Openings for gaging shall be provided with a vapor tight cap or cover.

(v) For Class IB and Class IC liquids other than crude oils, gasolines, and asphalts, the fill pipe shall be so designed and installed as to minimize the possibility of generating static electricity. A fill pipe entering the top of a tank shall terminate within 6 inches of the bottom of the tank and shall be installed to avoid excessive vibration.

(vi) Filling and emptying connections which are made and broken shall be located outside of buildings at a location free from any source of ignition and not less than 5 feet away from any building opening. Such connection shall be closed and liquidtight when not in use. The connection shall be properly identified.

(3) Installation of underground tanks.

(a) Location. Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks or tanks under buildings shall be so located with respect to existing building foundations and supports that the loads carried by the latter cannot be transmitted to the tank. The distance from any part of a tank storing Class I liquids to the nearest wall of any basement or pit shall be not less than 1 foot, and to any property line that may be built upon, not less than 3 feet. The distance from any part of a tank storing Class II or Class III liquids to the nearest wall of any basement, pit or property line shall not be less than 1 foot.

(b) Depth and cover. Underground tanks shall be set on firm foundations and surrounded with at least 6 inches of noncorrosive, inert materials such as clean sand, earth, or gravel well tamped in place. The tank shall be placed in the hole with care since dropping or rolling the tank into the hole can break a weld, puncture or damage the tank, or scrape off the protective coating of coated tanks. Tanks shall be covered with a minimum of 2 feet of earth or shall be covered with not less than 1 foot of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches thick. When underground tanks are, or are likely to be, subject to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet of earth cover, or 18 inches of well-tamped earth, plus 6 inches of reinforced concrete or 8 inches of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least 1 foot horizontally beyond the outline of the tank in all directions.

(c) Corrosion protection. Corrosion protection for the tank and its piping shall be provided by one or more of the following methods:

(i) Use of protective coatings or wrappings;

(ii) Cathodic protection; or,

(iii) Corrosion resistant materials of construction.

(d) Vents.

(i) Location and arrangement of vents for Class I liquids. Vent pipes from tanks storing Class I liquids shall be so located that the discharge point is outside of buildings, higher than the fill pipe opening, and not less than 12 feet above the adjacent ground level. Vent pipes shall discharge only upward in order to disperse vapors. Vent pipes 2 inches or less in nominal inside diameter shall not be obstructed by devices that will cause excessive back pressure. Vent pipe outlets shall be so located that flammable vapors will not enter building openings, or be trapped under eaves or other obstructions. If the vent pipe is less than 10 feet in length, or greater than 2 inches in nominal inside diameter, the outlet shall be provided with a vacuum and pressure relief device or there shall be an approved flame arrester located in the vent line at the outlet or within the approved distance from the outlet.

(ii) Size of vents. Each tank shall be vented through piping adequate in size to prevent blow-back of vapor or liquid at the fill opening while the tank is being filled. Vent pipes shall be not less than 1 1/4 inch nominal inside diameter.

TABLE H-11
VENT LINE DIAMETERS

Maximum flow GPM	Pipe length*		
	50 feet	100 feet	200 feet
	Inches	Inches	Inches
100	1 1/4	1 1/4	1 1/4
200	1 1/4	1 1/4	1 1/4
300	1 1/4	1 1/4	1 1/2
400	1 1/4	1 1/2	2
500	1 1/2	1 1/2	2
600	1 1/2	2	2
700	2	2	2
800	2	2	3
900	2	2	3
1,000	2	2	3

*Vent lines of 50 ft., 100 ft., and 200 ft. of pipe plus 7 ell.

(iii) Location and arrangement of vents for Class II or Class III liquids. Vent pipes from tanks storing Class II or Class III flammable liquids shall terminate outside of the building and higher than the fill pipe opening. Vent outlets shall be above normal snow level. They may be fitted with return bends, coarse screens or other devices to minimize ingress of foreign material.

(iv) Vent piping shall be constructed in accordance with WAC 296-24-33007. Vent pipes shall be so laid as to drain toward the tank without sags or traps in which liquid can collect. They shall be located so that they will not be subjected to physical damage. The tank end of the vent pipe shall enter the tank through the top.

(v) When tank vent piping is manifolded, pipe sizes shall be such as to discharge, within the pressure limitations of the system, the vapors they may be required to handle when manifolded tanks are filled simultaneously.

(e) Tank openings other than vents.

(i) Connections for all tank openings shall be vapor or liquid tight.

(ii) Openings for manual gaging, if independent of the fill pipe, shall be provided with a liquid-tight cap or cover. If inside a building, each such opening shall be protected against liquid overflow and possible vapor release by means of a spring loaded check valve or other approved device.

(iii) Fill and discharge lines shall enter tanks only through the top. Fill lines shall be sloped toward the tank.

(iv) For Class IB and Class IC liquids other than crude oils, gasolines, and asphalts, the fill pipe shall be so designed and installed as to minimize the possibility of generating static electricity by terminating within 6 inches of the bottom of the tank.

(v) Filling and emptying connections which are made and broken shall be located outside of buildings at a location free from any source of ignition and not less than 5 feet away from any building opening. Such connection shall be closed and liquid-tight when not in use. The connection shall be properly identified.

(4) Installation of tanks inside of buildings.

(a) Location. Tanks shall not be permitted inside of buildings except as provided in WAC 296-24-33011 and 296-24-33015 through 296-24-33019.

(b) Vents. Vents for tanks inside of buildings shall be as provided in (2)(d), (e), (f)(ii) and (3)(d) of this section, except that emergency venting by the use of weak roof seams on tanks shall not be permitted. Vents shall discharge vapors outside the buildings.

(c) Vent piping. Vent piping shall be constructed in accordance with WAC 296-24-33007.

(d) Tank openings other than vents.

(i) Connections for all tank openings shall be vapor or liquidtight. Vents are covered in (4)(b) of this section.

(ii) Each connection to a tank inside of buildings through which liquid can normally flow shall be provided with an internal or an external valve located as close as practical to the shell of the tank. Such valves, when external, and their connections to the tank shall be of steel except when the chemical characteristics of the liquid stored are incompatible with steel. When materials other than steel are necessary, they shall be suitable for the pressures, structural stresses, and temperatures involved, including fire exposures.

(iii) Flammable or combustible liquid tanks located inside of buildings, except in one-story buildings designed and protected for flammable or combustible liquid storage, shall be provided with an automatic-closing heat-actuated valve on each withdrawal connection below the liquid level, except for connections used for emergency disposal, to prevent continued flow in the event of fire in the vicinity of the tank. This function may be incorporated in the valve required in (4)(d)(ii) of this section, and if a separate valve, shall be located adjacent to the valve required in (4)(d)(ii) of this section.

(iv) Openings for manual gaging, if independent of the fill pipe (see (4)(d)(vi) of this section), shall be provided with a vaportight cap or cover. Each such opening shall be protected against liquid overflow and possible vapor release by means of a spring loaded check valve or other approved device.

(v) For Class IB and Class IC liquids other than crude oils, gasolines, and asphalts, the fill pipe shall be so designed and installed as to minimize the possibility of generating static electricity by terminating within 6 inches of the bottom of the tank.

(vi) The fill pipe inside of the tank shall be installed to avoid excessive vibration of the pipe.

(vii) The inlet of the fill pipe shall be located outside of buildings at a location free from any source of ignition and not less than 5 feet away from any building opening. The inlet of the fill pipe shall be closed and liquidtight when not in use. The fill connection shall be properly identified.

(viii) Tanks inside buildings shall be equipped with a device, or other means shall be provided, to prevent overflow into the building.

(5) Supports, foundations, and anchorage for all tank locations.

(a) General. Tank supports shall be installed on firm foundations. Tank supports shall be of concrete, masonry, or protected steel. Single wood timber supports (not cribbing) laid horizontally may be used for outside aboveground tanks if not more than 12 inches high at their lowest point.

(b) Fire resistance. Steel supports or exposed piling shall be protected by materials having a fire resistance rating of not less than 2 hours, except that steel saddles need not be protected if less than 12 inches high at their lowest point. Water spray protection or its equivalent may be used in lieu of fire-resistive materials to protect supports.

(c) Spheres. The design of the supporting structure for tanks such as spheres shall receive special engineering consideration.

(d) Load distribution. Every tank shall be so supported as to prevent the excessive concentration of loads on the supporting portion of the shell.

(e) Foundations. Tanks shall rest on the ground or on foundations made of concrete, masonry, piling, or steel. Tank foundations shall be designed to minimize the possibility of uneven settling of the tank and to minimize the possibility of corrosion in any part of the tank resting on the foundation.

(f) Flood areas. Where a tank is located in an area that may be subjected to flooding, the applicable precautions outlined in (5)(f) of this section shall be observed.

(i) No aboveground vertical storage tank containing a flammable or combustible liquid shall be located so that the allowable liquid level within the tank is below the established maximum flood stage, unless the tank is provided with a guiding structure such as described in (5)(f)(xiii), (xiv) and (xv) of this section.

(ii) Independent water supply facilities shall be provided at locations where there is no ample and dependable public water supply available for loading partially empty tanks with water.

(iii) In addition to the preceding requirements, each tank so located that more than 70 percent, but less than 100 percent, of its allowable liquid storage capacity will be submerged at the established maximum flood stage, shall be safeguarded by one of the following methods: Tank shall be raised, or its height shall be increased, until its top extends above the maximum flood stage a distance equivalent to 30 percent or more of its allowable liquid storage capacity: PROVIDED, HOWEVER, That the submerged part of the tank shall not exceed two and one-half times the diameter. Or, as an alternative to the foregoing, adequate noncombustible structural guides, designed to permit the tank to float vertically without loss of product, shall be provided.

(iv) Each horizontal tank so located that more than 70 percent of its storage capacity will be submerged at the established flood stage, shall be anchored, attached to a foundation of concrete or of steel and concrete, of sufficient weight to provide adequate load for the tank when filled with flammable or combustible liquid and submerged by flood waters to the established flood stage, or adequately secured by other means.

(v) Spherical and spheroidal tanks shall be protected by applicable methods as specified for either vertical or horizontal tanks.

(vi) At locations where there is no ample and dependable water supply, or where filling of underground tanks with liquid is impracticable because of the character of their contents, their use, or for other reasons, each tank shall be safeguarded against movement when empty and submerged by high ground water or flood waters by anchoring, weighting with concrete or other approved solid loading material, or securing by other means. Each such tank shall be so constructed and installed that it will safely resist external pressures due to high ground water or flood waters.

(vii) At locations where there is an ample and dependable water supply available, underground tanks containing flammable or combustible liquids, so installed that more than 70 percent of their storage capacity will be submerged at the maximum flood stage, shall be so anchored, weighted, or secured by other means, as to prevent movement of such tanks when filled with flammable or combustible liquids, and submerged by flood waters to the established flood stage.

(viii) Pipe connections below the allowable liquid level in a tank shall be provided with valves or cocks located as closely as practicable to the tank shell. Such valves and their connections to tanks shall be of steel or other material suitable for use with the liquid being stored. Cast iron shall not be used.

(ix) At locations where an independent water supply is required, it shall be entirely independent of public power and water supply. Independent source of water shall be available when flood waters reach a level not less than 10 feet below the bottom of the lowest tank on a property.

(x) The self-contained power and pumping unit shall be so located or so designed that pumping into tanks may be carried on continuously throughout the rise in flood waters from a level 10 feet below the lowest tank to the level of the potential flood stage.

(xi) Capacity of the pumping unit shall be such that the rate of rise of water in all tanks shall be equivalent to the established potential average rate of rise of flood waters at any stage.

(xii) Each independent pumping unit shall be tested periodically to insure that it is in satisfactory operating condition.

(xiii) Structural guides for holding floating tanks above their foundations shall be so designed that there will be no resistance to the free rise of a tank, and shall be constructed of noncombustible material.

(xiv) The strength of the structure shall be adequate to resist lateral movement of a tank subject to a horizontal force in any direction equivalent to not less than 25 pounds per square foot acting on the projected vertical cross-sectional area of the tank.

(xv) Where tanks are situated on exposed points or bays in a shoreline where swift currents in flood waters will be present, the structures shall be designed to withstand a unit force of not less than 50 pounds per square foot.

(xvi) The filling of a tank to be protected by water loading shall be started as soon as flood waters reach a dangerous flood stage. The rate of filling shall be at least equal to the rate of rise of the floodwaters (or the established average potential rate of rise).

(xvii) Sufficient fuel to operate the water pumps shall be available at all times to insure adequate power to fill all tankage with water.

(xviii) All valves on connecting pipelines shall be closed and locked in closed position when water loading has been completed.

(xix) Where structural guides are provided for the protection of floating tanks, all rigid connections between tanks and pipelines shall be disconnected and blanked off or banded before the floodwaters reach the bottom of the tank, unless control valves and their connections to the tank are of a type designed to prevent breakage between the valve and the tank shell.

(xx) All valves attached to tanks other than those used in connection with water loading operations shall be closed and locked.

(xxi) If a tank is equipped with a swing line, the swing pipe shall be raised to and secured at its highest position.

(xxii) Inspections. The director or his designated representative shall make periodic inspections of all plants where the storage of flammable or combustible liquids is such as to require compliance with the foregoing requirements, in order to assure the following:

(A) That all flammable or combustible liquid storage tanks are in compliance with these requirements and so maintained.

(B) That detailed printed instructions of what to do in flood emergencies are properly posted.

(C) That station operators and other employees depended upon to carry out such instructions are thoroughly informed as to the location and operation of such valves and other equipment necessary to effect these requirements.

(g) Earthquake areas. In areas subject to earthquakes, the tank supports and connections shall be designed to resist damage as a result of such shocks.

(6) Sources of ignition. In locations where flammable vapors may be present, precautions shall be taken to prevent ignition by eliminating or controlling sources of ignition. Sources of ignition may include open flames, lightning, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, and mechanical), spontaneous ignition, chemical and physical-chemical reactions, and radiant heat.

(7) Testing.

(a) General. All tanks, whether shop built or field erected, shall be strength tested before they are placed in service in accordance with the applicable sections of the code under which they were built. The American Society of Mechanical Engineers (ASME) code stamp, American Petroleum Institute (API) monogram, or the label of the Underwriters' Laboratories, Inc., on a tank shall be evidence of compliance with this strength test. Tanks not marked in accordance with the above codes shall be strength tested before they are placed in service in accordance with good engineering principles and reference shall be made to the sections on testing in the codes listed in (1)(c)(i), (d)(ii) or (e)(ii) of this section.

(b) Strength. When the vertical length of the fill and vent pipes is such that when filled with liquid the static head imposed upon the bottom of the tank exceeds 10 pounds per square inch, the tank and related piping shall be tested hydrostatically to a pressure equal to the static head thus imposed.

(c) Tightness. In addition to the strength test called for in (7)(a) and (b), all tanks and connections shall be tested for tightness. Except for underground tanks, this tightness test shall be made at operating pressure with air, inert gas, or water prior to placing the tank in service. In the case of field-erected tanks the strength test may be considered to be the test for tank tightness. Underground tanks and piping, before being covered, enclosed, or placed in use, shall be tested for tightness hydrostatically, or with air pressure at not less than 3 pounds per square inch and not more than 5 pounds per square inch.

(d) Repairs. All leaks or deformations shall be corrected in an acceptable manner before the tank is placed in service. Mechanical caulking is not permitted for correcting leaks in welded tanks except pinhole leaks in the roof.

(e) Derated operations. Tanks to be operated at pressures below their design pressure may be tested by the applicable provisions of (7)(a) or (b) based upon the pressure developed under full emergency venting of the tank.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-56513 EXTERIOR WAYS OF EXIT ACCESS.

(1) Access to an exit may be by means of any exterior balcony, porch, gallery, or roof that conforms to the requirements of this section.

(2) Exterior ways of exit access shall have smooth, solid floors, substantially level, and shall have guards on the unenclosed sides.

(3) Where accumulation of snow or ice is likely because of the climate, the exterior way of exit access shall be protected by a roof, unless it serves as the sole normal means of access to the rooms or spaces

served, in which case it may be assumed that snow and ice will be regularly removed in the course of normal occupancy.

(4) A permanent, reasonably straight path of travel shall be maintained over the required exterior way of exit access. There shall be no obstruction by railings, barriers, or gates that divide the open space into sections appurtenant to individual rooms, apartments, or other uses. Where the director or his/her duly authorized representative finds the required path of travel to be obstructed by furniture or other movable objects, he/she may require that they be fastened out of the way or he/she may require that railings or other permanent barriers be installed to protect the path of travel against encroachment.

(5) An exterior way of exit access shall be so arranged that there are no dead ends in excess of 20 feet. Any unenclosed exit served by an exterior way of exit access shall be so located that no part of the exit extends past a vertical plane 20 feet and one-half the required width of the exit from the end of and at right angles to the way of exit access.

(6) Any gallery, balcony, bridge, porch or other exterior exit access that projects beyond the outside wall of the building shall comply with the requirements of this section as to width and arrangement.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-47501 DEFINITIONS. (1) API-ASME container. A container constructed in accordance with the requirements of WAC 296-24-47505 (3)(a).

(2) ASME container. A container constructed in accordance with the requirements of WAC 296-24-47505 (3)(a).

(3) Container assembly. An assembly consisting essentially of the container and fittings for all container openings, including shutoff valves, excess flow valves, liquid-level gaging devices, safety relief devices, and protective housing.

(4) Containers. All vessels, such as tanks, cylinders, or drums, used for transportation or storing liquefied petroleum gases.

(5) DOT. Department of transportation.

(6) DOT container. A container constructed in accordance with the applicable requirements of 49 CFR chapter 1.

(7) "Liquefied petroleum gases." "LPG" and "LP-gas." Any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them; propane, propylene, butanes (normal butane or iso-butane), and butylenes.

(8) Movable fuel storage tenders or farm carts. Containers not in excess of 1,200 gallons water capacity, equipped with wheels to be towed from one location of usage to another. They are basically non-highway vehicles, but may occasionally be moved over public roads or highways. They are used as a fuel supply for farm tractors, construction machinery and similar equipment.

(9) P.S.I.G. Pounds per square inch gauge.

(10) P.S.I.A. Pounds per square inch absolute.

(11) Systems. An assembly of equipment consisting essentially of the container or containers, major devices such as vaporizers, safety relief valves, excess flow valves, regulators, and piping connecting such parts.

(12) Vaporizer-burner. An integral vaporizer-burner unit, dependent upon the heat generated by the burner as the source of heat to vaporize the liquid used for dehydrators or dryers.

(13) Ventilation, adequate. When specified for the prevention of fire during normal operation, ventilation shall be considered adequate when the concentration of the gas in a gas-air mixture does not exceed 25 percent of the lower flammable limit.

(14) Approved. Unless otherwise indicated, listing or approval by ~~((the following))~~ a nationally recognized testing ~~((laboratories: Underwriters Laboratories, Inc., Factual Mutual Engineering Corp))~~ laboratory. Refer to 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(15) Listed. See "approved" in WAC 296-24-47501(14).

(16) DOT specifications. Regulations of the department of transportation published in 49 CFR chapter 1.

(17) DOT regulations. See WAC 296-24-47501(16).

(18) DOT requirements. See WAC 296-24-47501(16).

(19) DOT cylinders. Cylinders meeting the requirements of 49 CFR chapter 1.

AMENDATORY SECTION (Amending Order 79-9, filed 7/31/79)

WAC 296-24-82517 STONE SETTERS' ADJUSTABLE MULTIPLE-POINT SUSPENSION SCAFFOLDS. (1) The scaffold shall be capable of sustaining a working load of 25 pounds per square

foot and shall not be overloaded. Scaffolds shall not be used for storage of stone or other heavy materials.

(2) The hoisting machine and its supports shall be of a type tested and listed by ~~((Underwriters Laboratories or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to WAC 296-24-95601(77) for definition of listed, and 29 CFR 1910.7 for nationally recognized testing laboratory.

(3) The platform shall be securely fastened to the hangers by U-bolts or other equivalent means.

(4) The scaffold unit shall be suspended from metal outriggers, iron brackets, wire rope slings, or iron hooks which will safely support the maximum intended load.

(5) Outriggers when used shall be set with their webs in a vertical position, securely anchored to the building or structure and provided with stop bolts at each end.

(6) The scaffold shall be supported by wire rope conforming with WAC 296-24-82503(22), suspended from overhead supports.

(7) The free ends of the suspension wire ropes shall be equipped with proper size thimbles, secured by splicing or other equivalent means. The running ends shall be securely attached to the hoisting drum and at least four turns of rope shall remain on the drum at all times.

(8) Guardrails not less than 2 by 4 inches or the equivalent and not less than 36 inches or more than 42 inches high, with a mid-rail, when required, of 1- by 4-inch nominal lumber or equivalent, and toeboards, shall be installed at all open sides on all scaffolds more than 10 feet above the ground or floor. Toeboards shall be a minimum of 4 inches nominal lumber in height. Wire mesh shall be installed in accordance with WAC 296-24-82503(17).

(9) When two or more scaffolds are used on a building or structure they shall not be bridged one to the other but shall be maintained at even height with platforms butting closely.

(10) Each scaffold shall be installed or relocated in accordance with designs and instructions of a registered professional engineer, and such installation or relocation shall be supervised by a competent designated person to comply with requirements of this section.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-82519 SINGLE-POINT ADJUSTABLE SUSPENSION SCAFFOLDS. (1) The scaffolding, including power units or manually operated winches, shall be of a type tested and listed by ~~((Underwriters Laboratories or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to WAC 296-24-95601(77) for definition of listed, and 29 CFR 1910.7 for nationally recognized testing laboratory.

(2) The power units may be either electrically or air motor driven.

(3) All power-operated gears and brakes shall be enclosed.

(4) In addition to the normal operating brake, all-power driven units must have an emergency brake which engages automatically when the normal speed of descent is exceeded.

(5) Guards, mid-rails, and toeboards shall completely enclose the cage or basket. Guardrails shall be no less than 2 by 4 inches nominal lumber or the equivalent installed no less than 36 inches nor more than 42 inches above the platform. Mid-rails shall be 1 by 6 inches nominal lumber or the equivalent, installed equidistant between the guardrail and the platform. Toeboards shall be a minimum of 4 inches nominal lumber in height.

(6) The hoisting machines, cables, and equipment shall be regularly serviced and inspected after each installation and every 30 days thereafter.

(7) The units may be combined to form a two-point suspension scaffold. Such scaffold shall comply with WAC 296-24-82515.

(8) The supporting cable shall be straight for its entire length, and the operator shall not sway the basket and fix the cable to any intermediate points to change his original path of travel.

(9) Equipment shall be maintained and used in accordance with the manufacturers' instructions.

(10) Suspension methods shall conform to applicable provisions of WAC 296-24-82515 and 296-24-82517.

AMENDATORY SECTION (Amending Order 80-21, filed 11/13/80)

WAC 296-24-51013 REFRIGERATED STORAGE. This section applies specifically to systems utilizing tanks for the storage of anhydrous ammonia under refrigerated conditions. All basic rules of

WAC 296-24-51009 apply to this section unless inconsistent with the requirements of this section.

(1) Design of tanks.

(a) Tanks may be designed for any storage pressure desired as determined by economical design of the refrigerated system.

(b) The design temperature shall be the minimum temperature to which the container will be refrigerated and shall be so designated.

(c) Containers with a design pressure exceeding 15 p.s.i.g. shall be constructed in accordance with WAC 296-24-51009(2) and the material shall be selected from those listed in API Standards 620, 4th edition 1970, Recommended Rules for Design and Construction of Large, Welded Low-Pressure Storage Tanks, Tables 2.02, R.2.1, R.2.2, R.2.3 or R.2.4.

(d) Tanks with a design pressure of 15 ((psig)) p.s.i.g. and less shall be constructed in accordance with the general requirements of API Standard 620, 4th edition, 1970, including Appendix R.

(e) When austenitic steels or nonferrous materials are used, the ASME Code shall be used as a guide in selection of materials for use at the design temperature.

(f) The filling density for refrigerated storage containers shall be such that the container will not be liquid full at a liquid temperature corresponding to the vapor pressure at the start-to-discharge pressure setting of the safety-relief valve. (New 1-22-76)

(2) Installation of storage tanks.

(a) Tanks shall be supported on suitable noncombustible foundations designed to accommodate the type of tank being used.

(b) Adequate protection against flotation or other water damage shall be provided wherever high flood water might occur.

(c) Tanks for product storage at less than 32°F shall be supported in such a way, or heat shall be supplied, to prevent the effects of freezing and consequent frost heaving.

(d) The area surrounding a refrigerated tank or group of tanks shall be provided with drainage, or shall be diked to prevent accidental discharge of liquid from spreading to uncontrolled areas.

(e) When drainage is employed, a slope of not less than one percent shall be provided. The drainage system shall terminate in an impounding basin having a capacity as large as the largest tank served.

(f) Provision shall be made for drainage of rain water from the diked or impounding area. Such drainage shall not permit the release of ammonia.

(g) When a dike surrounding the tank is employed, the capacity of the diked enclosure shall be as large as the largest tank served.

(h) The walls of a diked enclosure or the wall of an impounding basin used in a drainage system shall be of earth, steel or concrete designed to be liquid tight and to withstand the hydrostatic pressure and the temperature. Earth walls shall have a flat top at least 2 feet wide. The slope shall be stable and consistent with the angle of repose of the earth used.

(i) The ground in an impounding basin or within a diked enclosure, should be graded so that small spills, or the early part of a large spill, will accumulate at one side or corner contacting a relatively small area of ground and exposing a relatively small surface area for heat gain. Shallow channels in the ground surface or low curbs of earth can help guide the liquid to these low areas without contacting a large ground area.

(3) Marking refrigerated containers.

((+)) Each refrigerated container shall be marked with a nameplate on the outer covering in an accessible place as specified in the following:

((+)) (a) With the name and address of the builder and the date of fabrication.

((+)) (b) With the maximum volume or weight of the product whichever is most meaningful to user.

((+)) (c) With the design pressure.

((+)) (d) With the minimum temperature in degrees Fahrenheit for which the container was designed.

((+)) (e) With the maximum allowable water level to which the container may be filled for the test purposes.

((+)) (f) With the density of the product in pounds per cubic foot for which the container was designed.

((+)) (g) With the maximum level to which the container may be filled with liquid anhydrous ammonia.

(4) Tank valves, fill pipes and discharge pipes.

(a) Shut-off valves shall be:

(i) Provided for all connections except those with a No. 54 drill size restriction, plugs, safety valves, thermometer wells, and

(ii) Located as close to the tank as practicable.

(b) When operating conditions make it advisable, a check valve shall be installed on the fill connection and a remotely operated shut-off valve on other connections located below the maximum liquid level.

(5) Safety relief devices.

(a) Safety relief valves shall be set to start-to-discharge at a pressure not in excess of the design pressure of the tank and shall have a total relieving capacity sufficient to prevent a maximum pressure in a tank of more than ((+20%)) one hundred twenty percent of the design pressure.

(b) The total relieving capacity shall be the larger requirement of ((WAC 296-24-51013(5))) (b)(i) or (ii) of this subsection.

(i) Possible refrigeration system upset such as (A) cooling water failure, (B) power failure, (C) instrument air or instrument failure, (D) mechanical failure of any equipment, (E) excessive pumping rates, (F) changing atmospheric conditions.

(ii) Either one of the following formulas for fire exposure, ((+)) (A) for valve manufacturers who use weight of vapors to be relieved as basis for classifying valves:

$$W = \frac{34,500 F A^{0.82}}{L}$$

or ((+)) (B) for valve manufacturers that classify valves on the basis of air flow:

$$Q_a = \frac{633,000 F A^{0.82}}{L C} \sqrt{\frac{Z T}{M}}$$

Where

W = weight of vapors to be relieved in pounds/hour at relieving conditions;

Q_a = air flow in cubic feet per minute at standard conditions (60F and 14.7 psi);

F = fireproofing credit. Use F = 1.0 except when an approved fireproofing material of recommended thickness is used, then use F = 0.2.

A = total surface area in square feet up to 25 feet above grade or to the equator of a sphere, whichever is greater;

Z = compressibility factor of ammonia at relieving conditions (if not known, use Z = 1.0);

T = temperature in degrees R (460 + temperature in degrees F of gas at relieving conditions);

M = molecular weight = 17 for ammonia;

L = latent heat of ammonia at relieving conditions;

C = constant based on relation of specific heats. (C may be obtained from the following table.)

(If K is not known use C = 315.)

K	C	K	C	K	C
1.00	315	1.26	343	1.52	366
1.02	318	1.28	345	1.54	368
1.04	320	1.30	347	1.56	369
1.06	322	1.32	349	1.58	371
1.08	324	1.34	351	1.60	372
1.10	327	1.36	352	1.62	374
1.12	329	1.38	354	1.64	376
1.14	331	1.40	356	1.66	377
1.16	333	1.42	358	1.68	379
1.18	335	1.44	359	1.70	380
1.20	337	1.46	361	2.00	400
1.22	339	1.48	363	2.20	412
1.24	341	1.50	364		

Where K = C_p/C_v at atmospheric conditions and

C_p = specific heat of vapor at constant pressure.

C_v = specific heat of vapor at constant volume.

(c) Shut-off valves of adequate flow capacity may be provided and used to facilitate inspection and repair of safety relief valves. When a shut-off valve is provided it shall be so arranged that it can be locked or sealed open, and it shall not be closed except by an authorized person who shall remain stationed there while the valve remains closed, and who shall again lock or seal the valve open when leaving the station.

(d) Safety relief devices shall comply with the following:

(i) If stacks are used they shall be suitably designed to prevent obstruction by rain, snow, ice or condensate. The outlet size shall not be smaller than the nominal size of the safety relief valve outlet connection.

(ii) Discharge lines may be used if desired. Multiple safety relief valves on the same storage unit may be run into a common discharge header. The discharge line and header shall be designed to accommodate the maximum flow and a back pressure not exceeding ~~((+10%))~~ ten percent of the design pressure of the storage container. This back pressure shall be included in the ~~((+20%))~~ one hundred twenty percent total maximum pressure given in ~~((WAC 296-24-51013 (5)))~~ (a) of this subsection. No other container or system shall exhaust into this discharge line or header. The vent lines shall be installed to prevent accumulation of liquid in the lines.

(e) Atmospheric storage shall be provided with vacuum breakers. Ammonia gas may be used to provide a pad.

(6) Protection of container appurtenances. Refrigerated storage containers shall comply with the provisions of WAC 296-24-51011(7).

(7) Reinstallation of containers. Containers of such size as to require field fabrication shall, when moved and reinstalled, be reconstructed and reinspected in complete accordance with the code under which they were constructed. The containers shall be subjected to a pressure retest, and if rerating is necessary, it shall be done in accordance with the applicable code pressures.

(8) Damage from vehicles. Precaution shall be taken to avoid any damage by trucks, tractors, or other vehicles.

(9) Refrigeration load and equipment.

(a) The total refrigeration load shall be computed as the sum of the following:

(i) Load imposed by heat flow into the container caused by the temperature differential between the ambient temperature and the design storage temperature.

(ii) Load imposed by heat flow into the tank caused by maximum sun radiation.

(iii) Maximum load imposed by filling the tank with ammonia warmer than the design storage temperature.

(b) More than one storage tank may be handled by the same refrigeration system.

(c) Compressors. (See also WAC 296-24-51009 (12)(g).)

(i) A minimum of two compressors shall be provided, either of which ~~((f))~~ is of sufficient size to handle the loads listed in ~~((WAC 296-24-51013 (9)))~~ (a)(i) and (ii) of this subsection. Where more than two compressors are provided, minimum standby equipment equal to the largest normally operating equipment shall be installed. Compressors required for ~~((WAC 296-24-51013 (9)))~~ (a)(iii) of this subsection may be used as standby equipment for compressors required in ~~((WAC 296-24-51013 (9)))~~ (a)(i) and (ii) of this subsection.

(ii) Compressors shall be sized to operate with a suction pressure at least ~~((+10%))~~ ten percent below the minimum setting of the safety relief valve(s) on the storage tank and shall withstand a suction pressure at least equal to ~~((+20%))~~ one hundred twenty percent of the design pressure of the tank. Discharge pressure will be governed by condensing conditions.

(d) Compressor drives.

(i) Each compressor shall have its individual driving unit.

(ii) Any standard drive consistent with good design may be used.

(iii) An emergency source of power of sufficient capacity to handle the loads listed in ~~((WAC 296-24-51013 (9)))~~ (a)(i) and (ii) of this subsection shall be provided, unless facilities are provided to safely dispose of vented vapors while the refrigeration system is not operating.

(e) Automatic control equipment.

(i) The refrigeration system shall be arranged with suitable controls to govern the compressor operation in accordance with the load as evidenced by the pressure in the container(s).

(ii) An emergency alarm system shall be installed to function in the event the pressure in the container(s) rises to the maximum or falls to the minimum allowable operating pressure.

(iii) An emergency alarm and shut-off shall be located in the condenser system to respond to excess discharge pressure caused by failure of the cooling medium.

(iv) All automatic controls shall be installed in a manner to preclude operation of alternate compressors unless the controls will function with the alternate compressors.

(f) Separators.

(i) An entrainment separator of suitable size and design pressure shall be installed in the compressor suction line. The separator shall be equipped with a drain and gaging device.

(ii) An oil separator of suitable size shall be installed in the compressor discharge line. It shall be designed for at least 250 ~~((psig))~~ p.s.i.g. and shall be equipped with a gaging device and drain valve.

(g) Condensers. The condenser system may be cooled by air or water or both. The condenser shall be designed for at least 250 ~~((psig))~~ p.s.i.g. Provision shall be made for purging noncondensibles either manually or automatically.

(h) Receiver and liquid drain. A receiver shall be provided which is equipped with an automatic float valve to discharge the liquid ammonia to storage or with a high pressure liquid drain trap of suitable capacity. The receiver shall be designed for at least 250 ~~((psig))~~ p.s.i.g. operating pressure and be equipped with the necessary connections, safety relief valves and gaging device.

(i) Insulation. Refrigerated containers and pipe lines which are insulated shall be covered with a material of suitable quality and thickness for the temperatures encountered. Insulation shall be suitably supported and protected against the weather. Weatherproofing shall be of a type which will not support flame propagation.

(10) Safety equipment. All refrigerated storage plants shall have on hand the minimum safety equipment required under WAC 296-24-51009 (10)(c).

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-401 SCOPE AND APPLICATION. ~~((The subject code shall apply to all persons in the state of Washington and shall be known as the "Safety standards for the possession and handling of explosives," hereinafter called the "explosives code." The department of labor and industries, through the division of industrial safety and health, shall enforce the entire code, particularly all items affecting persons covered under Title 51 RCW, the transportation and storage of explosives not exempted under RCW 70.74.191, and the licensing required under this code.~~

~~Other law enforcement agencies, city, municipal, county, Washington state, other states and federal are obliged, under their own laws, codes, and ordinances, to enforce specific aspects of the possession and handling of explosives (RCW 70.74.201).~~

~~The division of industrial safety and health shall cooperate with all other law enforcement agencies in carrying out the intent of the explosives code and the Explosives Act.)~~ (1) This chapter is adopted pursuant to the State Explosives Act, RCW 70.74.020, in accordance with chapter 34.04 RCW, the Administrative Procedure Act, and chapter 49.17 RCW, the Washington Industrial Safety and Health Act.

(2) This chapter shall be identified as chapter 296-52 WAC, "safety standards for possession, handling and use of explosives" and hereafter be called the "explosive code."

(3) This chapter shall apply to:

(a) All aspects of manufacture, possession, storage, selling, purchase, transportation, and the use of explosives or blasting agents as defined in this chapter.

(b) Any person, partnership, company, corporation, or other entity, including governmental agencies, except:

(i) Storage, handling, and use of (noncommercial) military explosives while under the control of the United States Government and/or United States Military authorities.

(ii) Those instances and actions identified by RCW 70.74.191, "Exemptions."

(4) The enforcing authority of this chapter, the department of labor and industries, recognizes the obligation of other law enforcement agencies to enforce specific aspects or sections of chapter 70.74 RCW, the State Explosives Act, under local ordinance and with joint and shared authority as granted by RCW 70.74.201. The division of industrial safety and health shall cooperate with all other law enforcement agencies in carrying out the intent of the explosive code and the State Explosives Act.

(5) In all activities governed by the State Explosives Act, chapter 70.74 RCW, the director shall administer this chapter with the full resources of the division of industrial safety and health, (WISHA). Where materials classified by this chapter as explosives or blasting agents may be found or where the director has reasonable cause to expect they exist, administration of this chapter shall include the right of entry for inspection purposes into any location, facility, or equipment at any such times as the director or his designated representative deems appropriate and to issue penalty sanctions for all instances found not to be in compliance with the requirements of this chapter.

PART B—EXPLOSIVES LICENSING

Note: See also WAC 296-52-425 and 296-52-433.

NEW SECTION

WAC 296-52-419 BASIC LEGAL OBLIGATIONS. (1) It is unlawful for any person to manufacture, purchase, sell, use, or store any explosive without having a validly issued license from the department of labor and industries which license has not been revoked or suspended. Violation of this section is a gross misdemeanor.

(2) Upon notice from the department of labor and industries or any law enforcement agency having jurisdiction, a person manufacturing, purchasing, selling, using, or storing any explosives without a license shall immediately surrender any and all such explosives to the department or to the respective law enforcement agency.

(3) At any time that the director of labor and industries requests the surrender of explosives from any person pursuant to subsection (2) of this section, the director may in addition request the attorney general to make application to the superior court of the county in which the unlawful practice exists for a temporary restraining order or such other relief as appears to be appropriate under the circumstances.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-421 LICENSES—INFORMATION VERIFICATION. (1) Any information request by the department, in order to verify statements in an application or in order to facilitate a department inquiry, shall be supplied prior to the issuance or renewal of a license.

(2) The director of labor and industries shall require, as a condition precedent to the original issuance or renewal of any explosive license, fingerprinting and criminal history record information checks of every applicant.

(a) In the case of a corporation, fingerprinting and criminal history record information checks shall be required for the management officials directly responsible for the operations where the explosives are used if such persons have not previously had their fingerprints recorded with the department of labor and industries.

(b) In the case of a partnership, fingerprinting and criminal history record information checks shall be required of all general partners.

(c) Such fingerprints as are required by the department of labor and industries shall be submitted on forms provided by the department to the identification section of the Washington state patrol and to the identification division of the Federal Bureau of Investigation in order that these agencies may search their records for prior convictions of the individuals fingerprinted.

(d) The Washington state patrol shall provide to the director of labor and industries such criminal record information as the director may request.

(e) The applicant shall give full cooperation to the department of labor and industries and shall assist the department of labor and industries in all aspects of fingerprinting and criminal history record information check.

(f) The applicant may be required to pay a fee not to exceed twenty dollars to the agency that performs the fingerprinting and criminal history process.

(3) The director of labor and industries shall not issue a license to manufacture, purchase, store, use, or deal with explosives to:

(a) Any persons under twenty-one years of age;

(b) Any person whose license is suspended or whose license has been revoked, except as provided in WAC 296-52-423;

(c) Any person who has been convicted in this state or elsewhere of a violent offense as defined in RCW 9.94A.030, perjury, false swearing, or bomb threats or a crime involving a schedule I or II controlled substance, or any other drug or alcohol related offenses, unless such other drug or alcohol related offense does not reflect a drug or alcohol dependency.

Exception: The director of labor and industries may issue a license if the person suffering a drug or alcohol related dependency is participating in or has completed an alcohol or drug recovery program acceptable to the department of labor and industries and has established control of their alcohol or drug dependency. The director of labor and industries shall require the applicant to provide proof of such participation and control.

(d) Any person who has previously been adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease and who has not at the time of application been restored to competency.

NEW SECTION

WAC 296-52-423 REVOKING OR SUSPENDING LICENSES. (1) The department of labor and industries shall revoke and not renew the license of any person holding a manufacturer, dealer, purchaser, user, or storage license upon conviction of any of the following offenses, which conviction has become final:

(a) A violent offense as defined in RCW 9.94A.030;

(b) A crime involving perjury or false swearing, including the making of a false affidavit or statement under oath to the department of labor and industries in an application or report made pursuant to this title;

(c) A crime involving bomb threats;

(d) A crime involving a schedule I or II controlled substance, or any other drug or alcohol related offense, unless such other drug or alcohol related offense does not reflect a drug or alcohol dependency.

Conditional exception: The department of labor and industries may issue a conditional renewal of the license to any convicted person suffering a drug or alcohol dependency who is participating in an alcoholism or drug recovery program acceptable to the department of labor and industries and has established control of their alcohol or drug dependency. The department of labor and industries shall require the applicant to provide proof of such participation and control.

(e) A crime relating to possession, use, transfer, or sale of explosives under this chapter or any other chapter of the Revised Code of Washington.

(2) The department of labor and industries shall revoke the license of any person adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease. The director shall not renew the license until the person has been restored to competency.

(3) The department of labor and industries is authorized to suspend, for a period of time not to exceed six months, the license of any person who has violated this chapter or the rules promulgated pursuant to this chapter.

(4) The department of labor and industries may revoke the license of any person who has repeatedly violated this chapter or the rules promulgated pursuant to this chapter, or who has twice had his or her license suspended under this chapter.

(5) Upon receipt of notification by the department of labor and industries of revocation or suspension, a licensee must surrender immediately to the department any or all such licenses revoked or suspended.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-425 DEALER'S LICENSE. (RCW 70.74.130 and 70.74.230, apply.)

(1) The application for a dealer's license to buy explosives for the sole purpose of resale shall be made to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.

(2) Original license applications and/or application for renewal shall be completed on forms available from the department and shall comply with all requirements of WAC 296-52-421. The license fee shall be twenty-five dollars.

(3) The license shall be renewed annually, no later than the expiration date.

~~((3))~~ (4) When an order for explosives is placed in person, by telephone, or in writing by a purchaser, the seller shall request proper authorization and identification from the purchaser and shall record the purchaser's license number.

~~((4))~~ (5) A dealer shall not distribute explosive materials to a company or individual on the order of a person who does not appear on the up to date list of representatives or agents and if the person does appear on the list, the dealer shall verify the identity of such person.

~~((5))~~ (6)(a) A dealer's record of all explosives purchased and sold as defined in RCW 70.74.010, shall be kept on file and a copy transmitted not later than the tenth of every month to the department.

(b) The purchaser's name and license number shall be stated on dealer's record, and the name of the person authorized by the purchaser to physically receive the explosives.

~~((6))~~ (c) The dealer shall ascertain the identity of the individual who receives the explosives from a picture-type identification card,

such as a driver's license. The recipient shall sign a receipt, documenting the explosives received and said receipt shall be retained by the dealer for not less than one year from the date of purchase.

(7) Any package, cask, or can containing any explosive, nitroglycerin, dynamite, or powder that is put up for sale, or is delivered to any warehouseman, dock, depot, or common carrier shall be properly labeled thereon to indicate its explosive classification.

~~((7))~~ (8) If the explosives are delivered by the dealer or dealer's authorized agent to an explosives magazine, the license number of said magazine and the legal signature of the recipient, properly authorized and identified, shall be obtained.

~~((8))~~ (9) No person shall sell, display, or expose for sale any explosive or blasting agent on any highway, street, sidewalk, public way, or public place.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-429 LICENSE FOR MANUFACTURING. RCW 70.74.110, applies.

(1) No person, partnership, firm, company or corporation shall manufacture explosives or blasting agents or use any process involving explosives as a component part in the manufacture of any device, article or product without first obtaining a manufacturer's license from the department of labor and industries.

(2) The application for license for manufacturing explosives and/or blasting agents shall be made to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia. The license fee for either an original license or a renewal shall be twenty-five dollars.

~~((2))~~ The license shall be renewed annually, no later than the expiration date.

(3) A copy of the plan of the plant submitted with said application and approved by the department shall be kept in the plant open to inspection by the department.

~~((4))~~ The manufacturing of explosives is covered by chapter 296-50 WAC. (3) The application for original license or renewal shall be completed on forms available from the department and shall provide the following information:

- (a) Location of place of manufacture or processing;
- (b) Kind of explosives manufactured, processed, or used;
- (c) The distance that such explosives manufacturing building is located or intended to be located from the other factory buildings, magazines, inhabited buildings, railroads, highways, and public utility transmission systems;
- (d) The name and address of the applicant;
- (e) The reason for desiring to manufacture explosives;
- (f) The applicant's citizenship, if the applicant is an individual;
- (g) If the applicant is a partnership, the names and addresses of the partners and their citizenship;
- (h) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof, and their citizenship; and

(i) Such other pertinent information as the director of labor and industries shall require to effectuate the purpose of this chapter.

(4) Each application for license shall be accompanied by a site plan of the proposed or existing manufacturing facilities. The plan shall show:

(a) The distance each manufacturing building is located from other buildings on the premises where people are employed, from other occupied buildings on adjoining property, from buildings where customers are served, from public highways and utility transmission systems.

(b) The site plan shall demonstrate compliance with all applicable requirements of chapter 70.74 RCW, the State Explosives Act as it exists at the time of this adoption or is hereafter amended; with applicable requirements of chapter 296-50 WAC, Safety standards—manufacture of explosives; with the separation/location requirements of this chapter.

(c) The site plan shall identify and describe all natural or artificial barricades which are utilized to influence minimum permissible separation distances.

(d) The site plan shall identify the nature of and kind of work carried on in each building.

(e) The site plan shall specify the maximum amount and kind of explosives or blasting agents which will be permitted in each building or magazine at any one time.

(5) The application for license shall comply with all requirements of WAC 296-52-421.

(6) Upon receipt of a completed application meeting all requirements of this section, the department will schedule an inspection of the premises at the earliest time possible.

(7) The department will issue a license to the applicant(s) provided that:

(a) The required inspection confirms that the site plan is accurate and the facilities comply with applicable regulations of the department;

(b) The applicant(s) or operating superintendent and employees are sufficiently trained and experienced in the manufacture of explosives.

(8) A license to manufacture explosives and/or blasting agents shall be valid for not more than one year from the date of issue unless suspended or revoked by the department.

(9) A copy of the site plan and manufacturer's license shall be posted in the main office of each manufacturing plant.

(a) The site plan shall be maintained to reflect current status of manufacturing facilities, occupancy changes, etc.

(b) The department shall be notified when significant change occurs in the site plan. If the change is of such nature or magnitude as to make compliance with all requirements of this chapter questionable, the license holder shall consult with the department before changing the operations.

(10) Specific applicable requirements for the manufacture of explosives and blasting agents are codified and distributed in chapter 296-50 WAC, Safety standards—manufacture of explosives.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-433 PURCHASER'S LICENSE. RCW 70.74.135, applies.

(1) ((The application for a purchaser's license shall be made by a legal person, including public agencies, to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.

Application forms may be obtained at all department district offices, and from explosives dealers.

Purchaser will be required to verify they have a user (blaster) with a valid license, which will be confirmed and approved by the department.

The department will grant a purchaser's license after all legal requirements have been fulfilled.

The license is valid for one year from date of issuance.

~~((2))~~ No person, firm, partnership, or corporation and including public agencies, shall be permitted to purchase explosives or blasting agents without a valid license as issued by the department of labor and industries.

(2) Applicants desiring to purchase explosives or blasting agents, except hand loader components as defined in this chapter, shall make application for license to the department of labor and industries. Application forms may be obtained at all department district offices, and from explosives dealers.

(3) Applicants shall comply with all requirements of WAC 296-52-421 and shall have a current user (blaster) license issued by the department. The purchaser's license fee shall be five dollars.

(4) Applicants shall be required to furnish at least the following information:

- (a) The location where explosives are to be used;
- (b) The kind and amount of explosives to be used;
- (c) The name and address of the applicant;
- (d) The reason for desiring to use explosives;
- (e) The citizenship of the applicant, if the applicant is an individual;
- (f) If the applicant is a partnership, the names and addresses of the partners and their citizenship;
- (g) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship;

(h) Documented proof of ownership of a licensed storage magazine or a signed authorization to use another person's licensed magazine; or the purchaser shall sign a statement certifying that the explosives will not be stored.

(i) Such other pertinent information as the director of the department of labor and industries shall require to effectuate the purposes of this chapter.

(5) The department will grant a purchaser's license after all legal requirements have been fulfilled.

(6) The license is valid for one year from date of issuance.

(7) Purchaser shall, prior to ordering explosive materials, furnish the dealer a current list of the representatives or agents authorized to order explosive materials on their behalf showing the name, address, drivers license number or valid identification and date and place of

birth. A copy of the list shall be submitted with the purchaser's application. The dealer and the department lists shall be updated as changes occur.

~~((3))~~ (8) The individual who physically receives the purchased explosives shall prove to the satisfaction of the dealer that he, personally, is the purchaser, or the person authorized by the purchaser to receive said purchased explosives. Such authorization procedure shall be approved by the department. Said receiver of explosives shall identify himself properly and shall sign the dealer's record with his legal signature.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-437 USER'S (BLASTER'S) LICENSE. RCW 70.74.020, applies.

(1) No person, firm, partnership, or corporation shall use, blast, or dispose of explosives and/or blasting agents unless in possession of a valid user's (blaster's) license issued by the department of labor and industries.

(2) The application for a user's (blaster's) license to use, blast or dispose explosives and blasting agents shall be made to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.

(a) Application forms may be obtained at all department district offices, and from explosives dealers.

(b) The license is valid for one year from date of issuance. The license fee shall be five dollars.

(c) Applicants shall comply with all requirements of WAC 296-52-421.

(d) User (blaster) may be required to verify name of licensed purchaser, which will be confirmed and approved by the department.

~~((2))~~ (3) In addition to the submission of the application form, all new applicants, all applicants requesting change in classification of their license, and all applicants who have not renewed their user (blaster) license within sixty days of expiration will be required to submit a resume of successful blasting experience, properly witnessed, and to pass a written examination prepared and administered by the department.

~~((3))~~ (4) User (blaster) qualifications:

(a) A user (blaster) shall be able to understand and give written and oral orders.

(b) A user (blaster) shall be in good physical condition and not be addicted to narcotics, intoxicants, or similar types of drugs. This rule does not apply to persons taking prescription drugs and/or narcotics as directed by a physician providing such use shall not endanger the worker or others.

(c) A user (blaster) shall be qualified by reason of training, knowledge, and experience, in the field of transporting, storing, handling, and use of explosives, and have a working knowledge of state and local laws and regulations which pertain to explosives.

(d) User (blaster) shall be required to furnish satisfactory evidence of competency in handling explosives and performing in a safe manner the type of blasting that will be required.

(e) The user (blaster) shall be knowledgeable and competent in the use of each type of blasting method used.

~~((4))~~ (5) The department will issue a user's license card which shall state the limitations imposed on the licensee and shall be presented by the user to authorized persons, upon request, together with valid personal identification.

~~((5))~~ (6) A "hand loader" as defined in RCW 70.74.010, does not require a user's license.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-441 STORAGE MAGAZINE LICENSE REQUIREMENTS. RCW 70.74.120, applies.

~~(1)((a))~~ A separate application shall be made for each and every magazine.

~~(b)~~ The application for a license to operate a permanent or portable storage magazine for explosives shall be made by the person responsible for the storage of the explosives, to the Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.

~~(c)~~ The exact location of the storage magazine shall be shown on the application, as well as, the kind and maximum quantity of explosives stored, and the distance to nearby structures and other magazines.

~~(2)~~ A license fee shall be paid for one year, as shown in WAC 296-52-449. The fee will be collected or billed upon receipt of application.

~~(3)~~ The said license shall be renewed annually, no later than the expiration date.

~~(4))~~ All explosives or blasting agents as defined in this chapter shall be kept or stored in magazines licensed by the department and which comply with the construction, location, and security requirements established by this chapter.

(2) Any person engaged in keeping or storing explosives or blasting agents shall make application to the department for an operating license for each storage magazine before engaging in the activity of keeping or storing explosives or blasting agents. Applications shall be made to the Department of Labor and Industries, Division of Industrial Safety and Health, Olympia, WA 98504.

(3) License applicants shall meet the requirements of WAC 296-52-421.

(4) License applicants or the officers, agents, or employees of the applicant shall demonstrate sufficient experience in the handling of explosives, including the storage requirements for the different types of explosives or blasting agents to be stored.

(5) Each application shall include the following information:

(a) The name and address of the applicant;

(b) The reason for desiring to store or possess explosives;

(c) The citizenship of the applicant if the applicant is an individual;

(d) If the applicant is a partnership, the names and addresses of the partners and their citizenship;

(e) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship;

(f) The location of the magazine, if then existing, or in case of a new magazine, the proposed location of such magazine;

(g) The kind of explosives that are kept or stored or possessed or intended to be kept or stored or possessed and the maximum quantity that is intended to be kept or stored or possessed thereat;

(h) The distance that such magazine is located or intended to be located from other magazines, inhabited buildings, explosives manufacturing buildings, railroads, highways, and public utility transmission systems;

(i) And such other pertinent information as the director of the department of labor and industries shall require to effectuate the purpose of this chapter.

(6) A license number shall be permanently affixed on the inside and outside of each storage magazine. This license number will stay with each magazine during its life.

~~((5))~~ (7) The unlawful entry into an explosives magazine or an actual or suspected theft of explosives shall be reported immediately to the department and to the local law enforcement agency.

~~((6))~~ (8) If the magazine is used or leased by a person other than the owner, such other person shall then be responsible for the safe operation of the magazine, and for obtaining of the license.

When the responsibility for a magazine is transferred from one person to another, the transferor shall immediately notify the department, stating the magazine license number. The transferee shall execute a new application and pay the fee for one year, based on WAC 296-52-449.

~~((7))~~ (9) When a magazine is moved, altered or destroyed, the responsible person shall notify the department stating the magazine license number. When a magazine is altered, the alterations made shall be stated.

The moving of a magazine on a job site within a reasonable distance from its original location stated on the application is permitted without notifying the department; provided, that the new location complies with the Explosives Act and Explosives Code, and that the magazine can be quickly located for an inspection.

(10) Licenses will be issued pursuant to the procedures identified in WAC 296-52-445. The license fees are published in WAC 296-52-449.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-445 ((ANNUAL)) LICENSES AND INSPECTIONS. RCW 70.74.150, applies.

~~((The department of labor and industries shall make, or cause to be made, at least one inspection during every year, of each licensed explosives plant or magazine:))~~ (1) Upon receipt of a completed application for license, the department will schedule the necessary inspection or examination at the earliest available and mutually agreeable date.

(2) Explosives manufacturing plants and all Class 2, 3, 4, or 5 magazines shall be inspected before being placed in operation or service and at annual intervals thereafter. New licenses or renewal licenses

shall be issued for a period not to exceed one year. Class I magazines may be inspected and licensed for a period not to exceed two years.

(3) Each explosives license shall identify the operating limits for that license.

(4) Each license shall be valid until the specified expiration date or until suspended or revoked by the department.

(5) Any change in the conditions around a manufacturing plant or magazine shall be promptly identified to the department if such change could influence compliance with all requirements of this chapter. Such change(s) could include but are not limited to examples such as: Construction of occupied buildings, public utilities transmission systems, roads or railroads nearer said manufacturing plant or magazine.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-449 STORAGE MAGAZINE LICENSE FEES. RCW 70.74.140, applies.

The annual license fee for operating each magazine has been established by the department and shall be as shown in the following table:

Maximum weight (pounds) of explosives permitted in each magazine	Maximum number of blasting caps permitted in each magazine	Annual fee (dollars) for each magazine
200	133,000	5.00
600	400,000	10.00
1,000	667,000	15.00
2,000	1,330,000	20.00
4,000	2,670,000	25.00
6,000	4,000,000	30.00
8,000	5,330,000	35.00
10,000	6,670,000	40.00
20,000	13,330,000	45.00
Max. 300,000	Max. 20,000,000	50.00
200	133,000	10.00
1,000	667,000	25.00
5,000	3,335,000	35.00
10,000	6,670,000	45.00
50,000	33,350,000	60.00
Max. 300,000	Max. 200,000,000	75.00

Any permanent magazine licensed for two years shall pay twice the license fee shown.

PART D—EXPLOSIVES STORAGE

NEW SECTION

WAC 296-52-487 **LOW EXPLOSIVES.** Magazines which are restricted to the storage of only Class C (low explosives) as defined in this chapter, or classified as low explosives by the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, may be located in accordance with Table H-24.

TABLE H-24

Table of distances for storage of low explosives

Pounds		From inhabited building distance (feet)	From public railroad and highway distance (feet)	From above ground magazine (feet)
Over	Not over			
0	1,000	75	75	50
1,000	5,000	115	115	75
5,000	10,000	150	150	100
10,000	20,000	190	190	125
20,000	30,000	215	215	145
30,000	40,000	235	235	155
40,000	50,000	250	250	165
50,000	60,000	260	260	175
60,000	70,000	270	270	185
70,000	80,000	280	280	190
80,000	90,000	295	295	195

Table of distances for storage of low explosives

Pounds		From inhabited building distance (feet)	From public railroad and highway distance (feet)	From above ground magazine (feet)
Over	Not over			
90,000	100,000	300	300	200
100,000	200,000	375	375	250
200,000	300,000	450	450	300

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-489 **TRANSPORTATION.** (1) The transportation of explosives by vehicle on public highways shall be administered by the United States Department of Transportation, CFR 49-1978, Parts 100 through 199, and the Washington state patrol under RCW 46.48-.170. The following sections cover the transportation of explosives on the job site.

(a) No employee shall be allowed to smoke, carry matches or any other flame-producing device, or carry any firearms or loaded cartridges while in or near a motor vehicle transporting explosives; or drive, load, or unload such vehicle in a careless or reckless manner.

(b) Explosives shall not be carried on any vehicle while vehicle is being used to transport workers other than driver and two persons.

(c) Explosives shall be transferred from the disabled vehicle to another, only when proper and qualified supervision is provided.

(2) Transportation vehicles. Vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and be in good mechanical condition. If vehicles do not have a closed body, the body shall be covered with a flameproof and moisture-proof tarpaulin or other effective protection against moisture and sparks. All vehicles used for the transportation of explosives shall have tight floors and any exposed spark-producing metal on the inside of the body shall be covered with wood or other nonsparking materials to prevent contact with packages of explosives. Packages of explosives shall not be loaded above the sides of an open-body vehicle.

(3) Vehicles shall be placarded and displayed as specified by the United States Department of Transportation, CFR 49-1981, Parts 100 through 199.

(4)(a) Each motor vehicle used for transporting explosives shall be equipped with a minimum of two extinguishers, each having a rating of at least 10-BC.

(i) Only extinguishers listed or approved by (~~Underwriters Laboratories, Inc., or the Factor Mutual Engineering Corp.~~) a nationally recognized testing laboratory shall be deemed suitable for use on explosives-carrying vehicles. Refer to WAC 296-24-58501(19) for definition of listed, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

(ii) Extinguishers shall be filled and ready for immediate use and readily available. Extinguishers shall be examined periodically by a competent person.

(b) A motor vehicle used for transporting explosives shall be given the following inspection to determine that it is in proper condition for safe transportation of explosives:

(i) Fire extinguishers shall be filled and in working order.

(ii) All electrical wiring shall be completely protected and securely fastened to prevent short-circuiting.

(iii) Chassis, motor, pan, and underside of body shall be reasonably clean and free of excess oil and grease.

(iv) Fuel tank and feedline shall be secure and have no leaks.

(v) Brakes, lights, horn, windshield wipers, and steering apparatus shall function properly.

(vi) Tires shall be checked for proper inflation and defects.

(vii) The vehicle shall be in proper condition in every other respect and acceptable for handling explosives.

(5) Operation of transportation vehicles.

(a) Vehicles transporting explosives shall only be driven by and be in the charge of a licensed driver who is not less than twenty-one years of age, physically fit, careful, capable, reliable, able to read and write the English language, and not addicted to the use, or under the influence of intoxicants, narcotics, or other dangerous drugs. This rule does not apply to persons taking prescription drugs and/or narcotics as directed

by a physician providing such use shall not endanger the worker or others. They shall be familiar with the traffic regulations, state laws, and the provisions of this section.

(b) Except under emergency conditions, no vehicle transporting explosives shall be parked before reaching its destination, even though attended.

(c) Every motor vehicle transporting any quantity of Class A or Class B explosives shall, at all times, be attended by a driver or other attendant of the motor carrier. This attendant shall have been made aware of the class of the explosive material in the vehicle and of its inherent dangers, and shall have been instructed in the measures and procedures to be followed in order to protect the public from those dangers. He shall have been made familiar with the vehicle he is assigned, and shall be trained, supplied with the necessary means, and authorized to move the vehicle when required.

(i) For the purpose of this subdivision, a motor vehicle shall be deemed "attended" only when the driver or other attendant is physically on or in the vehicle, or has the vehicle within his field of vision and can reach it quickly and without any kind of interference; "attended" also means that the driver or attendant is awake, alert, and not engaged in other duties or activities which may divert his attention from the vehicle.

(ii) However, an explosive-laden vehicle may be left unattended if parked within a securely fenced or walled area properly barricaded with all gates or entrances locked where parking of such vehicle is otherwise permissible, or at a magazine site established solely for the purpose of storing explosives.

(d) No spark-producing metal, spark-producing tools, oils, matches, firearms, electric storage batteries, flammable substances, acids, oxidizing materials, or corrosive compounds shall be carried in the body of any motor truck and/or vehicle transporting explosives, unless the loading of such dangerous articles and the explosives comply with U.S. Department of Transportation regulations.

(e) Vehicles transporting explosives shall avoid congested areas and heavy traffic.

(f) Delivery shall only be made to authorized persons and into authorized magazines of authorized temporary storage or handling area.

(6) Transporting of explosives and blasting caps or electric blasting caps in the same vehicle. Blasting caps, blasting caps with safety fuse, blasting caps with metal clad mild detonating fuse and/or electric blasting caps may be transported in the same vehicle with other explosives, provided the following condition is complied with:

The top, lid or door, sides and bottom of each container must be of laminate construction consisting of A/C grade or better exterior plywood, solid hardwood, asbestos board or sheetrock and sheet metal. In order of arrangement, from inside to outside, the laminate must consist of the following with the minimum thickness of each lamination as indicated: 1/4-inch plywood, 1-inch solid hardwood, 1/2-inch plywood, 1/2-inch sheetrock or 1/4-inch asbestos board, and 22-gauge sheet metal constructed inside to outside in that order.

(7) When primers are made up at a central primer house for use in high speed tunneling, the following shall apply:

(a) Only enough primers shall be made up for one day's usage.

(b) The primers shall be placed in separate containers or bins, categorized by degree of delay in such a manner so as to prevent them from physical impact.

(c) Explosives carried in the same magazine shall be separated by 1/4-inch steel, covered on each side by four inches of hardwood planking, or equivalent.

(d) Only a state approved powder car or vehicle shall be used underground.

(e) The number of primers for one round will be removed from the state approved car or vehicle at the face or heading after the drilling has been completed and the holes readied for loading. After loading the charge, the powder car or vehicle will be withdrawn from the tunnel.

(f) Wires on electric caps shall be kept shunted until wired to the bus wires.

(g) The powder car or vehicle shall be inspected daily for lights, brakes and external damage to electrical circuitry. The electrical system shall be checked weekly to detect any failures that may constitute an electrical hazard and a written record of such inspection shall be kept on file for the duration of the job.

(8) When explosives are carried to the blasting site from the main storage magazines by the blaster or helper:

(a) Special insulated containers shall be used for this purpose, either boxes or bags, one container for explosives and one for detonators.

(b) Detonators or explosives shall never be carried in pockets of clothing.

AMENDATORY SECTION (Amending Order 76-7, filed 3/1/76)

WAC 296-54-45001 PULPWOOD LOGGING. (1) Application.

(a) General. This section applies to pulpwood logging operations including, but not limited to the operations of felling, limbing, marking, bucking, loading, skidding, prehauling and other operations associated with the preparation and movement of pulpwood timber from the stump to the point of delivery. The provisions of this section do not apply to logging operations relating to sawlogs, veneer bolts, poles, piling and other forest products.

(b) Standards incorporated by reference. Standards covering issues of occupational safety and health which are of general application without regard to any specific industry are incorporated by reference in subsections of this section and made applicable to pulpwood logging.

(2) Definitions applicable to this section.

(a) "Arch" means an extension to rear section of a vehicle used in skidding used to raise the forward part of a load clear of the ground.

(b) "Back cut" means the final cut in a felling operation made on the opposite side from the undercut.

(c) "Backfill" means excavated material used to build up a road higher than the original level.

(d) "Ballistic nylon" means a fabric of high tensile properties designed to provide protection from lacerations.

(e) "Borrow" means road construction material which is taken to another location for use. The source area is called "borrow pit."

(f) "Buck" means the process of severing a tree into sections (logs or bolts).

(g) "Choker" means a length of wire rope or chain with a loop or noose at one end used to secure trees or sections of trees for skidding.

(h) "Debark" means the action of removing bark from trees or sections of trees. Debark generally denotes mechanical means as opposed to manual peeling. Synonyms are "bark" and "barking."

(i) "Fairlead" means an arrangement of horizontal, and sometimes vertical, rollers usually mounted at the end of an arch to allow free play of wire rope during winching.

(j) "Fell" means the process of severing a tree from the stump so that it drops to the ground. Note that "fell" and "feller" are used in this standard. The terms "fall" and "faller" are commonly used in the Western United States and they have the same meaning as "fell" and "feller."

(k) "Grade" means the slope of a surface such as a roadway. Also, the elevation of a real or planned surface or structure. (See slope.)

(l) "Guarded" means protected by a cover, shield, rail, or other device, or by location, so as to reduce the probability of injury.

(m) "Guyline" means a line used to stay or support spar trees, booms, etc.

(n) "Landing" means any area where wood is concentrated. It is also called "yard," "deck," "brow."

(o) "Lodged tree" means a tree that has not fallen to the ground after being partly or wholly separated from its stump or otherwise displaced from its natural position.

(p) "Pickaroon" means a device with a head similar to an axe but with a point rather than a blade mounted on the end of a handle which is used to assist in the lifting and placement of bolts of wood.

(q) "Prehaul" means the hauling of forest products by off-the-road vehicles, nonhighway transport, or other movement prior to highway or rail movement, where the pulpwood travels clear of the ground. The term "forward" has the same meaning.

(r) "Pulpwood" means portions of a tree cut into short (normally 4 ft.) lengths to facilitate hand handling. It is intended to be used in the making of pulp rather than any lumber or veneer type finished product.

(s) "Riprap" means rock, metal stripping, or wooden timbers used to contain and stabilize earth embankments and fills.

(t) "Root wad" means the ball of roots which extends above ground level when a tree is pushed over by wind or other means.

(3) Additional definitions.

(a) "Skid" means the movement of bolts, logs, or trees by pulling or towing across the terrain. It may be accomplished by a stationary machine, a moving vehicle, or animal. The term is also called "yarding." The definitive feature is contact between the terrain and the product during movement.

(b) "Slope" is a term of measurement in percent and means the increase in height over the distance measured. An increase of 1 foot over a distance of 5 feet is expressed as a 20 percent slope (see grade).

(c) "Snag" means any dead standing tree or portion thereof remaining standing.

(d) "Spring pole" means a section of tree, sapling, limb, etc., which is, by virtue of its arrangement with relation to other material, under tension.

(e) "Undercut" means a notch cut in a tree to guide the tree in felling.

(f) "Widow maker" means an overhanging limb or section of tree which could become dislodged and drop to the ground (see also "lodged tree").

(g) "Wood hook" and "pulp hook" mean a device to be held in one hand which is fitted with a pointed section. The device is used to assist in the manual piling and handling of bolts of wood (see Pickaroon).

(4) General requirements.

(a) Clothing, personal protective devices, and first aid.

(i) Gloves shall be provided for use when working with wire rope in any form.

(ii) The employer shall ensure that employees exposed to the danger of foot injury due to falling or rolling pulpwood shall wear foot protection which equals or exceeds the crushing and impact specifications of ANSI Z41.1-1967.

(iii) Safety helmets of approved design in accordance with American National Standard for Safety Requirements for Industrial Head Protection, Z89.1-1969 shall be provided and worn.

(iv) Eye or face protection in accordance with American National Standard for Practice for Occupational and Educational Eye and Face Protection, Z87.1-1968 shall be provided and used where chips and sawdust or flying particles are present.

(v) Dust masks in accordance with American National Standard Practices for Respiratory Protection, Z88.2-1969 shall be provided and used where exposure exceeds the limits specified in the general occupational health standards, chapter 296-62 WAC.

(vi) Protection against the effects of noise exposure shall be provided and used when the sound levels exceed those shown in WAC 296-62-09011, Table 7, of the general occupational health standards, when measured on the A scale of a standard sound level meter at slow response.

(vii) First-aid kits in compliance with the requirements of the general safety and health standards, WAC 296-24-065, shall be provided at the work site and on all transport vehicles. In all areas where poisonous snakes may exist, snake bite kits shall be a part of the regular first-aid equipment. First-aid kits shall be regularly inspected and replenished.

(b) Handtools.

(i) The employer shall be responsible for the condition of tools when furnished by him and the user shall inspect any tool prior to using it to determine that it is in proper operating condition. Defective tools shall be removed from service.

(ii) Handles shall be sound, straight and tight fitting.

(iii) Driven tools shall be dressed to remove any mushrooming.

(iv) Cutting tools shall be kept sharp and properly shaped.

(v) Wood hooks and pickaroons of good grade steel shall be used.

(vi) Tools shall be used for purposes for which they were designed.

(vii) Hand tools shall be sheathed or boxed if transported in a vehicle with personnel. If not contained in a box, the sheathed tools shall be fastened to the vehicle.

(viii) Proper storage facilities shall be provided for hand tools. Tools shall be stored in the provided location at all times when not in use.

(c) Environmental conditions.

(i) All work shall terminate and employees moved to a place of safety during electrical storms and periods of high winds or when other unusual weather conditions are dangerous to personnel.

(ii) Dead, broken, or rotted limbs or trees that are a hazard (widow makers) shall be felled or otherwise removed before commencing logging operations, building roads, trails or landing, in their vicinity.

(d) Work areas.

(i) All persons shall be instructed to work within the vocal range of other workers unless a procedure has been established for periodically checking their location and welfare.

(ii) All persons shall be accounted for at the end of each work day.

(iii) An approved (~~Underwriters' Laboratories or Factory Mutual Engineering Corp.~~) fire extinguisher shall be provided at locations where machines are operating and/or on each vehicle. Refer to WAC 296-24-58501(19) for definition of approved.

(iv) Fuel shall be stored only in approved (~~Underwriters' Laboratories or Factory Mutual Engineering Corp.~~) well-marked containers located for safe access for fueling vehicles and equipment and at a safe

distance from all fire hazards. Refer to WAC 296-24-58501(19) for definition of approved. The provisions of the general safety and health standards, WAC 296-24-330 through 296-24-33019, shall be applied in the storage and use of flammable fuel.

(e) Chain saw operations.

(i) Chain saw operators shall be instructed to inspect saws daily to assure that all handles and guards are in place and tight, that all controls function properly and that the muffler is operative. Defective equipment shall not be used.

(ii) Chain saw operators shall be instructed to follow manufacturer's instructions as to operation and adjustment.

(iii) Chain saw operators shall be instructed to fuel the saw only in safe areas and not under conditions conducive to fire such as near persons smoking, hot engine, etc.

(iv) Chain saw operators shall be instructed to hold the saw with both hands during operation.

(v) Chain saw operators shall be instructed to start the saw at least 10 feet away from fueling area.

(vi) Chain saw operators shall be instructed to start the saw only on the ground or when otherwise firmly supported.

(vii) Chain saw operators shall be instructed to be certain of footing and to clear away brush which might interfere before starting to cut.

(viii) Chain saw operators shall be instructed not to use engine fuel for starting fires or as a cleaning solvent.

(ix) Chain saw operators shall be instructed to shut off the saw when carrying it for a distance greater than from tree to tree or in hazardous conditions such as slippery surfaces or heavy underbrush. If the operator is carrying a running saw, the saw shall be at idle speed.

(x) Chain saw operators shall be instructed to carry the saw in a manner to prevent contact with the chain and muffler.

(xi) Chain saw operators shall be instructed not to use the saw to cut directly overhead or at a distance that would require the operator to relinquish a safe grip on the saw.

(xii) Supervision shall be adequately maintained to assure that the instructions required by this chapter are followed.

(f) Stationary and mobile equipment operation.

(i) Equipment operators shall be instructed as to the manufacturers' recommendations for equipment operation, maintenance, safe practices, and site operating procedures.

(ii) Equipment shall be kept free of flammable material.

(iii) Equipment shall be kept free of any material which might contribute to slipping and falling.

(iv) Engine of equipment shall be shut down during fueling, servicing, and repairs except where operation is required for adjustment.

(v) The operator shall inspect the equipment he will be operating at the start of each shift for evidence of failure or incipient failure. Equipment found to have defects which might affect the operating safety shall not be used.

(vi) The equipment operator shall walk completely around machine and assure that no obstacles or personnel are in the area before startup.

(vii) The equipment operator shall start and operate equipment only from the operator's station or from safe area recommended by the manufacturer.

(viii) A seat belt shall be provided on mobile equipment.

(ix) The equipment operator shall check all controls for proper function and response before starting working cycle.

(x) The equipment operator shall ground or secure all movable elements when not in use.

(xi) The foreman shall advise the equipment operator of the load capacity, operating speed and stability limitations of the equipment.

(xii) The equipment operator shall maintain adequate distance from other equipment and personnel.

(xiii) Where signalmen are used, the equipment operator shall operate the equipment only on signal from the designated signalman and only when signal is distinct and clearly understood.

(xiv) The equipment operator shall not operate movable elements (boom, grapple, load, etc.) close to or over personnel.

(xv) The equipment operator shall signal his intention before operation when personnel are in or near the working area.

(xvi) The equipment operator shall dismount and stand clear for all loading and unloading of his mobile vehicle by other mobile equipment. The dismounted operator shall be visible to loader operator.

(xvii) The equipment operator shall operate equipment in a manner that will not place undue shock loads on wire rope.

(xviii) The equipment operator shall not permit riders or observers on the machine unless approved seating and protection is provided.

(xix) The equipment operator shall shut down the engine when the equipment is stopped, apply brake locks and ground moving elements before he dismounts.

(xx) The equipment operator shall when any equipment is transported from one job location to another, transport it on a vehicle of sufficient rated capacity and the equipment shall be properly secured during transit.

(xxi) When any equipment is being moved or operated in the vicinity of an electric distribution line a minimum clearance of ten feet shall be maintained between the electric distribution line and all elements of the machine.

(g) Explosives. Only trained and experienced personnel shall handle or use explosives. Usage shall comply with the requirements of chapter 296-52 WAC and chapter 70.74 RCW.

(5) Equipment protective devices—Stationary and mobile equipment.

(a) Operator's manual. There shall be an operator's manual or operating instructions with each machine. It will describe operation, maintenance, and safe practices.

(b) On all mobile equipment specified in WAC 296-54-216, rollover protective structures (ROPS) shall be installed and maintained in accordance with the provisions of that section. On equipment requiring ROPS, the provisions of WAC 296-54-210, 296-54-215, 296-54-217 and 296-54-218 shall also apply.

(c) Equipment on which ROPS are not required shall be equipped with the following operator protective devices:

(i) Protective canopy. A protective canopy shall be provided for the operator of mobile equipment. It shall be so constructed as to protect the operator from injury due to falling trees or limbs, saplings or branches which might enter the compartment side areas, and snapping winch lines or other objects.

(A) The canopy shall be of adequate size so as not to impair the operator's movements.

(B) The canopy framework shall consist of at least two arches, either transverse or longitudinal. If transverse, one arch shall be installed behind the operator and one immediately in front of the operator. They shall be joined at the top by at least two longitudinal braces. There shall be two braces which shall act as deflecting guards extending from the leading edge of the forward arch to the front part of the frame of the tractor. If longitudinal arches are used, they shall be extended from behind the operator to the front part of the frame and each arch shall have an intermediate support located immediately ahead of the operator so that ingress or egress is not impeded. Regardless of the type of construction used, the fabrication and method of connecting to the tractor shall be of such design as to develop a strength equivalent to the upright members.

(C) The overhead covering shall be solid material and extend the full width of the canopy.

(D) The lower portion of cab shall be completely enclosed with solid material, except at entrances, to prevent the operator from being injured from obstacles entering the cab.

(E) The upper rear portion of cab shall be fully enclosed with open mesh material with openings of such a size as to reject the entrance of an object larger than 1 3/4 inch in diameter. It shall provide maximum rearward visibility.

(F) Open mesh shall be extended forward as far as possible from the rear corners of the cab sides so as to give the maximum protection against obstacles, branches, etc., entering the cab area.

(G) Deflectors shall also be installed ahead of the operator to deflect whipping saplings and branches. These shall be located so as to not impede ingress or egress from the compartment.

(H) The entrance opening of the canopy shall be not less than 52 inches in vertical height.

(I) Where glass is used it shall be safety glass. An approved substitute may be used.

(aa) An additional metal screen shall be used where glass alone is not adequate operator protection.

(bb) Provision shall be made to clean glass to assure adequate visibility.

(ii) Guards. Guards shall be provided for exposed moving elements such as shafts, pulleys, belts, conveyors and gears in accordance with WAC 296-24-205 through 296-24-20527 and American National Standard Safety Code for Conveyors, Cableways, and Related Equipment, B20.1-1957. Guards shall be in place at all times machine is in operation.

(iii) Mufflers. Mufflers provided by the manufacturer or their equivalent shall be in place at all times the machine is in operation.

(iv) Guylines. Guylines shall be arranged in such manner that stresses will be imposed on not less than two guylines. Stumps used for anchoring guylines shall be carefully chosen as to position and strength. They shall be tied back if necessary. Standing trees shall not be used for this purpose.

(v) Stability and reliability. Crane and loader stability and boom reliability shall be in accordance with American National Standard Safety Code for Cranes, Derricks and Hoists Overhead and Gantry Cranes, B30.2.0-1967, and American National Standard Safety Code for Cranes, Derricks and Hoists—Crawler, Locomotive, and Truck Cranes, B30.5-1968.

(6) Pulpwood harvesting.

(a) Felling, general.

(i) Work areas shall be assigned such that a tree cannot fall into an adjacent work area. The recommended distance between workers is twice the height of trees being felled.

(ii) When trees may fall into public roads a flagman shall be assigned to direct traffic.

(iii) Workers shall not approach a feller closer than twice the height of trees being felled until the feller has acknowledged the signal of approach.

(iv) Lodged trees shall be pulled to the ground at first opportunity with mechanical equipment or animal.

(v) Workers shall not work under a lodged tree.

(vi) Special precautions shall be taken to prevent felling trees into powerlines.

(vii) If a tree does make contact with a powerline the power company shall be notified immediately and all personnel shall remain clear of the area until power company personnel advises that conditions are safe.

(b) Manual felling.

(i) The feller shall plan a retreat path and clear the path as necessary before cut is started.

(ii) The feller shall appraise situation for dead limbs, the lean of tree to be cut, wind conditions, location of other trees and other hazards and exercise proper precautions before cut is started.

(iii) Undercuts shall be about one-third the diameter of the tree to guide tree and reduce possibility of splitting. (Local practice where small diameter trees are felled without being undercut is acceptable if the direction of fall is controlled by the practice.)

(iv) Back or felling cut shall be parallel to the inner edge of the undercut and approximately two inches higher than the undercut.

(v) The saw shall be shut off before feller starts his retreat.

(vi) On terrain where trees are likely to slide or roll fellers shall fell trees from the uphill side and arrange to keep uphill from previously felled trees.

(c) Bucking.

(i) Bucking on slopes shall be from the uphill side unless the log has been securely blocked to prevent rolling or swinging.

(ii) Spring poles and trees under stress shall be cut so that employee is clear when the tension is released. (This is accomplished by cutting under the bend.)

(iii) Trees piled for bucking shall be piled in an orderly parallel manner that minimizes hazard to employees.

(d) Limbing. Spring poles and limbs under stress shall be cut in such a manner that the employee is clear when tension is released.

(e) Mechanical debarking and delimiting. Guarding shall be provided so as to protect employees from flying chunks, logs, chips, bark, limbs, and other material and to prevent the worker from contacting moving parts.

(f) Skidding and prehauling, general.

(i) Only a designated, trained operator shall operate a skid or prehaul machine.

(ii) Choker setters shall work on uphill side of log.

(iii) No passenger personnel shall ride on a prehaul vehicle, logs, pallets, skid pans or other load unless adequate seating and protection is provided except on animal powered wagons.

(iv) Chokers shall be positioned near the end of the log or tree length to allow turning of the prehaul vehicle, to prevent the penetration of the operator station and to reduce possibility of striking the wheel or track.

(v) During winching, the equipment shall be positioned so that the winch line is in alignment with the long axis of the prehaul machine.

(vi) A stuck or inoperative vehicle shall be towed. A loaded pallet shall not be pushed.

(vii) Stakes shall not be added to permit a load beyond the rated capacity of pallets and trailers.

(viii) The operator shall be instructed to be observant and cautious of height of load and vehicle when traveling under trees, limbs, and other overhead obstructions.

(g) Skidding and prehauling equipment requirements.

(i) Arches, fairleads, drawbars, hitches and bumpers or fenders shall be designed and constructed to allow a minimum radius vehicle turn without the load contacting a rear tire or the rear of a track assembly.

(ii) Towed equipment such as skid pans, pallets and trailers shall be attached in such a manner as to allow a full 90° turn, prevent overrunning of the towed vehicle, and assure control of the towed equipment.

(iii) Animal towed equipment shall be equipped with a hand brake within reach of the driver.

(iv) Prehaulers shall have a means for securely retaining pallets or pulpwood.

(v) Prehaulers shall have a means of securely retaining loader for transport when so equipped.

(vi) Provision shall be made to securely fasten and to protect all tools and material on the carrier.

(h) Personnel transport.

(i) The driver shall be licensed as required by the Washington state department of motor vehicles.

(ii) Explosives or flammable liquids shall not be transported on crew vehicles except as specifically provided for in WAC 296-54-160.

(iii) Seats shall be securely fastened.

(i) Off highway truck transport. Truck drivers shall be instructed to stop their vehicles, dismount, check and tighten loose load binders, either just before or immediately after leaving a private road to enter a public road.

(j) Manual loading.

(i) The carrier shall be positioned to provide a safe working clearance between carrier and pile.

(ii) Proper lifting techniques shall be used, i.e., straight back and bend knees.

(iii) The stick shall be placed in the carrier in such manner that it is or will be properly secured.

(iv) Manual handling shall be limited to a weight consistent with correct lifting practices and individual lifting capacity.

(k) Machine loading.

(i) Piles shall be located to provide a safe work area.

(ii) Only the machine operator and slingman where used, shall be in the work area.

(iii) The load shall be positioned for balance and to prevent slippage or loss. Slings shall be placed to secure and balance the load.

(l) Storage. Piles shall be located and constructed in a manner to provide safe working area around them.

(m) Banding and piling bundles.

(i) Steel bands used in the making of bundles shall have a 5 to 1 safety factor for the weight of the bundles and shall be free of any visible defect which might detract from their designed strength.

(ii) Bands shall be placed when bundle is close to ground.

(iii) No part of the body shall be under the bundle at any time. Bundles shall be placed on runners. Bundles may be double stacked with top end bundle one half or more back from the lower rank end bundle.

(n) Chipping (in-woods locations).

(i) Access covers or doors shall not be opened until the drum or disk is at a complete stop.

(ii) Infeed and discharge ports shall be designed to prevent contact by personnel with disc, knives, or blower blades.

(o) Roads and trails, general.

(i) Roads shall be maintained and hazardous conditions corrected.

(ii) Where vision is limited warnings shall be posted.

(iii) Curve radii shall be the maximum consistent with terrain.

(iv) When night work is necessary, lighting shall be provided in accordance with WAC 296-54-280.

(v) Local road standards and maximum weight of traffic expected shall be used as guides for materials, construction features and drainage.

(p) Road and trail pioneering and earthwork.

(i) Banks at the borrow area shall be sloped to prevent slides.

(ii) Backfill shall be firmly compacted.

(iii) Overseed banks shall be sloped or stabilized to prevent slides.

(iv) Overhanging banks, large rocks and debris shall be removed or secured.

(v) Where riprap is used the material and design shall assure containment of material.

(vi) Trees or snags which may fall into the road shall be felled.

(q) Road and trail drainage.

(i) Drainage shall be provided to prevent washouts and landslides.

(ii) Culverts shall be of adequate strength and of a size to handle maximum runoff.

(iii) Where necessary, ditches and banks shall be stabilized by vegetation, riprap, or other adequate means.

(r) Road and trail surfacing. Road surface shall be properly compacted, graded and crowned.

(s) Bridges.

(i) Bridges shall be constructed in accordance with the provisions of WAC 296-54-150.

(ii) Bridges shall be decked and curbed.

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-501 SCOPE AND APPLICATION. The requirements of this chapter augment those requirements of the general safety standards promulgated by the department of labor and industries, division of industrial safety and health, applicable to this industry, and apply to all persons, firms, corporations or others engaged in logging operations that come within the jurisdiction of the department of labor and industries. The requirements herein contained do not apply to log handling at sawmills, plywood mills, pulp mills or other manufacturing operations governed by their own specific safety standards.

The safety requirements herein contained are not to be construed to imply that other safe work practices, procedures or methods should not be employed where such methods, means or practices may be required to prevent accidents. Both employers and employees have a duty to do whatever is reasonable and practical to avoid causing accidents. These requirements are minimum safety requirements and shall augment other safety standards developed by the department which are of a general nature and apply to all industrial operations such as those contained in the general safety standards, chapter 296-24 WAC; occupational health standards, chapter 296-62 WAC; and precautionary labeling of containers of hazardous materials, chapter 296-64 WAC, or others which may be applicable. Regulations adopted by the department concerning certain types of equipment or conditions, such as metal and nonmetallic mines, quarries, pits and crushing operations, chapter 296-61 WAC, and possession, handling and use of explosives, chapter 296-52 WAC shall be complied with when applicable.

Some of the factors involving safe practices are use of good judgment, and the avoidance of taking chances. Accidents can be avoided in many instances by everyone conscientiously applying their knowledge of safety.

Copies of all society of automotive engineers reports (SAE) referred to in these standards are on file in all district offices of the division of industrial safety and health of the department of labor and industries, and may be reviewed by any interested person. Individuals desiring to obtain copies of such material shall arrange to do so directly from the publishers or from other sources. The division of industrial safety and health will not assume the responsibility of acquiring such material for uses other than its own needs.

Note: Safety standards for pulpwood logging are contained in a separate edition titled "Safety standards for pulpwood logging," WAC ((296-54-450)) 296-54-45001.

AMENDATORY SECTION (Amending Order 81-3, filed 2/10/81)

WAC 296-54-559 YARDING—HELICOPTERS AND HELICOPTER CRANES. (1) Helicopters and helicopter cranes shall comply with any applicable regulations of the Federal Aviation Administration.

(2) Prior to each day's operation, a briefing shall be conducted. This briefing shall set forth the plan of operation for the pilot and ground personnel.

(3) A take-off path from the log pickup point shall be established, and shall be made known to all workers in that area before the first turn of logs is moved.

(4) The helicopter flight path to and from the drop zone shall be designated and no equipment or personnel (other than flight personnel necessary to assist landing and take-off) will occupy these areas during helicopter arrival or departure.

(5) The approach to the landing shall be clear and long enough to prevent tree tops from being pulled into the landing.

(6) The helicopter shall not pass over an area in which cutters are working at a height which would cause the rotor wash to inhibit a cutter's ability to safely control a tree or dislodge limbs.

(7) Drop zones shall be twice the nominal length of logs to be landed.

(8) The drop zone shall be no less than one hundred twenty-five feet from the loading or decking area.

(9) Separate areas shall be designated for landing logs and fueling the helicopter(s).

(10) The yarding helicopter shall be equipped with a siren to warn workers of any hazardous situation.

(11) Workers shall remain in the clear as chokers are being delivered, and under no circumstances will workers move under the helicopter that is delivering the chokers or take hold of the chokers before they have been released by the helicopter.

(12) Log pickup shall be arranged in a manner that the hook up crew will not work on slopes below felled and bucked timber.

(13) If the load must be lightened, the hook shall be placed on the ground on the uphill side of the turn before the hooker approaches to release the excess logs.

(14) Landing crew shall be in the clear before logs are dropped.

(15) One end of all the logs in the turn shall be touching the ground and lowered to an angle of not more than 45° from the horizontal before the chokers are released.

(16) Logs shall be laid on the ground and the helicopter will be completely free of the choker(s) before workers approach the logs.

(17) If the load will not release from the hook, the load and the hook shall be on the ground before workers approach to release the hook manually.

(18) Loads shall be properly slung. Tag lines shall be of a length that will not permit their being drawn up into rotors. Pressed sleeve, ((swedged)) swaged eyes, or equivalent means shall be used for all freely suspended loads to prevent hand splices from spinning open or cable clamps from loosening.

(19) All electrically operated cargo hooks shall have the electrical activating device so designed and installed as to prevent inadvertent operation. In addition, these cargo hooks shall be equipped with an emergency mechanical control for releasing the load. The hooks shall be tested prior to each day's operation to determine that the release functions properly, both electrically and mechanically.

(20)(a) Personal protective equipment for employees receiving the load shall consist of complete eye protection and hard hats secured by chinstraps, and high visibility vests or outer garments.

(b) Loose-fitting clothing likely to flap in the downwash, and thus be snagged on hoist line, shall not be worn.

(21) Every practical precaution shall be taken to provide for the protection of employees from flying objects in the rotor downwash. All loose gear within one hundred feet of the place of lifting of the load, depositing the load, and all other areas susceptible to rotor downwash shall be secured or removed.

(22) Good housekeeping shall be maintained in all helicopter loading and unloading areas.

(23) The helicopter operator shall be responsible for size, weight, and manner in which loads are connected to the helicopter. If, for any reason, the helicopter operator believes the lift cannot be made safely, the lift shall not be made.

(24) Employees shall not perform work under hovering craft except for that limited period of time necessary to guide, secure, hook and unhook loads. Regardless of whether the hooking or unhooking of a load takes place on the ground or other location in an elevated work position in structural members, a safe means of access and egress, to include an unprogrammed emergency escape route or routes, shall be provided for the employees hooking or unhooking loads.

(25) Static charge on the suspended load shall be dissipated with a grounding device before ground personnel touch the suspended load, or protective rubber gloves shall be worn by all ground personnel touching the suspended load.

(26) The weight of an external load shall not exceed the manufacturer's rating.

(27) Hoist wires or other gear, except for pulling lines or conductors that are allowed to "pay out" from a container or roll off a reel, shall not be attached to any fixed ground structure, or allowed to foul on any fixed structure.

(28) When visibility is reduced by dust or other conditions, ground personnel shall exercise special caution to keep clear of main and stabilizing rotors. Precautions shall also be taken by the employer to eliminate as far as practical reduced visibility.

(29) Signal systems between aircrew and ground personnel shall be understood and checked in advance of hoisting the load. This applies to either radio or hand signal systems. Hand signals shall be as shown in Figure 6.

(30) No unauthorized person shall be allowed to approach within fifty feet of the helicopter when the rotor blades are turning.

(31) Whenever approaching or leaving a helicopter with blades rotating, all employees shall remain in full view of the pilot and keep in a crouched position. Employees shall avoid the area from the cockpit or cabin rearward unless authorized by the helicopter operator to work there.

(32) Sufficient ground personnel shall be provided, when required, for safe helicopter loading and unloading operations.

(33) There shall be constant reliable communication between the pilot, and a designated employee of the ground crew who acts as a signalperson during the period of loading and unloading. This signalperson shall be distinctly recognizable from other ground personnel.

(34) Open fires shall not be permitted in an area that could result in such fires being spread by the rotor downwash.

(35) Under no circumstances shall the refueling of any type helicopter with either aviation gasoline or Jet B (Turbine) type fuel be permitted while the engines are running.

(36) Helicopters using Jet A (Turbine-Kerosene) type fuel may be refueled with engines running provided the following criteria is met:

(a) No unauthorized persons shall be allowed within fifty feet of the refueling operation or fueling equipment.

(b) A minimum of one thirty-pound fire extinguisher, or a combination of same, good for class A, B and C fires, shall be provided within one hundred feet on the upwind side of the refueling operation.

(c) All fueling personnel shall be thoroughly trained in the refueling operation and in the use of the available fire extinguishing equipment they may be expected to utilize.

(d) There shall be no smoking, open flames, exposed flame heaters, flare pots or open flame lights within fifty feet of the refueling area or fueling equipment. All entrances to the refueling area shall be posted with "NO SMOKING" signs.

(e) Due to the numerous causes of static electricity, it shall be considered present at all times. Prior to starting refueling operations, the fueling equipment and the helicopter shall be grounded and the fueling nozzle shall be electrically bonded to the helicopter. The use of conductive hose shall not be accepted to accomplish this bonding. All grounding and bonding connections shall be electrically and mechanically firm, to clean unpainted metal parts.

(f) To control spills, fuel shall be pumped either by hand or power. Pouring or gravity flow shall not be permitted. Self-closing nozzles or deadman controls shall be used and shall not be blocked open. Nozzles shall not be dragged along the ground.

(g) In case of a spill, the fueling operation shall be immediately stopped until such time as the person-in-charge determines that it is safe to resume the refueling operation.









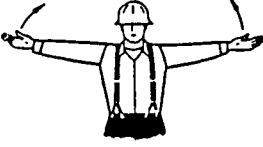
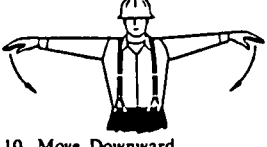
(h) When ambient temperatures have been in the 100 degree F. range for an extended period of time, all refueling of helicopters with the engines running shall be suspended until such time as conditions become suitable to resume refueling with the engines running.

(37) Helicopters with their engines stopped being refueled with aviation gasoline or Jet B (Turbine) type fuel, shall also comply with subsection (36)(a) through (g) of this section.

(38) Hook on persons in logging operations shall wear contrasting colored hard hats, with chinstraps, and high visibility vests or outer garments to enable the helicopter operator to readily identify their location.

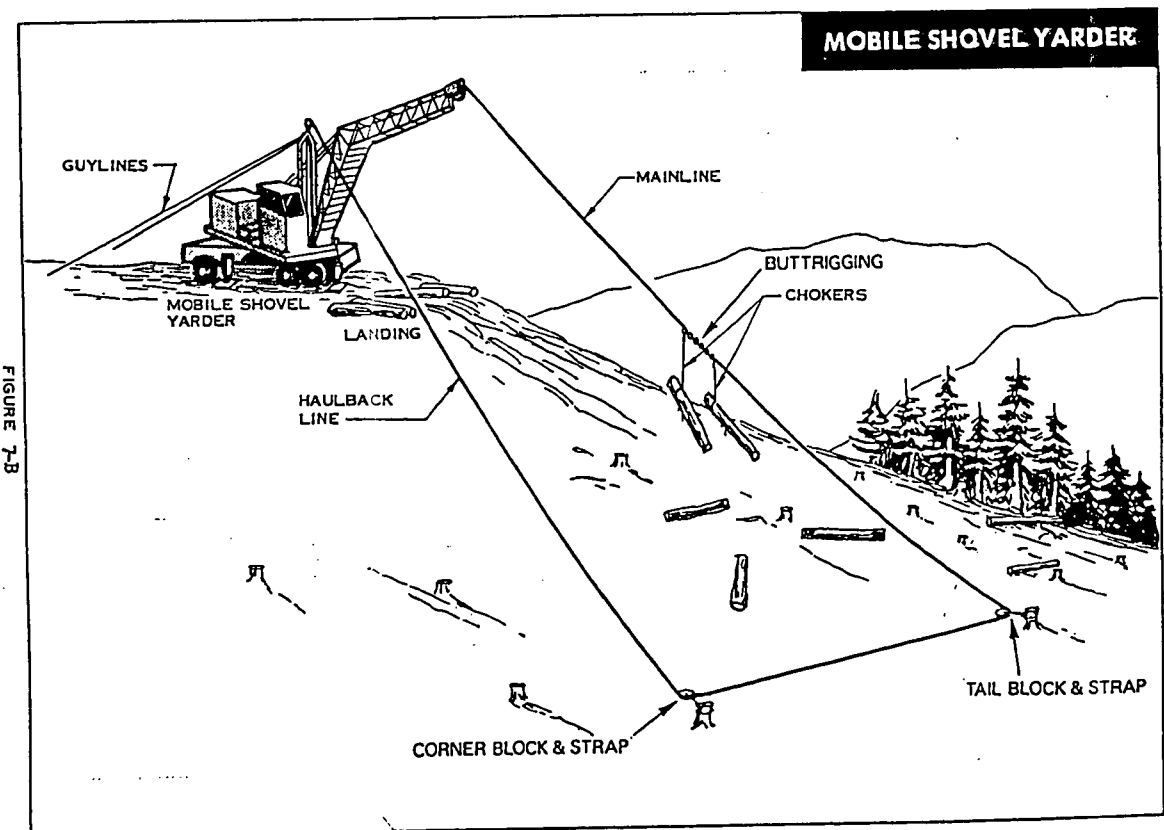
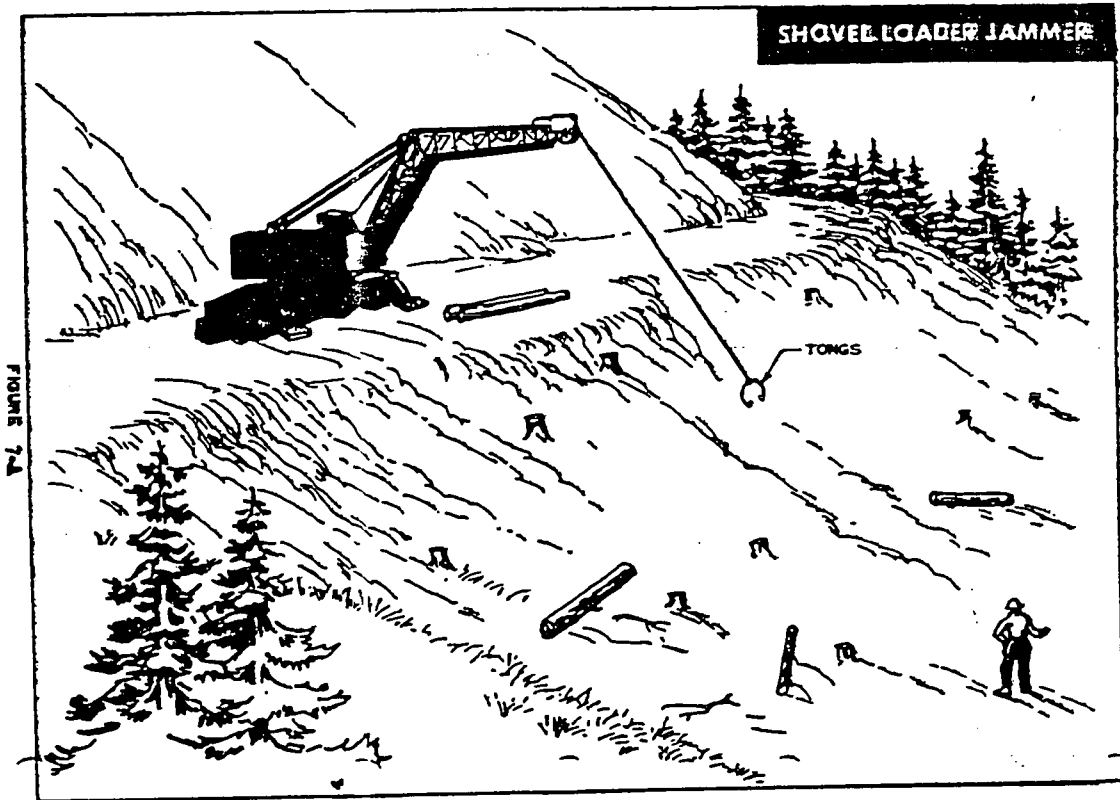
(39) Riding the load or hook of a helicopter is prohibited except in the case of an emergency with the proper safety gear.

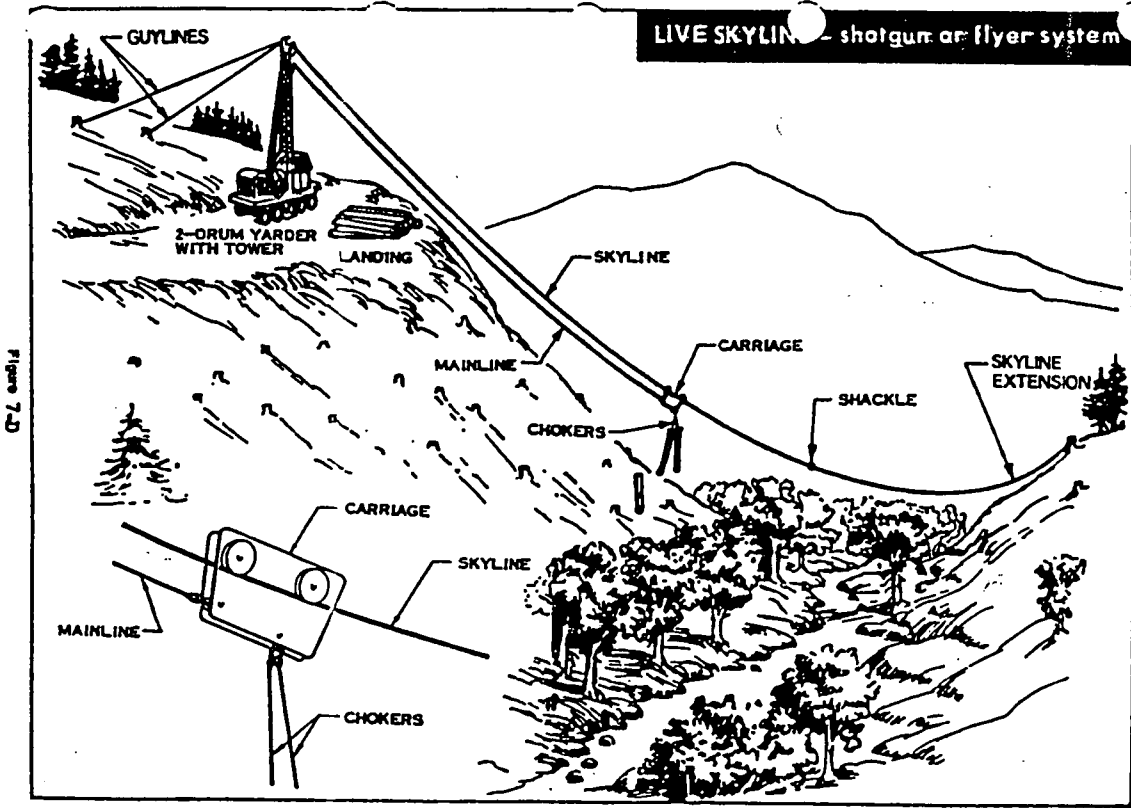
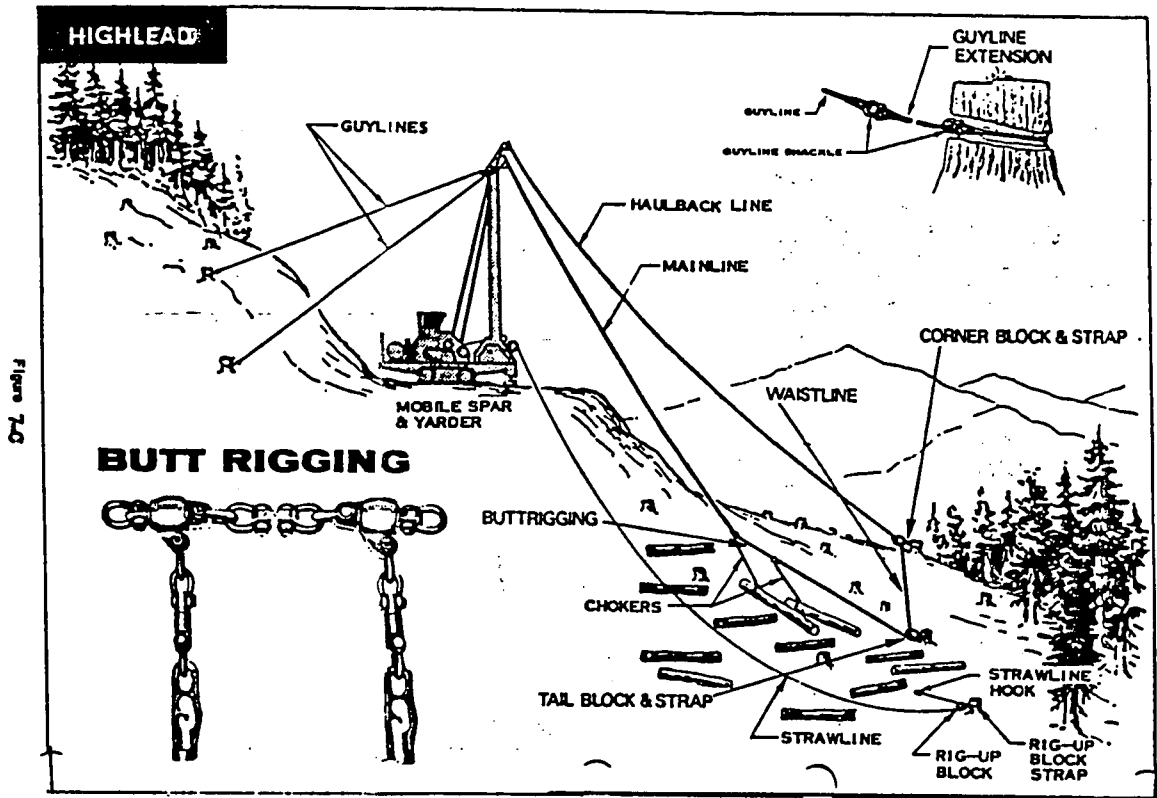
HELICOPTER HAND SIGNALS

 <p>1. Takeoff. Right hand behind back; left hand pointing up.</p>	 <p>2. Land. Arms crossed in front of body and pointing downward.</p>	 <p>3. Hold-Hover. The signal "Hold" is executed by placing arms over head with clenched fists.</p>
 <p>4. Move Forward. Combination of arm and hand movement in a collecting motion, pulling toward body.</p>	 <p>5. Move Rearward. Hands above arm, palms out, using a shoving motion.</p>	 <p>6. Release Sling Load. Left arm held down away from body. Right arm slashes down across body.</p>
 <p>7. Move Right. Left arm extended horizontally; right arm sweeps upward to position over head.</p>	 <p>8. Move Left. Right arm extended horizontally; left arm sweeps upward to position over head.</p>	
 <p>9. Move Upward. Arms extended, palms up; arms sweeping up.</p>	 <p>10. Move Downward. Arms extended, palms down; arms sweeping down.</p>	

Note: See Figures No. 7-A through 7-P, for illustrations of various types of cable logging systems.

See Figures No. 7-Q through 7-U, for illustrations of whistle signals used on various cable logging systems.





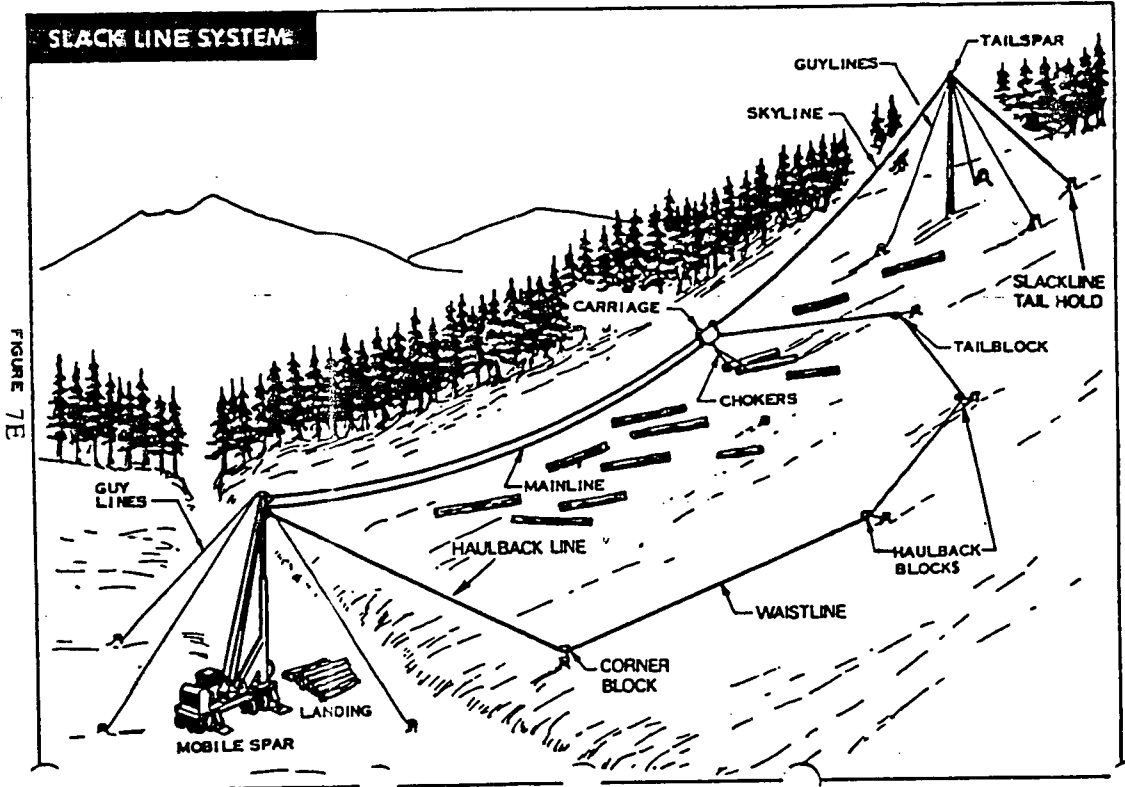


FIGURE 7E

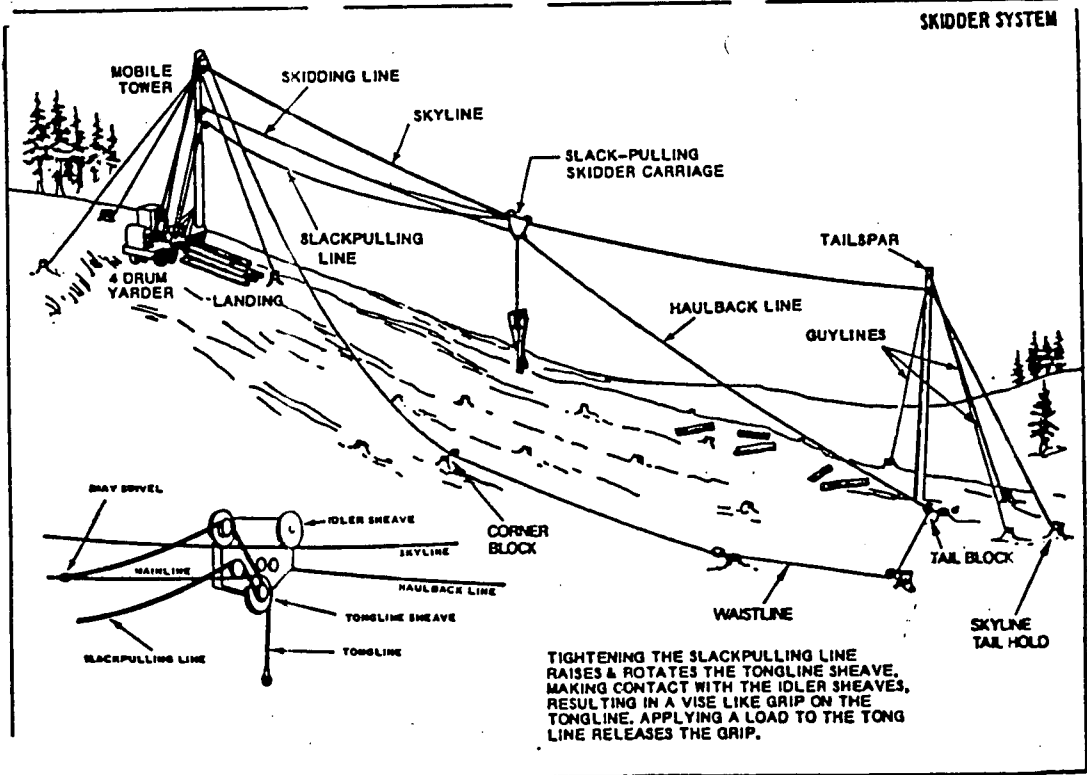
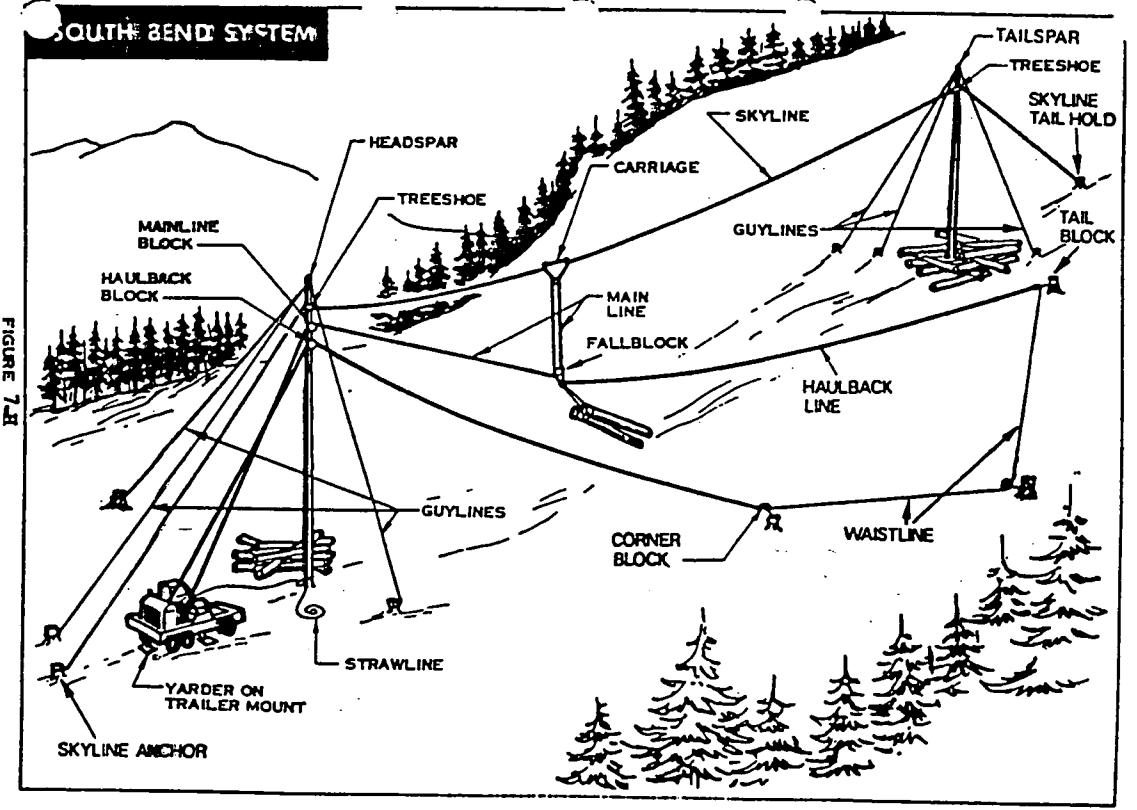
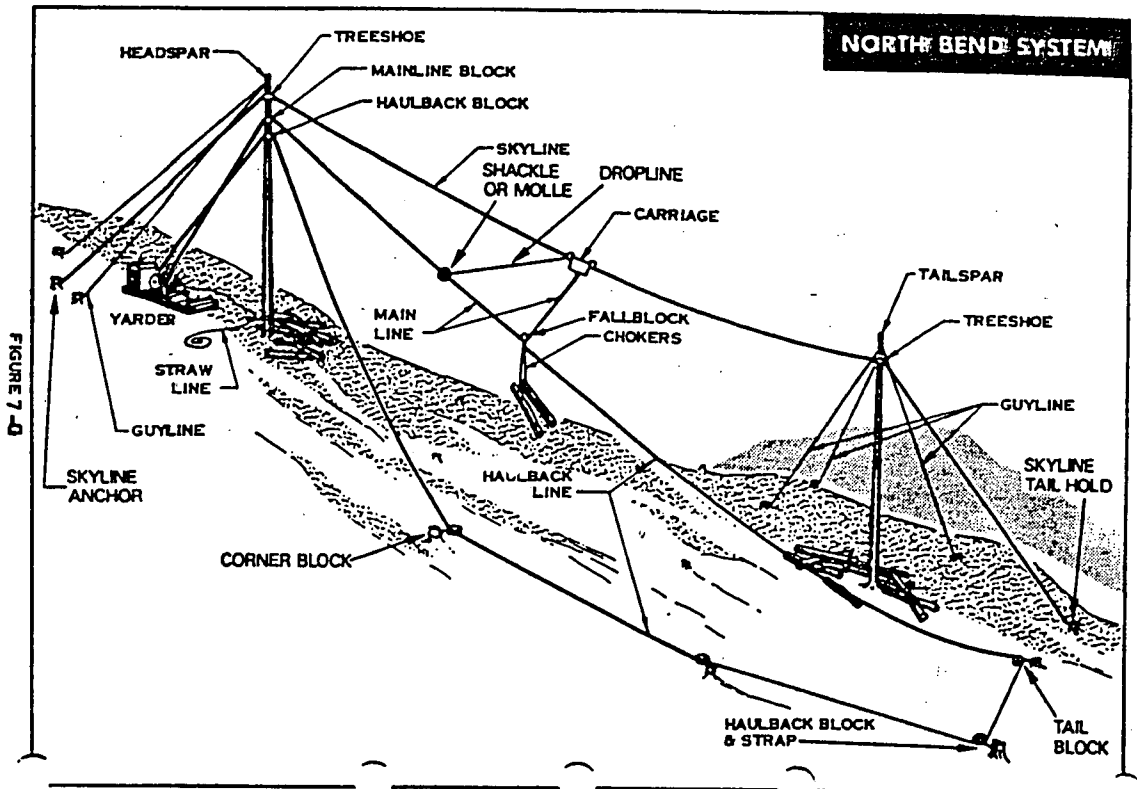


Figure 7F)



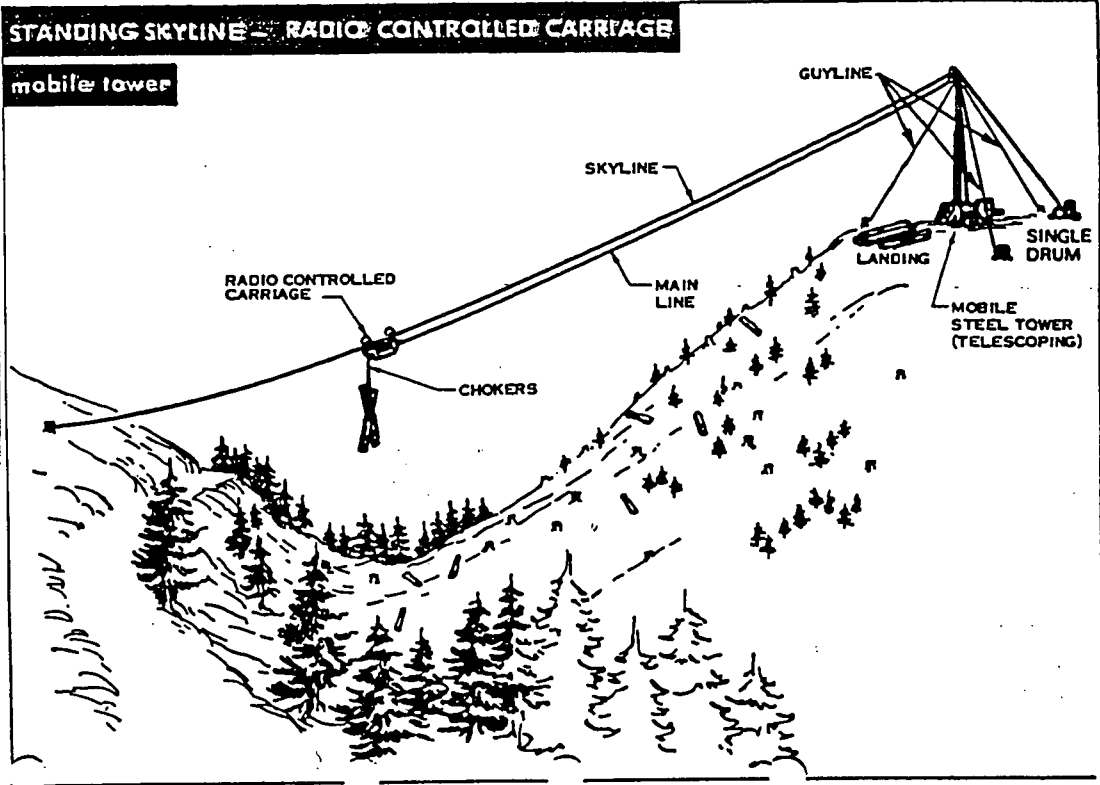


Figure 71

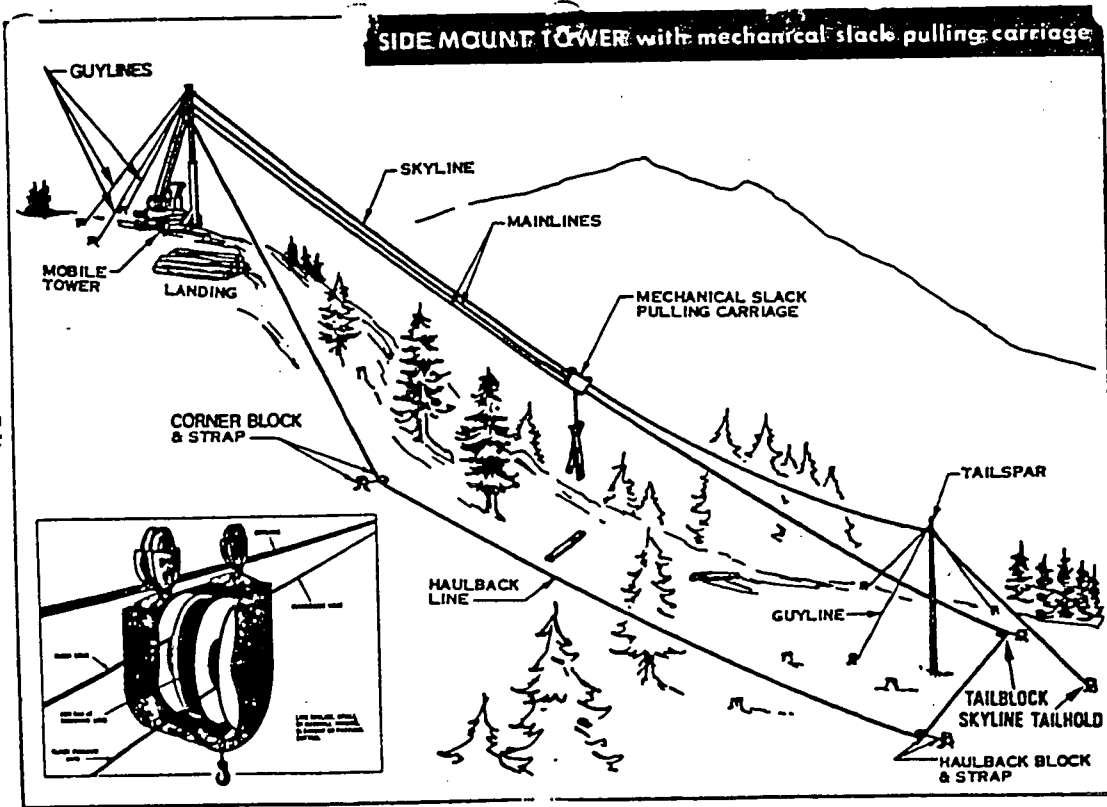


Figure 71)

PARTIAL CUTTING WITH RUNNING SKYLINE

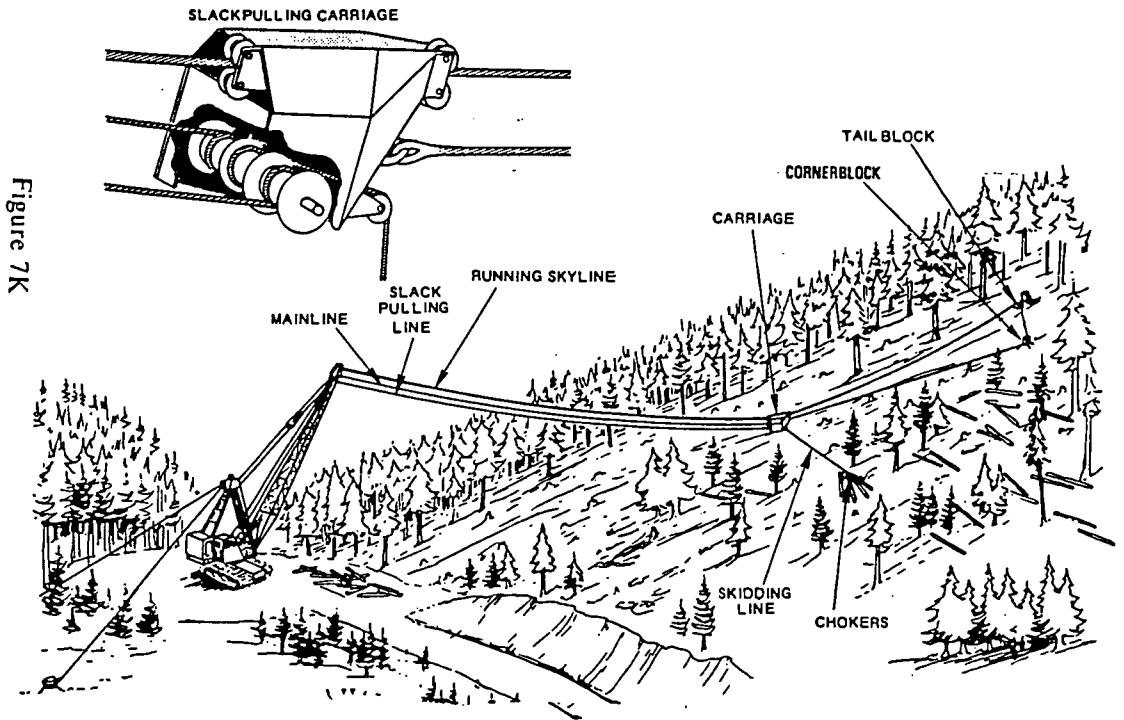


Figure 7K

RUNNING SKYLINE with chokers (GRABINSKI)

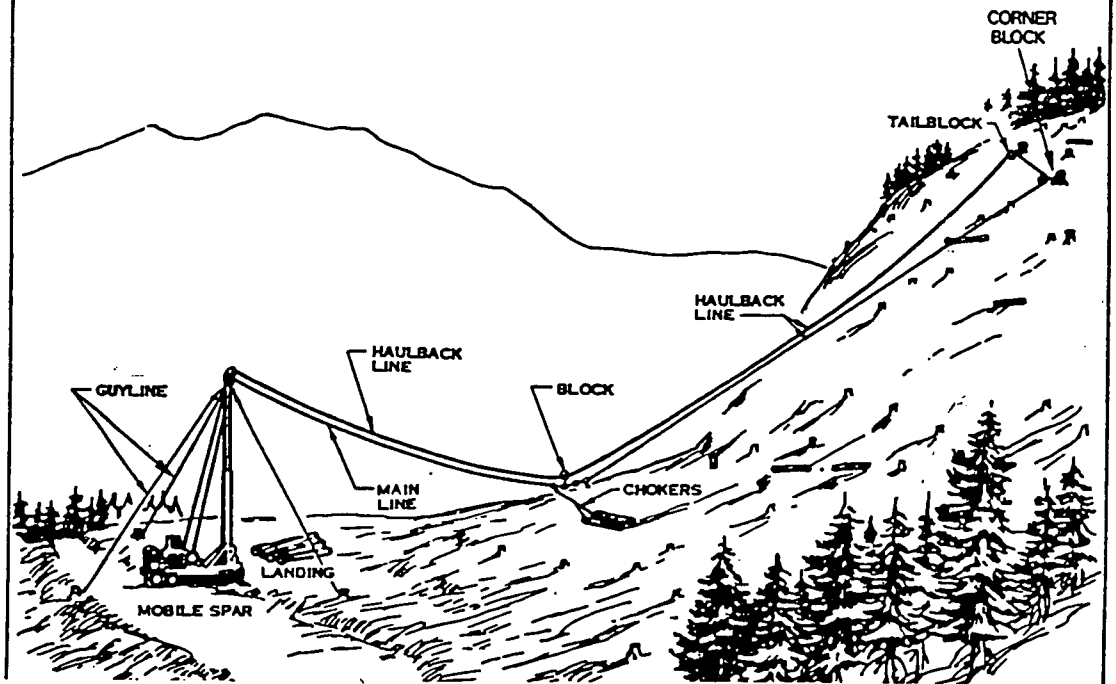


Figure 7L

Figure 7M

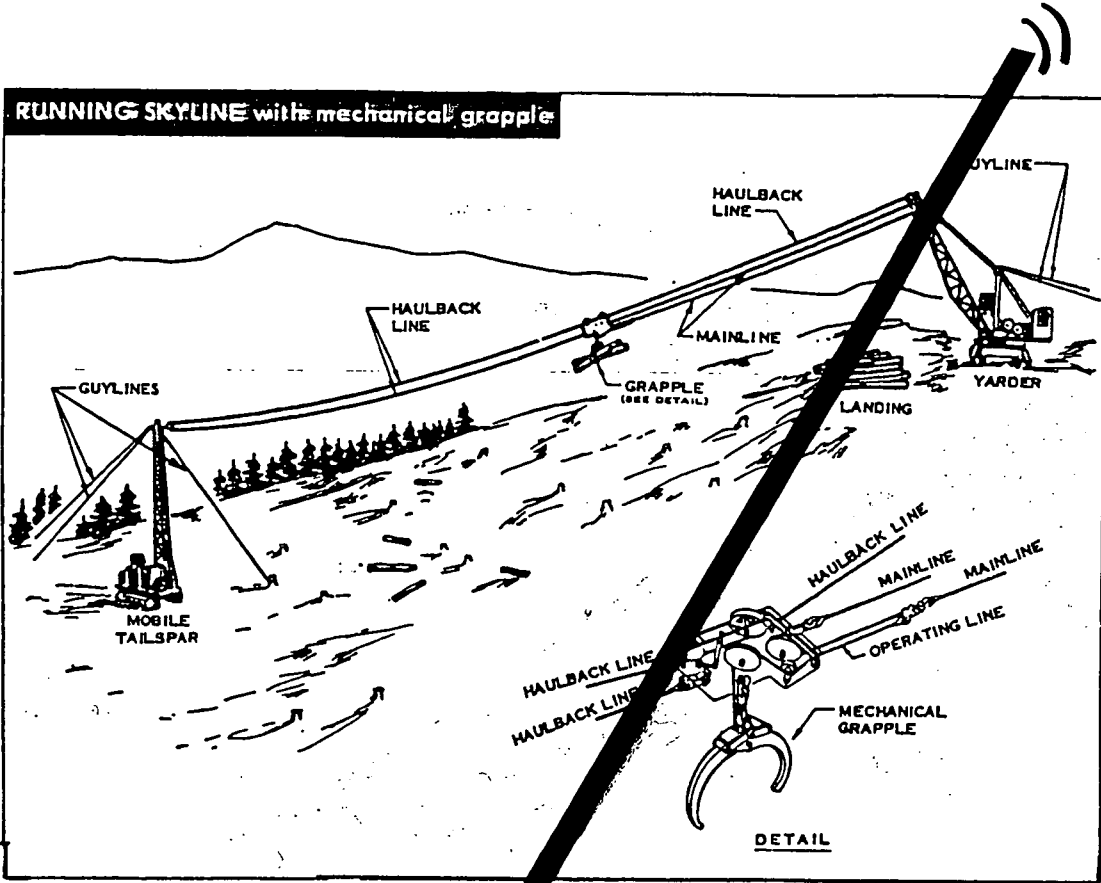
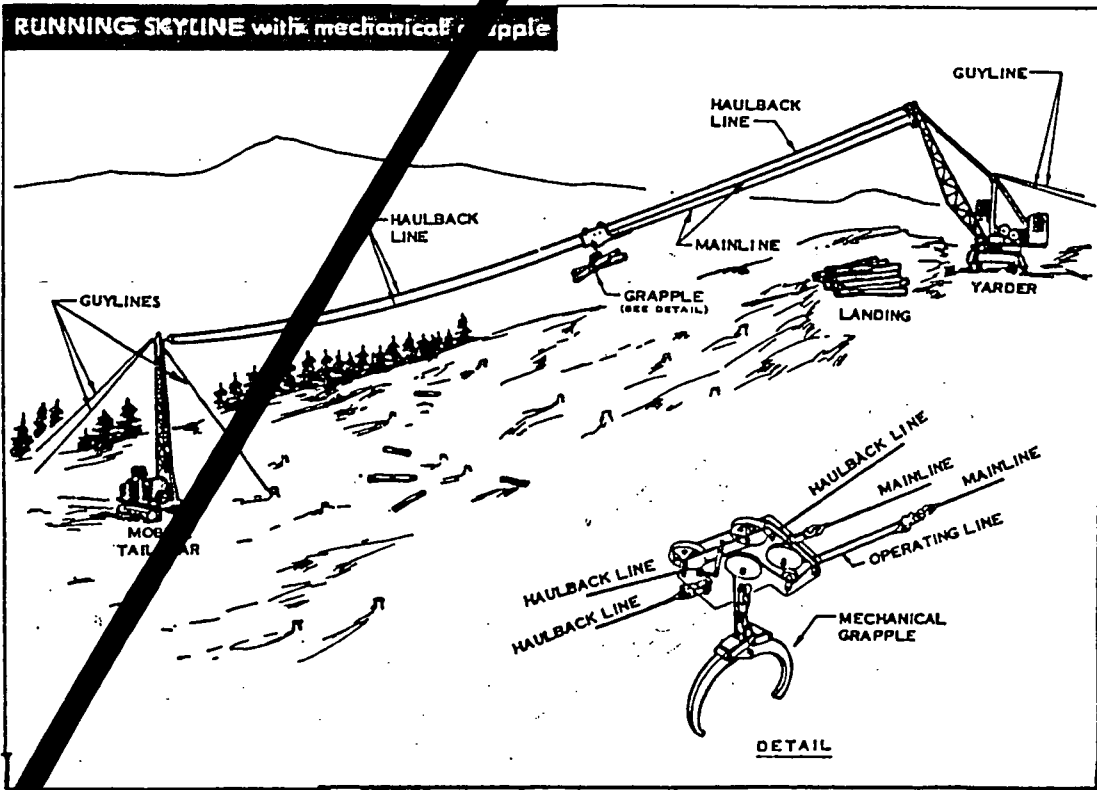
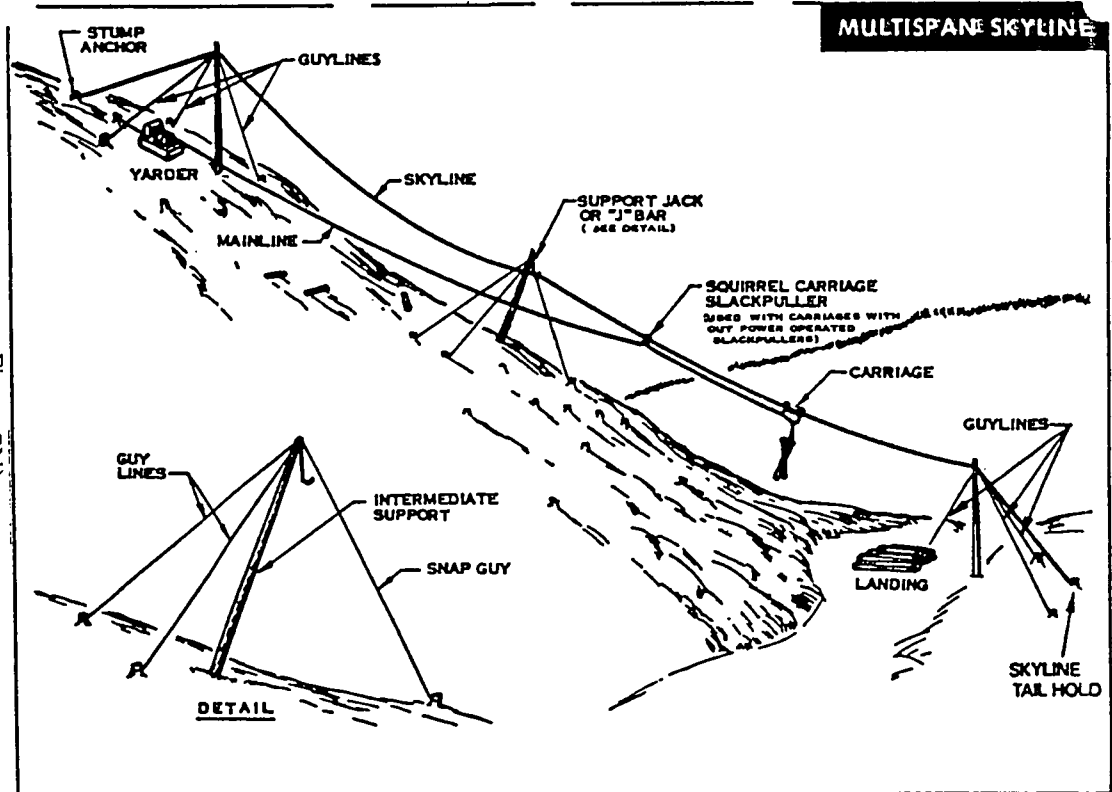
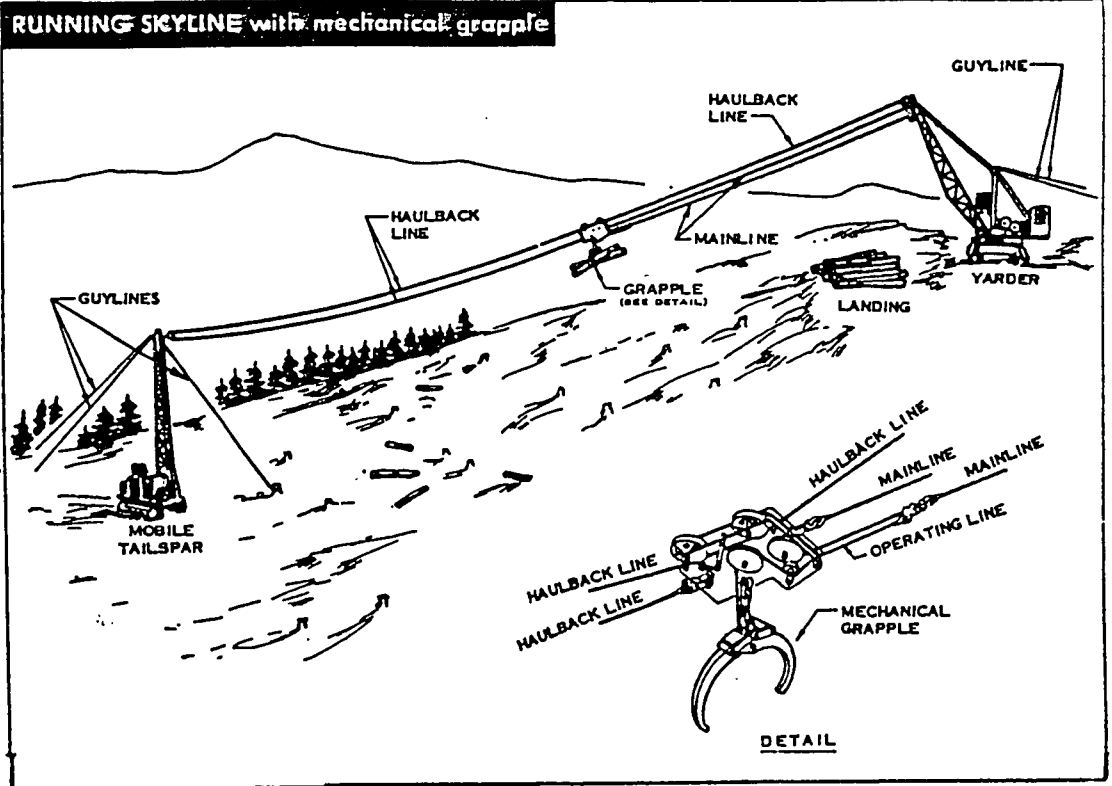


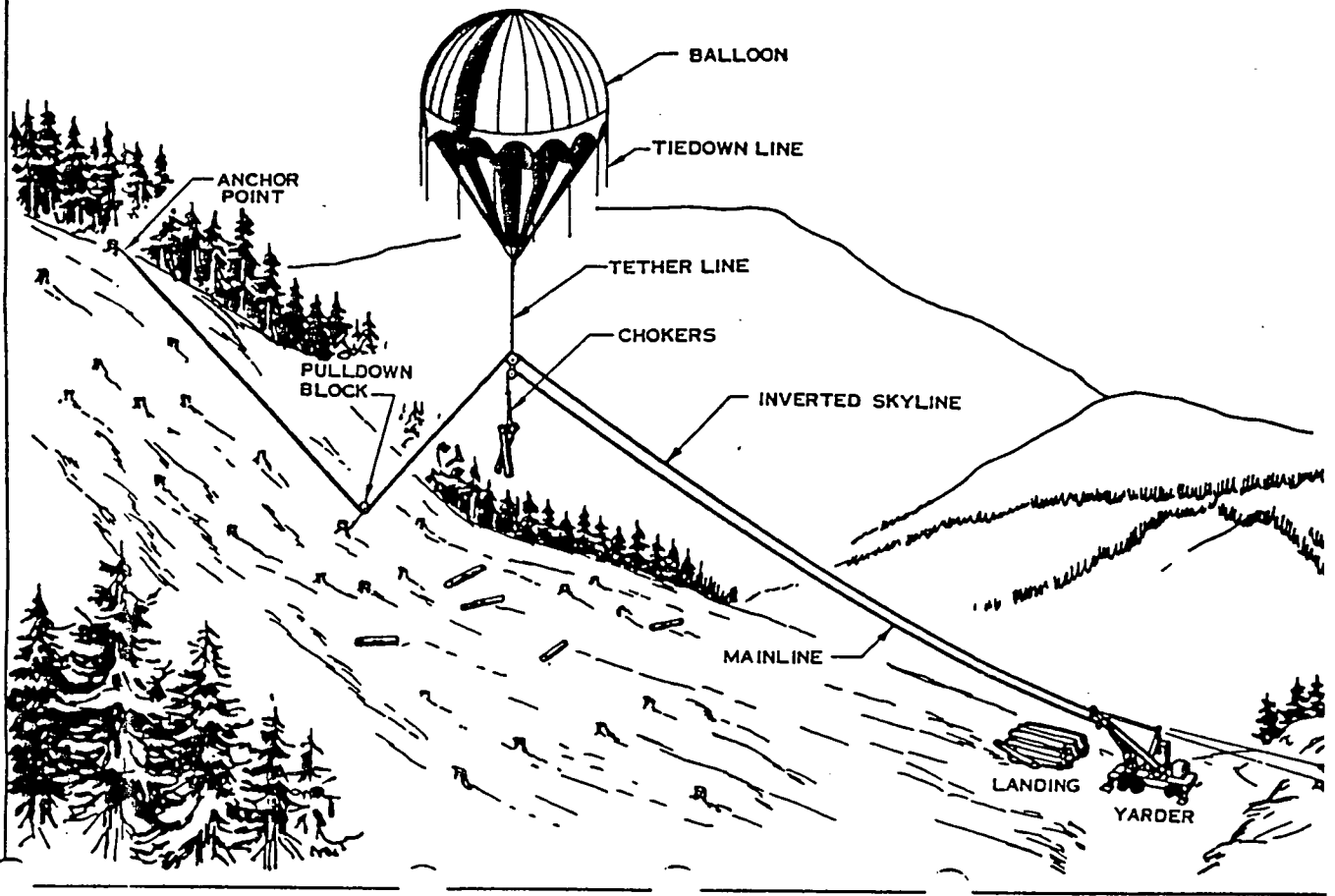
Figure 7M





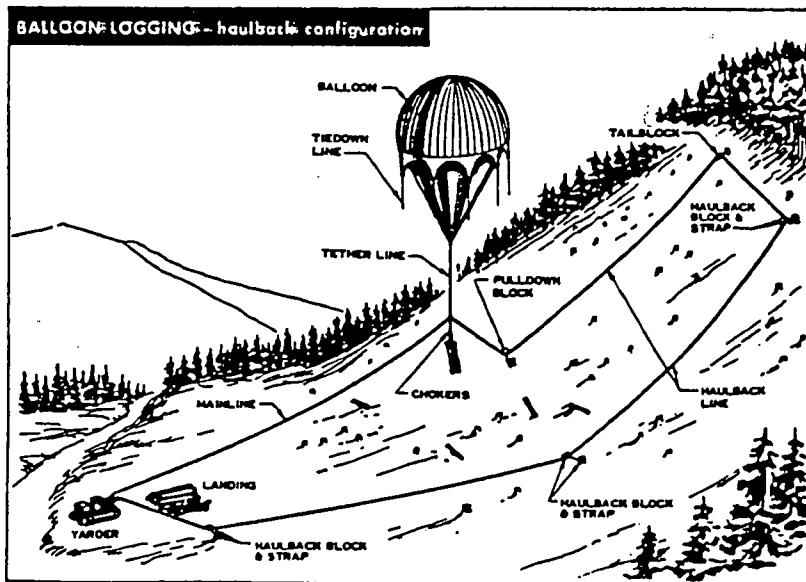
BALLOON LOGGING - inverted skyline configuration

FIGURE 7-0



BALLOON LOGGING - haulback configuration

Figure 7-P



HIGH LEAD LOGGING WHISTLE SIGNALS
 - Means longer spacing between signals.

1 short	Stop all lines.
3 short-3 short	Ahead slow on mainline.
3 short	Ahead on mainline.
2 short	Ahead on haulback.
2 short-2 short	Ahead slow on haulback.
3 short-1 short	Ahead on strawline.
3 short-1 short-3 short	Ahead slow on strawline.
4 short or more	Slack mainline.
2 short-4 short	Slack haulback.
3 short-1 short-4 short	Slack strawline.
3 short-2 short	Standing tight line.
1 short-1 short	Tight line while lines are running, or break if running tight.
3 short	When rigging is in: Strawline back on haulback.
3 short / plus "X" number of shorts	When rigging is in: Indicates number of sections of strawline back on rigging.
3 short-1 short-2 short	Strawline back on rigging.
1 short	When rigging is in: Chaser inspect and repair rigging.
2 short	When rigging is in: No chokers back.
2 short-1 short / plus "X" number of shorts	Number of chokers back.
2 short-4 short	When rigging is in: Slack haulback-hold all lines until 2 short blown.
3 medium	Hooker.
3 medium-4 short	Hooker and his crew.
5 long	Climber.
4 long	Foreman.
1 long-1 short	Start or stop work.
7 long-2 short	Man injured, call transportation and stretcher.
1 long-1 short repeated	Fire.
Grabinski system	
2 short-1 short	Slack mainline and haulback together.
2 long	Take off or put on rider block.

Figure 7-Q

SKIDDER WHISTLE SIGNALS
 - Means longer spacing between signals.

1 short	Stops moving carriage-stops or goes ahead on slack puller, as case may be, if carriage is stopped.
2 short	Go ahead on skidding line holding carriage.
1 short-2 short	Pick up skidding line, easy.
2 short-1 short	Shake up carriage to clear choker.
2 short-2 short	Ahead on receding line.
3 short	Ahead on carriage, holding at present level, using interlock.
3 short-3 short	Ahead easy on skidding line.
2 short-2 short-2 short	Slack skyline, cable down.
2 short-2 short-2 short-1 short	Pick up skyline, cable up.
2 short-2 short-4 short	Slack receding line.
2 short-4 short	Slack skidding line.
2 short-2 short-1 short	Tighten all lines.
1 short-4 short	Slack off slack puller.
1 short-2 short	Pick up slack puller when slack.
2 short-2 short / plus "X" number of shorts	When carriage is in: Number of chokers wanted.
2 short-2 short-1 long	Bull choker.
1 short	When carriage is in: Inspect butt rigging.

2 short-4 short / 1 short	For each additional ten feet of tong line.
1 long / plus "X" number of shorts	Number of coils of strawline wanted.
5 medium	Tail or second rigger.
5 medium-4 short	Tail or second rigger and his crew.
2 medium	Skidder head rigger.
3 medium-4 short	Hooker and his crew.
2 long	Ahead on transfer.
2 long-4 short	Slack transfer
1 short-3 short	Ahead on carriage with slack puller line.
1 long	Ahead on strawline.
1 long-4 short	Slack strawline.
1 long-3 short	Ahead easy on strawline.
5 long	Climber.
4 long	Foreman.
1 long-1 short	Start or stop work.
7 long-2 short	Man injured, call transportation and stretcher.
1 long-1 short repeated	Fire.

Figure 7-R

SLACKLINE WHISTLE SIGNALS
 - Means longer spacing between signals.

2 short-2 short-2 short-1 short	First cable up when road has been changed and tail hold made fast.
2 short-2 short-2 short	Drop skyline.
1 short	Stop any moving line.
1 long	When logging, slack skyline.
2 short	Ahead on skyline.
1 long-2 short	Ahead easy on skyline.
3 short	Ahead on skidding line, holding haulback.
3 short-3 short	Ahead easy on skidding line with slack haulback.
4 short	Slack skidding line.
2 short-2 short / 2 short-2 short	Ahead easy on haulback with slack skidding line.
2 short-2 short	Ahead on haulback.
2 short-2 short-4 short	Slack haulback.
2 short / 3 short	Pick up skyline and skid.
2 short / 2 short-2 short	Pick up skyline and skin.
3 short-1 short	When carriage is in: Strawline back on haulback.
3 short-1 short-2 short	When carriage is in: Strawline back on carriage.
3 short-1 short	When strawline is out: Ahead on strawline.
3 short-2 short	Tight line.
3 short-1 short-4 short	Slack strawline.
3 short-1 short-3 short	Pull easy on strawline.
2 long	Ahead on transfer.
2 long-4 short	Slack transfer.
2 long-2 short-2 short	When carriage is in: Transfer back on carriage.
1 long / plus "X" number of shorts	When carriage is in: Number of coils.
2 short-2 short-1 short / plus "X" number of shorts	When carriage is in: Number of chokers.
1 short	When carriage is in: Inspect rigging, repair and send back.
2 short-2 short-4 short	When carriage is in: Slack haulback and hold all lines until 1 short is blown-then send back.
3 short-3 short	When carriage is in: Send back powder.
5 medium	Tail rigger.
5 medium-4 short	Tail rigger and his crew.
3 medium	Head hooker.
3 medium-4 short	Second hooker and his crew.

5 long	Climber.
4 long	Foreman.
1 long-1 short	Start or stop work.
7 long-2 short	Man injured, call transportation and stretcher.
1 long-1 short repeated	Fire.

Figure 7-S

RUNNING SKYLINE WHISTLE SIGNALS
- Means longer spacing between signals

1 short	Stop all moving lines
2 short	Skin carriage back
2 short-1 short	Slack haulback
2 short-2 short	Skin carriage easy
2 short-3 short	Standing tight line
1 short-2 short	Ahead on drop line
4 short	Slack drop line
1 short-4 short	Slack both mainlines
1 short-1 short	Stop drop line going up and move carriage forward
3 short	Move carriage forward
3 short-3 short	Move carriage forward easy
3 short-1 short	When strawline is out: Ahead on strawline
3 short-1 short-4 short	Slack strawline
3 short	When carriage is in: Strawline
3 short-X short	When carriage is in: Number sections
3 short-1 short-2 short	When carriage is in: Strawline back on carriage
2 short-X short	When carriage is in: Number of chokers
4 short	When carriage is in: Inspect rigging, repair and send back
1 short	When carriage is in: Hold all lines until 2 shorts, then send back
3 medium	Head hooker
3 medium-4 short	Hooker and his crew
4 long	Foreman
1 long-1 short	Start or stop work
7 long-2 short	Man injured; call transportation and stretcher
1 long-1 short (repeated)	Fire
3 short-1 long	Acknowledged by engineer to signify hazardous turn

Figure 7-T

TENSION SYSTEM SIGNALS

4	Release tension
1 short	Stop carriage and start unspooling tong line
1 short	Stop tong line
1 short	Resume unspooling tong line
1 short	Will stop any moving line or slack tong line when carriage is stopped
2 short-2 short	Go into interlock and go back
2 short-4 short	Slack haulback and let carriage down
After turn is set	
2 short	Go ahead on tong line
2 short-3 short	Go ahead easy on tong line
3 short	Go into interlock and take carriage to landing
3 short-3 short	Ahead on carriage easy
1 short-2 short	Increase tension on tong line when carriage is going in
short-1 short	Decrease tension on tong line when carriage is going in

Figure 7-U

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-605 RADIO SYSTEMS USED FOR VOICE COMMUNICATION, ACTIVATION OF AUDIBLE SIGNALS, OR EQUIPMENT. (1) Every employer who uses a radio signaling or control system (voice or functions) shall comply with or exceed the minimum requirements specified in this section.

(2) A valid operating permit shall be obtained by the owner from the division of industrial safety and health, department of labor and industries, prior to putting into use any radio signaling or control system (voice or functions) intended to be used in conjunction with any type of cable logging operation. Permits will be issued only for systems licensed for such use and using those carrier frequencies as authorized by the Federal Communications Commission. In addition, permits will be granted only when tone or function frequencies are compatible with other radio systems in use and when in compliance with all other applicable requirements contained in this safety standard.

(3) The division of industrial safety and health reserves the right to designate the use of radio frequencies for certain purposes or functions, for example, certain frequencies may be used for voice transmission of instruction, others for tone coded functions, or activation of signaling devices. No single tone sets shall be permitted for logging purposes. The division may also designate which tone frequencies may be used for the activation of a signaling device or for control of equipment on certain federal communication assigned carrier frequencies.

(4) A list of tone frequencies which may be used with any Federal Communications Commission assigned carrier frequencies will be made available by the division of industrial safety and health to any interested person, firm, or corporation upon request.

(5) The division of industrial safety and health shall assign the area or areas in which a radio signaling system may be used and shall so mark on the permit. Radio signaling systems shall not be used in any area other than indicated on the permit. (See Figure ((+6)) 10 for map of areas.)

(6) The person or firm name on the permit shall be the same as the person or firm operating the radio signaling system except for loaner or rental sets. A person or firm using a loaner or rental set shall be responsible for the radio signal system as if they were the owner of the set. The application for a permit to use a radio signaling system shall contain the following information:

- (a) Name and address of applicant.
- (b) The radio frequencies of the radio signaling device in MHz.
- (c) The tone frequency or frequencies of the radio signaling system used to activate a horn, whistle, or control equipment in Hz. The security gate, or pulse tone, shall be shown first.
- (d) The name of the manufacturer of the radio signaling system.
- (e) The serial number of the receiving unit.
- (f) The state assigned area or location in which the unit will operate.
- (g) Indicate type of signaling used.
- (h) From whom the system was purchased or acquired, and the date of acquisition of the system.
- (i) Intended use and function of system.

((Note: See sample Form No. 157, "application for permit to operate radio signal system in designated area," Figure 10 following this section.))

(7) The permit granted by the department shall be attached to the case of the receiver of the radio signaling system for which it is granted.

((Note: See sample S.F. Form No. 158, "permit to operate multi-tone radio signal system in designated area," Figure 11 following this section.))

(8) Each radio receiver shall have its radio carrier frequency in MHz and tone frequency(s) in Hz indicated on the outside case of the receiver. The manufacturer's name and serial number shall also be permanently indicated on the outside of the case. When the duration or width of the tone frequencies performs a function, the one duration/width shall also be permanently indicated on the outside of the receiver case. Each transmitter shall be identified with its receiver. Two or more receivers in operation simultaneously on the same tone frequency shall be prohibited.

(9) It shall be the responsibility of the owner of any radio signaling system to notify the division of industrial safety and health, department of labor and industries, immediately, if the signal system is:

- (a) Permanently retired (in what manner and date retired).
- (b) Sold (submit name and address of purchaser and date sold).
- (c) Removed from the state (name of state to which moved and date moved).
- (d) Stolen (date).

(10) Two operable transmitters shall be carried by separate individuals at the point where chokers are being set at all times when transmitters are being used for tone signaling by persons around the live rigging in the choker setting area. Only one radio transmitter shall be required if in the possession of a signalperson who has no other duties and remains in an area where there are no hazards created by the moving rigging or logs. If the total crew consists of a yarder operator and one person in the rigging, only one transmitter is required provided a positive system is instituted and used to check on the well-being of the person in the rigging.

(11) When interference, overlap, fadeout, or blackout of radio signals is encountered, the use of the device shall be discontinued immediately. The use of the device shall not be resumed until the source of trouble has been detected and corrected.

(12) All radio signaling systems put into use for the first time after the effective date of these safety standards, shall meet or exceed the minimum performance specifications contained in WAC 296-54-607 of these safety standards, and, when altered or repaired, shall continue to meet such specifications.

(13) At least one make and model of each signaling system shall be tested and certified that it meets or exceeds the minimum requirements for performance as specified in WAC 296-54-607. A copy of such performance report shall be signed by the person or persons who tested the unit or components and shall be sent to the Division of Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504.

(14) Radio equipment shall not be used without displaying a permit as required by this standard. The permit shall be prominently displayed on the outside case of the receiver of the unit or, for radio controlled carriages, on the transmitter in the yarder.

(15) Adjustments, repairs, or alterations of radio signaling devices shall be done only by or under the immediate supervision and responsibility of a person holding a first-class or second-class commercial radio operator's license, either radio-telephone or radio-telegraph, issued by the Federal Communications Commission. Persons who do not possess the technical ability or do not have the proper equipment to cause the signaling systems to function within required tolerances shall not attempt to repair, alter, or adjust such systems.

(16) Radio frequencies assigned to systems for which voice communications may be used to give signals to the yarder operator, shall not be the same frequencies as those assigned for whistle signals used in skyline, highlead, slackline, or cable skidder systems.

(17) When hazardous interference is created by moving a voice communication system into an area where a system is already in use on the same frequency, use of the newly-moved system shall be immediately discontinued until the problem of interference has been corrected.

(18) Before moving any unit from one assigned geographical area to another (see area map, Figure ((t2)) 10 following this section), a new permit shall be applied for and secured from the Division of Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504.

Form No. 157.

STATE OF WASHINGTON

5-71

DEPARTMENT OF LABOR AND INDUSTRIES

DIVISION OF SAFETY

APPLICATION FOR PERMIT TO OPERATE RADIO SIGNAL SYSTEM IN DESIGNATED AREA

Radio Carrier Frequency..... Serial No.....

Tone Coding Frequency..... Hz..... Name of Manufacturer of Signal System.....

Firm Name..... Address..... By.....

Intended Function of Unit: Voice communication Whistle signal Control Equipment

Area in which Unit will be Operated:..... 1 2 3 (Area map included in Safety Standards for Logging Operations)

Type of Tone: Sequential Simultaneous If other specify type.....

System to be Used For: Grapple Skyline, Highlead, Slackline, Skidder Balloon

System Purchased or Acquired From.....

Date System Purchased or Acquired: Day..... Month..... Year.....

Mail Permit to.....

Date Application Mailed to Division of Safety/...../..... Day Mo. Year

Date Permit Issued/...../..... Day Mo. Year DIV. OF SAFETY USE ONLY



Figure No. 10

STATE OF WASHINGTON
DEPT. OF LABOR & INDUSTRIES DIV. OF SAFETY

PERMIT #

TO OPERATE MULTI-TONE RADIO SIGNAL SYSTEM
IN DESIGNATED AREA.

Model Serial

Carrier Frequency MHz

Tones Hz

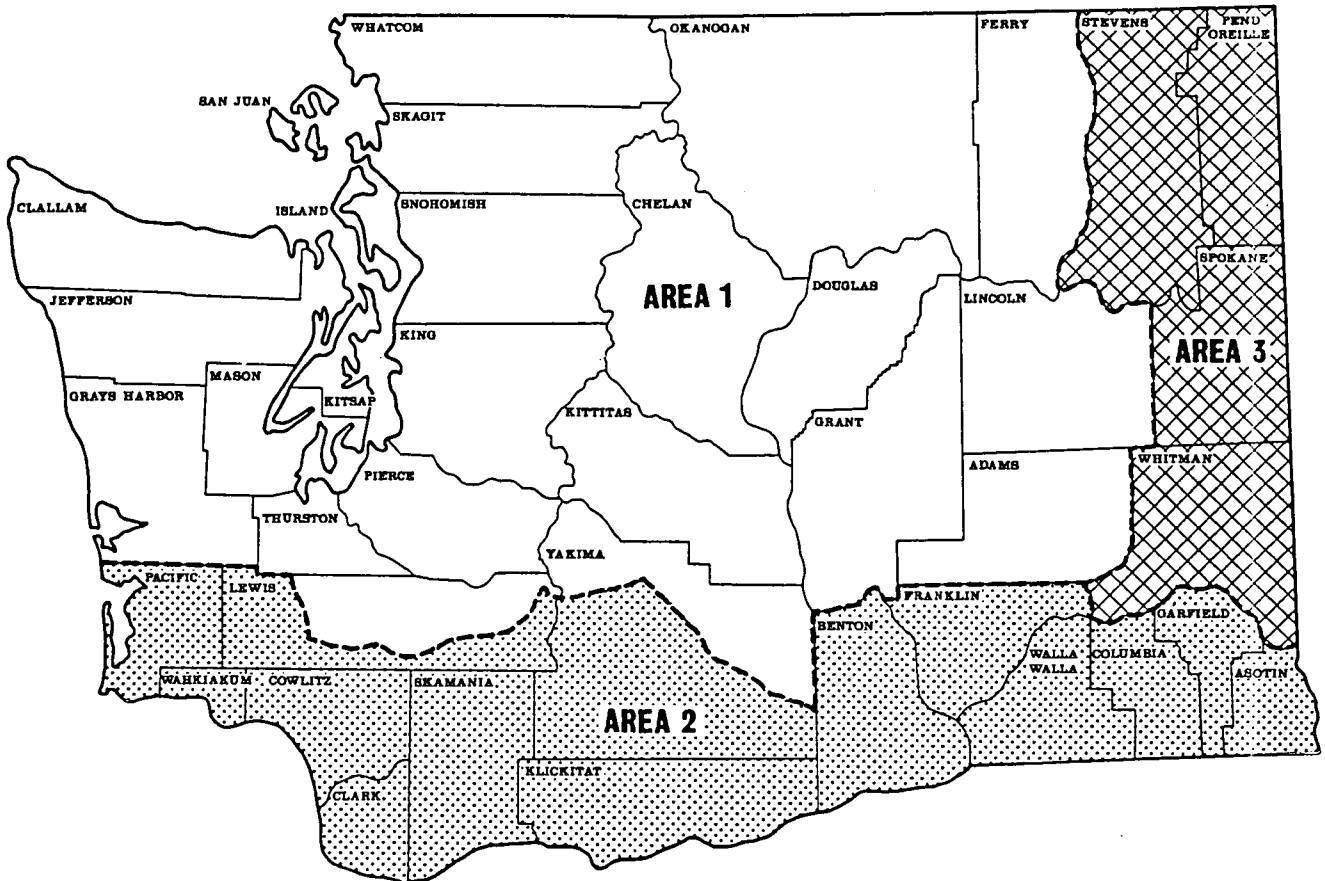
AREA

Firm Name

Issued by

S. F. No. 158-12-71-25C. 38416.

AREAS FOR USE OF RADIO SIGNALING SYSTEMS FOR LOGGING OPERATIONS



State of Washington
Department of Labor and Industries
Division of Industrial Safety and Health

A permit issued by the division of industrial safety and health shall be attached to the outside of the receiver which shall indicate the area in which the radio signaling equipment may ((by)) be used.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-54-990 MAP.
 WAC 296-54-99001 APPENDIX I—FIGURE 1—RIGGING UP, WRAPPING A GUYLINE.
 WAC 296-54-99005 APPENDIX I—FIGURE 5—STANDARD SIGNALS FOR TRACTOR LOGGING.
 WAC 296-54-99006 APPENDIX I—FIGURE 6—STANDARD SIGNALS FOR LOADING LOGS.
 WAC 296-54-99011 APPENDIX I—FIGURE 11—PLACE-MENT AND NUMBER OF BINDERS.
 WAC 296-54-99012 APPENDIX I—FIGURE 12—STAN-DARD SIGNALS FOR HIGH LEAD LOGGING.

NEW SECTION

WAC 296-59-135 APPENDIX I—NONMANDATORY ALTERNATIVE LOCK-OUT PROCEDURE FOR SKI LIFTS AND TOWS. (1) To ensure the safety of all personnel engaged in lift maintenance activities, we insist that the following procedure be strictly adhered to.

(a) Criteria.

(i) Equipment shall be deactivated and locked or tagged out before an employee is placed in a position where there is a hazard created by exposure to the components of ski lift or tows, equipment and/or systems.

(ii) This procedure relies on positive communication to indicate when lock-out safety is assured. At any time this crew is working at a location remote from the control station, this procedure shall be used by only one work crew whose members are working in close proximity to one another.

(iii) The operator and all potentially exposed employees shall have a positive means of communication at all times. If anyone loses the communication means, it shall be restored before exposure can occur or lock-out or tag-out can be broken.

(iv) Other radio transmissions breaking in or overriding the communications between control operator and remote work crew, if not controlled, can be a problem. There are considerations that should be followed:

(A) The first preferred method is to provide an isolated radio channel for communications between operator and remote work crew.

(B) If an isolated radio frequency is not possible, the entire area crew should be trained to recognize the radio conversation characteristics of this type of work to be notified when the work is in progress and be required to restrict use of their radios.

(v) All personnel working under this procedure shall be thoroughly trained in the specific procedures to be followed and their individual requirements. The ski lift or tow controls shall be under control of a fully qualified operator at all times.

(vi) Signs shall be posted in motor rooms on the control panel or the master disconnect stating "men working on lifts".

(vii) The control operator shall not leave the close proximity of the control station unless the master disconnect is thrown to the off position and padlocked.

(viii) The "standby drive" shall be locked out of service in such a manner that precludes the operation of the lift by jumping ignition, throwing a clutch, or hooking up a coupling, etc., whenever work is being performed on the equipment or system.

Methods for securing "standby drive" may be, but are not limited to the following:

(A) Removal to secure a location or locking up "standby" drive coupling chain, belts, etc.;

(B) Denying access to the standby motor by locking motor room door.

(ix) When the crew is working at either terminal in proximity of bullwheels, shafts, guideage, gears, belts, chains, etc., the master disconnect shall be thrown to the off position and padlocked.

(b) Work chair.

(i) Prior to crew loading on work chair, controls and communications shall be thoroughly checked to confirm that they are in good working condition.

(ii) The operator and work crew shall discuss and determine the safe speed for that particular lift. At no time shall the work chair travel around either terminal bullwheel except at a very slow speed.

(iii) Employees riding in the work chair shall face the direction of travel when chair is in motion.

(iv) Employees in work chair shall pay special attention to ensure that equipment or tools, etc., will not be entangled on towers, ramps, or terminals as work chair passes by.

(v) Safety belts are required and there is a designated device on each work chair to hook onto. At no time will it be allowed to hook onto the tower or tower equipment while in the work chair, or hook onto a moving part of the lift if standing on the tower.

(c) Operator and controls.

(i) Manual reset stop switches are required on all lifts. The operator shall check and confirm that the lift cannot be started from any control location when the stop switch is depressed. The operator will leave the stop switch depressed until remote crew directs that they are ready to move.

(ii) Communications between operator and remote work crew will be on name basis. This is especially important if there are other radio communications or other crews working on other lifts.

(2) Summation.

(a) If all these rules are adhered to, the operator can use the control circuit stop switch for repetitive type maintenance on towers. If the remote crew is to be at the location for some time, it is recommended that the operator throw the master disconnect switch to the off position and padlock it.

(b) A padlock on the disconnect switch is required when anybody is working on either terminal.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07355 SCOPE AND APPLICATION. (1) WAC 296-62-07355 through 296-62-07389 applies to all occupational exposures to ethylene oxide (EtO), Chemical Abstracts Service Registry No. 75-21-8, except as provided in subsection (2) of this section.

(2) WAC 296-62-07355 through 296-62-07389 does not apply to the processing, use, or handling of products containing EtO where objective data are reasonably relied upon that demonstrate that the product is not capable of releasing EtO in airborne concentrations at or above the action level, and may not reasonably be foreseen to release EtO in excess of the excursion limit, under the expected conditions of processing, use, or handling that will cause the greatest possible release.

(3) Where products containing EtO are exempted under subsection (2) of this section, the employer shall maintain records of the objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in WAC 296-62-07375(1).

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07359 PERMISSIBLE EXPOSURE LIMITS (PEL). (1) Eight-hour time-weighted average (TWA). The employer shall ensure that no employee is exposed to an airborne concentration of EtO in excess of one part EtO per million parts of air (1 ppm) as an eight-hour time-weighted average. (Eight-hour TWA.)

(2) Excursion limit. The employer shall ensure that no employee is exposed to an airborne concentration of EtO in excess of five parts of EtO per million parts of air (5 ppm) as averaged over a sampling period of fifteen minutes.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07361 EXPOSURE MONITORING. (1) General.

(a) Determinations of employee exposure shall be made from breathing zone air samples that are representative of the eight-hour TWA and fifteen-minute short-term exposures of each employee.

(b) Representative eight-hour TWA employee exposure shall be determined on the basis of one or more samples representing full-shift exposure for each shift for each job classification in each work area. Representative fifteen-minute short-term employee exposures shall be determined on the basis of one or more samples representing fifteen-minute exposures associated with operations that are most likely to produce exposures above the excursion limit for each shift for each job classification in each work area.

(c) Where the employer can document that exposure levels are equivalent for similar operations in different work shifts, the employer need only determine representative employee exposure for that operation during one shift.

(2) Initial monitoring.

(a) Each employer who has a workplace or work operation covered by WAC 296-62-07355 through 296-62-07389, except as provided in WAC 296-62-07355(2) or ~~((296-62-07361-(2)))~~(b) of this subsection, shall perform initial monitoring to determine accurately the airborne concentrations of EtO to which employees may be exposed.

(b) Where the employer has monitored after June 15, 1983, and the monitoring satisfies all other requirements of WAC 296-62-07355 through 296-62-07389, the employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection.

(c) Where the employer has previously monitored for the excursion limit and the monitoring satisfies all other requirements of this section, the employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection.

(3) Monitoring frequency (periodic monitoring).

(a) If the monitoring required by subsection (2) of this section reveals employee exposure at or above the action level but at or below the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every six months.

(b) If the monitoring required by subsection (2)(a) of this section reveals employee exposure above the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every three months.

(c) The employer may alter the monitoring schedule from quarterly to semiannually for any employee for whom two consecutive measurements taken at least seven days apart indicate that the employee's exposure has decreased to or below the eight-hour TWA.

(d) If the monitoring required by subsection (2)(a) of this section reveals employee exposure above the fifteen-minute excursion limit, the employer shall repeat such monitoring for each such employee at least every three months, and more often as necessary to evaluate the employee's short-term exposures.

(4) Termination of monitoring.

(a) If the initial monitoring required by subsection (2)(a) of this section reveals employee exposure to be below the action level, the employer may discontinue ~~((the))~~ TWA monitoring for those employees whose exposures are represented by the initial monitoring.

(b) If the periodic monitoring required by subsection (3) of this section reveals that employee exposures, as indicated by at least two consecutive measurements taken at least seven days apart, are below the action level, the employer may discontinue ~~((the))~~ TWA monitoring for those employees whose exposures are represented by such monitoring.

(c) If the initial monitoring required by subsection (2)(a) of this section reveals the employee exposure to be at or below the excursion limit, the employer may discontinue excursion limit monitoring for those employees whose exposures are represented by the initial monitoring.

(d) If the periodic monitoring required by subsection (3) of this section reveals that employee exposures, as indicated by at least two consecutive measurements taken at least seven days apart, are at or below the excursion limit, the employer may discontinue excursion limit monitoring for those employees whose exposures are represented by such monitoring.

(5) Additional monitoring. Notwithstanding the provisions of subsection (4) of this section, the employer shall institute the exposure monitoring required under subsections (2)(a) and (3) of this section whenever there has been a change in the production, process, control equipment, personnel or work practices that may result in new or additional exposures to EtO or when the employer has any reason to suspect that a change may result in new or additional exposures.

(6) Accuracy of monitoring.

(a) Monitoring shall be accurate, to a confidence level of ninety-five percent, to within plus or minus twenty-five percent for airborne concentrations of EtO at the 1 ppm TWA and to within plus or minus thirty-five percent for airborne concentrations of EtO at the action level of 0.5 ppm.

(b) Monitoring shall be accurate, to a confidence level of ninety-five percent, to within plus or minus thirty-five percent for airborne concentrations of EtO at the excursion limit.

(7) Employee notification of monitoring results.

(a) The employer shall, within fifteen working days after the receipt of the results of any monitoring performed under WAC 296-62-07355 through 296-62-07389, notify the affected employee of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(b) The written notification required by (a) of this subsection shall contain the corrective action being taken by the employer to reduce

employee exposure to or below the ~~((PEL))~~ TWA and/or excursion limit, wherever monitoring results indicated that the ~~((PEL))~~ TWA and/or excursion limit has been exceeded.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07363 REGULATED AREAS. (1) The employer shall establish a regulated area wherever occupational exposures to airborne concentrations of EtO may exceed the TWA or wherever the EtO concentration exceeds or can reasonably be expected to exceed the excursion limit.

(2) Access to regulated areas shall be limited to authorized persons.

(3) Regulated areas shall be demarcated in any manner that minimizes the number of employees within the regulated area.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07365 METHODS OF COMPLIANCE. (1) Engineering controls and work practices.

(a) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the TWA and to or below the excursion limit, except to the extent that such controls are not feasible.

(b) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the TWA and to or below the excursion limit, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of WAC 296-62-07367.

(c) Engineering controls are generally infeasible for the following operations: Collection of quality assurance sampling from sterilized materials removal of biological indicators from sterilized materials; Loading and unloading of tank cars; changing of ethylene oxide tanks on sterilizers; and vessel cleaning. For these operations, engineering controls are required only where the director demonstrates that such controls are feasible.

(2) Compliance program.

(a) Where the TWA or excursion limit is exceeded, the employer shall establish and implement a written program to reduce employee exposure to or below the TWA and to or below the excursion limit by means of engineering and work practice controls, as required by subsection (1) of this section, and by the use of respiratory protection where required or permitted under WAC 296-62-07355 through 296-62-07389.

(b) The compliance program shall include a schedule for periodic leak detection surveys and a written plan for emergency situations, as specified in WAC 296-62-07369 (1)(a).

(c) Written plans for a program required in this subsection shall be developed and furnished upon request for examination and copying to the director, affected employees and designated employee representatives. Such plans shall be reviewed at least every twelve months, and shall be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(d) The employer shall not implement a schedule of employee rotation as a means of compliance with the TWA or excursion limit.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07367 RESPIRATORY PROTECTION AND PERSONAL PROTECTIVE EQUIPMENT. (1) General. The employer shall provide respirators, and ensure that they are used, where required by WAC 296-62-07355 through 296-62-07389. Respirators shall be used in the following circumstances.

(a) During the interval necessary to install or implement feasible engineering and work practice controls;

(b) In work operations, such as maintenance and repair activities, vessel cleaning, or other activities for which engineering and work practice controls are not feasible;

(c) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the TWA or excursion limit; and

(d) In emergencies.

(2) Respirator selection.

(a) Where respirators are required under WAC 296-62-07355 through 296-62-07389, the employer shall select and provide, at no cost to the employee, the appropriate respirator as specified in Table 1, and shall ensure that the employee uses the respirator provided.

(b) The employer shall select respirators from among those jointly approved as being acceptable for protection against EtO by the Mine Safety and Health Administration (MSHA) and by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(3) Respirator program. Where respiratory protection is required by WAC 296-62-07355 through 296-62-07389, the employer shall institute a respirator program in accordance with WAC 296-62-071.

(4) Protective clothing and equipment. Where eye or skin contact with liquid EtO or EtO solutions may occur, the employer shall select and provide, at no cost to the employee, appropriate protective clothing or other equipment in accordance with WAC 296-24-07501 and 296-24-07801 and to protect any area of the body that may come in contact with liquid EtO or EtO in solution, and shall ensure that the employee wears the protective clothing and equipment provided.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07373 COMMUNICATION OF ETO HAZARDS TO EMPLOYEES. (1) Signs and labels.

(a) The employer shall post and maintain legible signs demarcating regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER
ETHYLENE OXIDE
CANCER HAZARD AND REPRODUCTIVE HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS AND PROTECTIVE CLOTHING MAY BE REQUIRED
TO BE WORN IN THIS AREA

(b) The employer shall ensure that precautionary labels are affixed to all containers of EtO whose contents are capable of causing employee exposure at or above the action level or whose contents may reasonably be foreseen to cause employee exposure above the excursion limit, and that the labels remain affixed when the containers of EtO leave the workplace. For the purpose((s)) of this subsection, reaction vessels, storage tanks, and pipes or piping systems are not considered to be containers. The labels shall comply with the requirements of WAC 296-62-05411 of WISHA's hazard communication standard, and shall include the following legend:

(i)

DANGER
CONTAINS ETHYLENE OXIDE
CANCER HAZARD AND REPRODUCTIVE HAZARD; and

(ii) A warning statement against breathing airborne concentrations of EtO.

(c) The labeling requirements under WAC 296-62-07355 through 296-62-07389 do not apply where EtO is used as a pesticide, as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when it is labeled pursuant to that act and regulations issued under that act by the Environmental Protection Agency.

(2) Material safety data sheets. Employers who are manufacturers or importers of EtO shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413 of the hazard communication standard.

(3) Information and training.

(a) The employer shall provide employees who are potentially exposed to EtO at or above the action level or above the excursion limit with information and training on EtO at the time of initial assignment and at least annually thereafter.

(b) Employees shall be informed of the following:

(i) The requirements of WAC 296-62-07353 through 296-62-07389 with an explanation of its contents, including Appendices A and B;

(ii) Any operations in their work area where EtO is present;

(iii) The location and availability of the written EtO final rule; and

(iv) The medical surveillance program required by WAC 296-62-07371 with an explanation of the information in Appendix C.

(c) Employee training shall include at least:

(i) Methods and observations that may be used to detect the presence or release of EtO in the work area (such as monitoring conducted by the employer, continuous monitoring devices, etc.);

(ii) The physical and health hazards of EtO;

(iii) The measures employees can take to protect themselves from hazards associated with EtO exposure, including specific procedures the employer has implemented to protect employees from exposure to EtO, such as work practices, emergency procedures, and personal protective equipment to be used; and

(iv) The details of the hazard communication program developed by the employer, including an explanation of the labeling system and how employees can obtain and use the appropriate hazard information.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07379 DATES. (1) Effective date.

(a) WAC 296-62-07355 through 296-62-07389 shall become effective thirty days after filing with the code reviser.

(b) The requirements in the amended subsections in this section which pertain only to or are triggered by the excursion limit shall become effective December 30, 1988.

(2) Start-up dates.

(a) The requirements of WAC 296-62-07359 through 296-62-07377, including feasible work practice controls but not including engineering controls specified in WAC 296-62-07365(1), shall be complied with within one hundred eighty days after the effective date of WAC 296-62-07355 through 296-62-07389.

(b) Engineering controls specified by WAC 296-62-07365(1) shall be implemented within one year after the effective date of WAC 296-62-07355 through 296-62-07389.

(c) Compliance with the excursion limit requirements in this section shall be by March 30, 1989, except that implementation of engineering controls specified for compliance with excursion limit shall be by June 30, 1989.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-14601 APPENDIX A—REQUIREMENTS FOR CLASSIFICATION AND RESPIRATORY USE OF WORKERS EXPOSED TO COTTON DUST IN GINS.

WAC 296-62-14605 APPENDIX C—SPIROMETRY PREDICTION TABLES FOR NORMAL MALES AND FEMALES.

WAC 296-62-14607 APPENDIX D—PULMONARY FUNCTION STANDARDS FOR COTTON DUST STANDARD.

AMENDATORY SECTION (Amending Order 86-28, filed 7/25/86)

WAC 296-62-20009 METHODS OF COMPLIANCE. The employer shall control employee exposure to coke oven emissions by the use of engineering controls, work practices and respiratory protection as follows:

(1) Priority of compliance methods.

(a) Existing coke oven batteries.

(i) The employer shall institute the engineering and work practice controls listed in subsections (2), (3) and (4) of this section in existing coke oven batteries at the earliest possible time, but not later than January 20, 1980, except to the extent that the employer can establish that such controls are not feasible. In determining the earliest possible time for institution of engineering and work practice controls, the requirement, effective August 27, 1971, to implement feasible administrative or engineering controls to reduce exposures to coal tar pitch volatiles, shall be considered. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(ii) The engineering and work practice controls required under subsections (2), (3) and (4) of this section are minimum requirements generally applicable to all existing coke oven batteries. If, after implementing all controls required by subsections (2), (3) and (4) of this section, or after January 20, 1980, whichever is sooner, employee exposures still exceed the permissible exposure limit, employers shall implement any other engineering and work practice controls necessary to

reduce exposure to or below the permissible exposure limit except to the extent that the employer can establish that such controls are not feasible. Whenever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(b) New or rehabilitated coke oven batteries.

(i) The employer shall institute the best available engineering and work practice controls on all new or rehabilitated coke oven batteries to reduce and maintain employee exposures at or below the permissible exposure limit, except to the extent that the employer can establish that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(ii) If, after implementing all the engineering and work practice controls required by (b)(i) of this subsection, employee exposures still exceed the permissible exposure limit, the employer shall implement any other engineering and work practice controls necessary to reduce exposure to or below the permissible exposure limit except to the extent that the employer can establish that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(c) Beehive ovens.

(i) The employer shall institute engineering and work practice controls on all beehive ovens at the earliest possible time to reduce and maintain employee exposures at or below the permissible exposure limit, except to the extent that the employer can establish that such controls are not feasible. In determining the earliest possible time for institution of engineering and work practice controls, the requirement, effective August 27, 1971, to implement feasible administrative or engineering controls to reduce exposures to coal tar pitch volatiles, shall be considered. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(ii) If, after implementing all engineering and work practice controls required by (c)(i) of this subsection, employee exposures still exceed the permissible exposure limit, the employer shall implement any other engineering and work practice controls necessary to reduce exposures to or below the permissible exposure limit except to the extent that the employer can establish that such controls are not feasible. Whenever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(2) Engineering controls.

(a) Charging. The employer shall equip and operate existing coke oven batteries with all of the following engineering controls to control coke oven emissions during charging operations:

(i) One of the following methods of charging:

(A) Stage charging as described in subsection (3)(a)(ii) of this section; or

(B) Sequential charging as described in subsection (3)(a)(ii) of this section except that subsection (3)(a)(ii) and (3)(d) of this section does not apply to sequential charging; or

(C) Pipeline charging or other forms of enclosed charging in accordance with (a) of this subsection, except (a)(ii), (iv), (v), (vi) and (viii) of this subsection do not apply.

(ii) Drafting from two or more points in the oven being charged, through the use of double collector mains, or a fixed or moveable jumper pipe system to another oven, to effectively remove the gases from the oven to the collector mains;

(iii) Aspiration systems designed and operated to provide sufficient negative pressure and flow volume to effectively move the gases evolved during charging into the collector mains, including sufficient steam pressure, and steam jets of sufficient diameter;

(iv) Mechanical volumetric controls on each larry car hopper to provide the proper amount of coal to be charged through each charging hole so that the tunnel head will be sufficient to permit the gases to move from the oven into the collector mains;

(v) Devices to facilitate the rapid and continuous flow of coal into the oven being charged, such as stainless steel liners, coal vibrators or pneumatic shells;

(vi) Individually operated larry car drop sleeves and slide gates designed and maintained so that the gases are effectively removed from the oven into the collector mains;

(vii) Mechanized gooseneck and standpipe cleaners;

(viii) Air seals on the pusher machine leveler bars to control air infiltration during charging; and

(ix) Roof carbon cutters or a compressed air system or both on the pusher machine rams to remove roof carbon.

(b) Coking. The employer shall equip and operate existing coke oven batteries with all of the following engineering controls to control coke oven emissions during coking operations:

(i) A pressure control system on each battery to obtain uniform collector main pressure;

(ii) Ready access to door repair facilities capable of prompt and efficient repair of doors, door sealing edges and all door parts;

(iii) An adequate number of spare doors available for replacement purposes;

(iv) Chuck door gaskets to control chuck door emissions until such door is repaired, or replaced; and

(v) Heat shields on door machines.

(3) Work practice controls.

(a) Charging. The employer shall operate existing coke oven batteries with all of the following work practices to control coke oven emissions during the charging operation:

(i) Establishment and implementation of a detailed, written inspection and cleaning procedure for each battery consisting of at least the following elements:

(A) Prompt and effective repair or replacement of all engineering controls;

(B) Inspection and cleaning of goosenecks and standpipes prior to each charge to a specified minimum diameter sufficient to effectively move the evolved gases from the oven to the collector mains;

(C) Inspection for roof carbon build-up prior to each charge and removal of roof carbon as necessary to provide an adequate gas channel so that the gases are effectively moved from the oven into the collector mains;

(D) Inspection of the steam aspiration system prior to each charge so that sufficient pressure and volume is maintained to effectively move the gases from the oven to the collector mains;

(E) Inspection of steam nozzles and liquor sprays prior to each charge and cleaning as necessary so that the steam nozzles and liquor sprays are clean;

(F) Inspection of standpipe caps prior to each charge and cleaning and luting or both as necessary so that the gases are effectively moved from the oven to the collector mains; and

(G) Inspection of charging holes and lids for cracks, warpage and other defects prior to each charge and removal of carbon to prevent emissions, and application of luting material to standpipe and charging hole lids where necessary to obtain a proper seal.

(ii) Establishment and implementation of a detailed written charging procedure, designed and operated to eliminate emissions during charging for each battery, consisting of at least the following elements:

(A) Larry car hoppers filled with coal to a predetermined level in accordance with the mechanical volumetric controls required under subsection (2)(a)(iv) of this section so as to maintain a sufficient gas passage in the oven to be charged;

(B) The larry car aligned over the oven to be charged, so that the drop sleeves fit tightly over the charging holes; and

(C) The oven charged in accordance with the following sequence of requirements:

~~((aa))~~ (I) The aspiration system turned on;

~~((bb))~~ (II) Coal charged through the outermost hoppers, either individually or together, depending on the capacity of the aspiration system to collect the gases involved;

~~((cc))~~ (III) The charging holes used under (a)(ii) and (b) of this subsection relidded or otherwise sealed off to prevent leakage of coke oven emissions;

~~((dd))~~ (IV) If four hoppers are used, the third hopper discharged and relidded or otherwise sealed off to prevent leakage of coke oven emissions;

~~((cc))~~ (V) The final hopper discharged until the gas channel at the top of the oven is blocked and then the chuck door opened and the coal leveled;

~~((ff))~~ (VI) When the coal from the final hopper is discharged and the leveling operation complete, the charging hole relidded or otherwise sealed off to prevent leakage of coke oven emissions; and

~~((gg))~~ (VII) The aspiration system turned off only after the charging holes have been closed.

~~((iii))~~ (VIII) Establishment and implementation of a detailed written charging procedure, designed and operated to eliminate emissions during charging of each pipeline or enclosed charged battery.

(b) Coking. The employer shall operate existing coke oven batteries pursuant to a detailed written procedure established and implemented for the control of coke oven emissions during coking, consisting of at least the following elements:

(i) Checking oven back pressure controls to maintain uniform pressure conditions in the collecting main;

(ii) Repair, replacement and adjustment of oven doors and check doors and replacement of door jambs so as to provide a continuous metal-to-metal fit;

(iii) Cleaning of oven doors, chuck doors and door jambs each coking cycle so as to provide an effective seal;

(iv) An inspection system and corrective action program to control door emissions to the maximum extent possible; and

(v) Luting of doors that are sealed by luting each coking cycle and reluting, replacing or adjusting as necessary to control leakage.

(c) Pushing. The employer shall operate existing coke oven batteries with the following work practices to control coke oven emissions during pushing operations:

(i) Coke and coal spillage quenched as soon as practicable and not shoveled into a heated oven; and

(ii) A detailed written procedure for each battery established and implemented for the control of emissions during pushing consisting of the following elements:

(A) Dampening off the ovens and removal of charging hole lids to effectively control coke oven emissions during the push;

(B) Heating of the coal charge uniformly for a sufficient period so as to obtain proper coking including preventing green pushes;

(C) Prevention of green pushes to the maximum extent possible;

(D) Inspection, adjustment and correction of heating flue temperatures and defective flues at least weekly and after any green push, so as to prevent green pushes;

(E) Cleaning of heating flues and related equipment to prevent green pushes, at least weekly and after any green push.

(d) Maintenance and repair. The employer shall operate existing coke oven batteries pursuant to a detailed written procedure of maintenance and repair established and implemented for the effective control of coke oven emissions consisting of the following elements:

(i) Regular inspection of all controls, including goosenecks, standpipes, standpipe caps, charging hole lids and castings, jumper pipes and air seals for cracks, misalignment or other defects and prompt implementation of the necessary repairs as soon as possible;

(ii) Maintaining the regulated area in a neat, orderly condition free of coal and coke spillage and debris;

(iii) Regular inspection of the damper system, aspiration system and collector main for cracks or leakage, and prompt implementation of the necessary repairs;

(iv) Regular inspection of the heating system and prompt implementation of the necessary repairs;

(v) Prevention of miscellaneous fugitive topside emissions;

(vi) Regular inspection and patching of over brickwork;

(vii) Maintenance of battery equipment and controls in good working order;

(viii) Maintenance and repair of coke oven doors, chuck doors, door jambs and seals; and

(ix) Repairs instituted and completed as soon as possible, including temporary repair measures instituted and completed where necessary, including but not limited to:

(A) Prevention of miscellaneous fugitive topside emissions; and

(B) Chuck door gaskets, which shall be installed prior to the start of the next coking cycle.

(4) Filtered air.

(a) The employer shall provide positive-pressure, temperature controlled filtered air for larry car, pusher machine, door machine, and quench car cabs.

(b) The employer shall provide standby pulpits on the battery topside, at the wharf, and at the screening station, equipped with positive-pressure, temperature controlled filtered air.

(5) Emergencies. Whenever an emergency occurs, the next coking cycle may not begin until the cause of the emergency is determined and corrected, unless the employer can establish that it is necessary to initiate the next coking cycle in order to determine the cause of the emergency.

(6) Compliance program.

(a) Each employer shall establish and implement a written program to reduce exposures solely by means of the engineering and work practice controls specified in subsections (2) through (4) of this section.

(b) The written program shall include at least the following:

(i) A description of each coke oven operation by battery, including work force and operating crew, coking time, operating procedures and maintenance practices;

(ii) Engineering plans and other studies used to determine the controls for the coke battery;

(iii) A report of the technology considered in meeting the permissible exposure limit;

(iv) Monitoring data obtained in accordance with WAC 296-62-20007.

(v) A detailed schedule for the implementation of the engineering and work practice controls specified in subsections (2) through (4) of this section; and

(vi) Other relevant information.

(c) If, after implementing all controls required by subsections (2) through (4) of this section, or after January 20, 1980, whichever is sooner, or after completion of a new or rehabilitated battery the permissible exposure limit is still exceeded, the employer shall develop a detailed written program and schedule for the implementation of any additional engineering controls and work practices necessary to reduce exposure to or below the permissible exposure limit.

(d) Written plans for such programs shall be submitted, upon request, to the director, and shall be available at the worksite for examination and copying by the director, and the authorized employee representative. The plans required under this subsection shall be revised and updated at least every six months to reflect the current status of the program.

(7) Training in compliance procedures. The employer shall incorporate all written procedures and schedules required under this section in the education and training program required under WAC 296-62-20019 and, where appropriate, post in the regulated area.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-56505 BOATS AND MECHANICAL DEVICES ON WATERS. (1) Prior to starting the boat motor, any spilled fuel shall be removed and vapors shall be exhausted from any area in which they may accumulate.

(2) The bilge area shall be kept clean and oil, grease, fuel, or highly combustible materials shall not be allowed to accumulate.

(3) Adequate ventilation equipment shall be provided and used for the bilge area to prevent the accumulation of toxic or explosive gases or vapors.

(4) Adequate ventilation equipment shall be provided and used for the cabin area on enclosed cabin-type boats to prevent an accumulation of harmful gases or vapors.

(5) Deck and cabin lighting shall be provided and used where necessary to provide safe levels of illumination aboard boats. Boats operated during the period from sunset to sunrise, or in conditions of restricted visibility, shall display navigation lights as required by the United States Coast Guard. Searchlights or floodlights shall be provided to facilitate safe navigation and to illuminate working or boarding areas adjacent to the craft.

(6) On craft used by workers wearing calked shoes, all areas where the operator or workers must stand or walk shall be made of or be covered with wood or other suitable matting or nonslip material and such covering shall be maintained in good condition.

(7) Each boat shall be provided with a fire extinguisher and life ring with at least fifty feet of one-fourth inch line attached. On log broncs, boom-scooters, or other small boomboats where all occupants are required to wear life saving devices and a life ring would present a tripping hazard, the life ring may be omitted.

(8)(a) Along docks, walkways, or other fixed installations on or adjacent to open water more than five feet deep, approved life rings with at least ninety feet of one-fourth inch line attached, shall be provided. The life rings shall be spaced at intervals not to exceed two hundred feet and shall be kept in easily visible and readily accessible locations.

(b) When employees are assigned work at other casual locations where exposure to drowning exists, at least one approved life ring with at least ninety feet of line attached, shall be provided in the immediate vicinity of the work assigned.

(c) When work is assigned over water where the vertical drop from the accidental fall would exceed fifty feet, special arrangements shall be made with and approved by the department of labor and industries prior to such assignment.

(d) Lines attached to life rings on fixed locations shall be at least ninety feet in length, at least one-fourth inch in diameter, and have a minimum breaking strength of five hundred pounds. Similar lines attached to life rings on boats shall be at least fifty feet in length.

(e) Life rings must be United States Coast Guard approved thirty-inch size.

(f) Life rings and attached lines shall be maintained to retain at least seventy-five percent of their designed buoyancy and strength.

(g) Log broncs, boomscooters, and boomboats shall not be loaded with personnel or equipment so as to adversely affect their stability or seaworthiness.

(h) Boats shall not be operated at an excessive speed or handled recklessly.

(i) Boat fuel shall be transported and stored in approved containers ((Underwriters' Laboratories, Inc.)). Refer to WAC 296-24-58501(19) for definition of approved.

Chapter 296-99 WAC

SAFETY STANDARDS FOR GRAIN HANDLING FACILITIES

WAC

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NEW SECTION

WAC 296-99-010 SCOPE. This section contains requirements for the control of grain dust fires and explosions, and certain other safety hazards associated with grain handling facilities. It applies in addition to all other relevant provisions of chapters 296-24 and 296-62 WAC (or chapter 296-56 WAC at marine terminals).

NEW SECTION

WAC 296-99-015 APPLICATION. (1) WAC 296-99-010 through 296-99-070 apply to grain elevators, feed mills, flour mills, rice mills, dust pelletizing plants, dry corn mills, soybean flaking operations, and the dry grinding operations of soybean.

(2) WAC 296-99-075, 296-99-080, and 296-99-085 apply only to grain elevators.

NEW SECTION

WAC 296-99-020 DEFINITIONS. (1) "Choked leg" means a condition of material buildup in the bucket elevator that results in the stoppage of material flow and bucket movement. A bucket elevator is not considered choked that has the up-leg partially or fully loaded and has the boot and discharge cleared allowing bucket movement.

(2) "Fugitive grain dust" means combustible dust particles, emitted from the stock handling system, of such size as will pass through a U.S. Standard 40 mesh sieve (425 microns or less).

(3) "Grain elevator" means a facility engaged in the receipt, handling, storage, and shipment of bulk raw agricultural commodities such as corn, wheat, oats, barley, sunflower seeds, and soybeans.

(4) "Hot work" means work involving electric or gas welding, cutting, brazing, or similar flame producing operations.

(5) "Inside bucket elevator" means a bucket elevator that has the boot and more than twenty percent of the total leg height (above grade or ground level) inside the grain elevator structure. Bucket elevators with leg casings that are inside (and pass through the roofs) of rail or truck dump sheds with the remainder of the leg outside of the grain elevator structure, are not considered inside bucket elevators.

(6) "Jogging" means repeated starting and stopping of drive motors in an attempt to clear choked legs.

(7) "Lagging" means a covering on drive pulleys used to increase the coefficient of friction between the pulley and the belt.

(8) "Permit" means the written certification by the employer authorizing employees to perform identified work operations subject to specified precautions.

NEW SECTION

WAC 296-99-025 EMERGENCY ACTION PLAN. The employer shall develop and implement an emergency action plan meeting the requirements contained in WAC 296-24-567.

NEW SECTION

WAC 296-99-030 TRAINING. (1) The employer shall provide training to employees at least annually and when changes in job assignment will expose them to new hazards. Current employees, and new employees prior to starting work, shall be trained in at least the following:

(a) General safety precautions associated with the facility, including recognition and preventive measures for the hazards related to dust accumulations and common ignition sources such as smoking; and

(b) Specific procedures and safety practices applicable to their job tasks including but not limited to, cleaning procedures for grinding equipment, clearing procedures for choked legs, housekeeping procedures, hot work procedures, preventive maintenance procedures, and lock-out/tag-out procedures.

(2) Employees assigned special tasks, such as bin entry and handling of flammable or toxic substances, shall be provided training to perform these tasks safely.

NEW SECTION

WAC 296-99-035 HOT WORK PERMIT. (1) The employer shall issue a permit for all hot work, with the following exceptions:

(a) Where the employer or the employer's representative (who would otherwise authorize the permit) is present while the hot work is being performed;

(b) In welding shops authorized by the employer;

(c) In hot work areas authorized by the employer which are located outside of the grain handling structure.

(2) The permit shall certify that the requirements contained in WAC 296-24-695 have been implemented prior to beginning the hot work operations. The permit shall be kept on file until completion of the hot work operations.

NEW SECTION

WAC 296-99-040 ENTRY INTO BINS, SILOS, AND TANKS. This paragraph applies to employees entering bins, silos, or tanks. It does not apply to employees entering flat storage buildings or tanks where the diameter of such structures is greater than the height, unless entry is made from the top of the structure.

The following actions shall be taken before employees enter bins, silos, or tanks:

(1) The employer shall issue a permit for entering bins, silos, or tanks unless the employer or the employer's representative (who would otherwise authorize the permit) is present during the entire operation. The permit shall certify that the precautions contained in this section have been implemented prior to employees entering bins, silos, or tanks. The permit shall be kept on file until completion of the entry operations.

(2) All mechanical, electrical, hydraulic, and pneumatic equipment which present a danger to employees inside bins, silos, or tanks shall be disconnected, locked-out and tagged, blocked-off, or prevented from operating by other means or methods.

(3) The atmosphere within a bin, silo, or tank shall be tested for the presence of combustible gases, vapors, and toxic agents when the employer has reason to believe they may be present. Additionally, the atmosphere within a bin, silo, or tank shall be tested for oxygen content unless there is continuous natural air movement or continuous forced-air ventilation before and during the period employees are inside. If the oxygen level is less than nineteen and one-half percent, or if combustible gas or vapor is detected in excess of ten percent of the lower flammable limit, or if toxic agents are present in excess of the ceiling values listed in WAC 296-62-07515, or if toxic agents are present in concentrations that will cause health effects which prevent employees from effecting self-rescue or communication to obtain assistance, the following provisions apply.

(a) Ventilation shall be provided until the unsafe condition or conditions are eliminated, and the ventilation shall be continued as long as there is a possibility of recurrence of the unsafe condition while the bin, silo, or tank is occupied by employees.

(b) If toxicity or oxygen deficiency cannot be eliminated by ventilation, employees entering the bin, silo, or tank shall wear an appropriate respirator. Respirator use shall be in accordance with the requirements of WAC 296-62-071 through 296-62-07121.

(4) When entering bins, silos, or tanks from the top, employees shall wear a body harness with lifeline, or use a boatswain's chair that meets the requirements of Part J-1 of chapter 296-24 WAC.

(5) An observer, equipped to provide assistance, shall be stationed outside the bin, silo, or tank being entered by an employee. Communications (visual, voice, or signal line) shall be maintained between the observer and employee entering the bin, silo, or tank.

(6) The employer shall provide equipment for rescue operations which is specifically suited for the bin, silo, or tank being entered.

(7) The employee acting as observer shall be trained in rescue procedures, including notification methods for obtaining additional assistance.

(8) Employees shall not enter bins, silos, or tanks underneath a bridging condition, or where a buildup of grain products on the sides could fall and bury them.

NEW SECTION

WAC 296-99-045 CONTRACTORS. (1) The employer shall inform contractors performing work at the grain handling facility of known potential fire and explosion hazards related to the contractor's work and work area. The employer shall also inform contractors of the applicable safety rules of the facility.

(2) The employer shall explain the applicable provisions of the emergency action plan to contractors.

NEW SECTION

WAC 296-99-050 HOUSEKEEPING. (1) The employer shall develop and implement a written housekeeping program that establishes the frequency and method(s) determined best to reduce accumulations of fugitive grain dust on ledges, floors, equipment, and other exposed surfaces.

(2) In addition, the housekeeping program for grain elevators shall address fugitive grain dust accumulations at priority housekeeping areas.

(a) Priority housekeeping areas shall include at least the following:

(i) Floor areas within thirty-five feet (10.7 m) of inside bucket elevators;

(ii) Floors of enclosed areas containing grinding equipment;

(iii) Floors of enclosed areas containing grain dryers located inside the facility.

(b) The employer shall immediately remove any fugitive grain dust accumulations whenever they exceed one-eighth inch (.32 cm) at priority housekeeping areas, pursuant to the housekeeping program, or shall demonstrate and assure, through the development and implementation of the housekeeping program, that equivalent protection is provided.

(3) The use of compressed air to blow dust from ledges, walls, and other areas shall only be permitted when all machinery that presents an ignition source in the area is shut-down, and all other known potential ignition sources in the area are removed or controlled.

(4) Grain and product spills shall not be considered fugitive grain dust accumulations. However, the housekeeping program shall address the procedures for removing such spills from the work area.

NEW SECTION

WAC 296-99-055 GRATE OPENINGS. (1) Receiving-pit feed openings, such as truck or railcar receiving-pits, shall be covered by grates.

(2) The width of openings in the grates shall be a maximum of two and one-half inches (6.35 cm).

NEW SECTION

WAC 296-99-060 FILTER COLLECTORS. (1) Not later than March 30, 1989, all fabric dust filter collectors which are a part of a pneumatic dust collection system shall be equipped with a monitoring device that will indicate a pressure drop across the surface of the filter.

(2) Filter collectors installed after March 30, 1988, shall be:

(a) Located outside the facility; or

(b) Located in an area inside the facility protected by an explosion suppression system; or

(c) Located in an area inside the facility that is separated from other areas of the facility by construction having at least a one hour fire-resistance rating, and which is adjacent to an exterior wall and vented to the outside. The vent and ductwork shall be designed to resist rupture due to deflagration.

NEW SECTION

WAC 296-99-065 PREVENTIVE MAINTENANCE. (1) The employer shall implement preventive maintenance procedures consisting of:

(a) Regularly scheduled inspections of at least the mechanical and safety control equipment associated with dryers, grain stream processing equipment, dust collection equipment including filter collectors, and bucket elevators;

(b) Lubrication and other appropriate maintenance in accordance with manufacturers' recommendations, or as determined necessary by prior operating records.

(2) The employer shall promptly correct dust collection systems which are malfunctioning or which are operating below designed efficiency. Additionally, the employer shall promptly correct, or remove from service, overheated bearings and slipping or misaligned belts associated with inside bucket elevators.

(3) A certification record shall be maintained of each inspection, performed in accordance with this section, containing the date of the inspection, the name of the person who performed the inspection and the serial number, or other identifier, of the equipment specified in subsection (1)(a) of this section that was inspected.

(4) The employer shall implement procedures for the use of tags and locks which will prevent the inadvertent application of energy or motion to equipment being repaired, serviced, or adjusted, which could result in employee injury. Such locks and tags shall be removed in accordance with established procedures only by the employee installing them or, if unavailable, by his or her supervisor.

NEW SECTION

WAC 296-99-070 GRAIN STREAM PROCESSING EQUIPMENT. The employer shall equip grain stream processing equipment (such as hammer mills, grinders, and pulverizers) with an effective means of removing ferrous material from the incoming grain stream.

NEW SECTION

WAC 296-99-075 EMERGENCY ESCAPE. (1) The employer shall provide at least two means of emergency escape from galleries (bin decks).

(2) The employer shall provide at least one means of emergency escape in tunnels of existing grain elevators. Tunnels in grain elevators constructed after the effective date of this standard shall be provided with at least two means of emergency escape.

NEW SECTION

WAC 296-99-080 CONTINUOUS-FLOW BULK RAW GRAIN DRYERS. (1) Not later than April 1, 1991, all direct-heat grain dryers shall be equipped with automatic controls that:

- (a) Will shut-off the fuel supply in case of power or flame failure or interruption of air movement through the exhaust fan; and
- (b) Will stop the grain from being fed into the dryer if excessive temperature occurs in the exhaust of the drying section.
- (2) Direct-heat grain dryers installed after March 30, 1988, shall be:

- (a) Located outside the grain elevator; or
- (b) Located in an area inside the grain elevator protected by a fire or explosion suppression system; or
- (c) Located in an area inside the grain elevator which is separated from other areas of the facility by construction having at least a one hour fire-resistance rating.

NEW SECTION

WAC 296-99-085 **INSIDE BUCKET ELEVATORS.** (1) Bucket elevators shall not be jogged to free a choked leg.

(2) All belts and lagging purchased after March 30, 1988, shall be conductive. Such belts shall have a surface electrical resistance not to exceed 300 megohms.

(3) Not later than April 1, 1991, all bucket elevators shall be equipped with a means of access to the head pulley section to allow inspection of the head pulley, lagging, belt, and discharge throat of the elevator head. The boot section shall also be provided with a means of access for clean-out of the boot and for inspection of the boot, pulley, and belt.

(4) Not later than April 1, 1991, the employer shall:

- (a) Mount bearings externally to the leg casing; or
- (b) Provide vibration monitoring, temperature monitoring, or other means to monitor the condition of those bearings mounted inside or partially-inside the leg casing.

(5) Not later than April 1, 1991, the employer shall equip bucket elevators with a motion detection device which will shut-down the bucket elevator when the belt speed is reduced by no more than twenty percent of the normal operating speed.

(6) Not later than April 1, 1991, the employer shall:

- (a) Equip bucket elevators with a belt alignment monitoring device which will initiate an alarm to employees when the belt is not tracking properly; or

(b) Provide a means to keep the belt tracking properly, such as a system that provides constant alignment adjustment of belts.

(7) Subsections (5) and (6) of this section do not apply to grain elevators having a permanent storage capacity of less than one million bushels, provided that daily visual inspection is made of bucket movement and tracking of the belt.

(8) Subsections (4), (5), and (6) of this section do not apply to the following:

(a) Bucket elevators which are equipped with an operational fire and explosion suppression system capable of protecting at least the head and boot section of the bucket elevator; or

(b) Bucket elevators which are equipped with pneumatic or other dust control systems or methods that keep the dust concentration inside the bucket elevator at least twenty-five percent below the lower explosive limit at all times during operations.

Note: The following appendices to this chapter serve as nonmandatory guidelines to assist employers and employees in complying with the requirements of this section, as well as to provide other helpful information.

No additional burdens are imposed through these appendices.

NEW SECTION

WAC 296-99-090 **APPENDIX A, GRAIN HANDLING FACILITIES.**

Note: Examples presented in this appendix may not be the only means of achieving the performance goals in the standard.

(1) Scope and application. The provisions of this standard apply in addition to any other applicable requirements of chapters 296-24 and 296-62 WAC (or chapter 296-56 WAC at marine terminals). The standard contains requirements for new and existing grain handling facilities. The standard does not apply to seed plants which handle and prepare seeds for planting of future crops, nor to on-farm storage or feed lots.

(2) Emergency action plan.

(a) The standard requires the employer to develop and implement an emergency action plan. The emergency action plan WAC 296-24-567

covers those designated actions employers and employees are to take to ensure employee safety from fire and other emergencies. The plan specifies certain minimum elements which are to be addressed. These elements include the establishment of an employee alarm system, the development of evacuation procedures, and training employees in those actions they are to take during an emergency.

(b) The standard does not specify a particular method for notifying employees of an emergency. Public announcement systems, air horns, steam whistles, a standard fire alarm system, or other types of employee alarm may be used. However, employers should be aware that employees in a grain facility may have difficulty hearing an emergency alarm, or distinguishing an emergency alarm from other audible signals at the facility, or both. Therefore, it is important that the type of employee alarm used be distinguishable and distinct.

(c) The use of floor plans or workplace maps which clearly show the emergency escape routes should be included in the emergency action plan; color coding will aid employees in determining their route assignments. The employer should designate a safe area, outside the facility, where employees can congregate after evacuation, and implement procedures to account for all employees after emergency evacuation has been completed.

(d) It is also recommended that employers seek the assistance of the local fire department for the purpose of preplanning for emergencies. Preplanning is encouraged to facilitate coordination and cooperation between facility personnel and those who may be called upon for assistance during an emergency. It is important for emergency service units to be aware of the usual work locations of employees at the facility.

(3) Training.

(a) It is important that employees be trained in the recognition and prevention of hazards associated with grain facilities, especially those hazards associated with their own work tasks. Employees should understand the factors which are necessary to produce a fire or explosion, i.e., fuel (such as grain dust), oxygen, ignition source, and (in the case of explosions) confinement. Employees should be made aware that any efforts they make to keep these factors from occurring simultaneously will be an important step in reducing the potential for fires and explosions.

(b) The standard provides flexibility for the employer to design a training program which fulfills the needs of a facility. The type, amount, and frequency of training will need to reflect the tasks that employees are expected to perform. Although training is to be provided to employees at least annually, it is recommended that safety meetings or discussions and drills be conducted at more frequent intervals.

(c) The training program should include those topics applicable to the particular facility, as well as topics such as: Hot work procedures; lock-out/tag-out procedures; bin entry procedures; bin cleaning procedures; grain dust explosions; fire prevention; procedures for handling "hot grain"; housekeeping procedures, including methods and frequency of dust removal; pesticide and fumigant usage; proper use and maintenance of personal protective equipment; and, preventive maintenance. The types of work clothing should also be considered in the program at least to caution against using polyester clothing that easily melts and increases the severity of burns, as compared to wool or fire retardant cotton.

(d) In implementing the training program, it is recommended that the employer utilize films, slide-tape presentations, pamphlets, and other information which can be obtained from such sources as the Grain Elevator and Processing Society, the Cooperative Extension Service of the United States Department of Agriculture, Kansas State University's Extension Grain Science and Industry, and other state agriculture schools, industry associations, union organizations, and insurance groups.

(4) Hot work permit.

(a) The implementation of a permit system for hot work is intended to assure that employers maintain control over operations involving hot work and to assure that employees are aware of and utilize appropriate safeguards when conducting these activities.

(b) Precautions for hot work operations are specified in WAC 296-24-695, and include such safeguards as relocating the hot work operation to a safe location if possible, relocating or covering combustible material in the vicinity, providing fire extinguishers, and provisions for establishing a fire watch. Permits are not required for hot work operations conducted in the presence of the employer or the employer's authorized representative who would otherwise issue the permit, or in an employer authorized welding shop or when work is conducted outside and away from the facility.

(c) It should be noted that the permit is not a record, but is an authorization of the employer certifying that certain safety precautions have been implemented prior to the beginning of work operations.

(5) Entry into bins, silos, and tanks.

(a) In order to assure that employers maintain control over employee entry into bins, silos, and tanks, WISHA is requiring that the employer issue a permit for entry into bins, silos, and tanks unless the employer (or the employer's representative who would otherwise authorize the permit) is present at the entry and during the entire operation.

(b) Employees should have a thorough understanding of the hazards associated with entry into bins, silos, and tanks. Employees are not to be permitted to enter these spaces from the bottom when grain or other agricultural products are hung up or sticking to the sides which might fall and injure or kill an employee. Employees should be made aware that the atmosphere in bins, silos, and tanks can be oxygen deficient or toxic. Employees should be trained in the proper methods of testing the atmosphere, as well as in the appropriate procedures to be taken if the atmosphere is found to be oxygen deficient or toxic. When a fumigant has been recently applied in these areas and entry must be made, aeration fans should be running continuously to assure a safe atmosphere for those inside. Periodic monitoring of toxic levels should be done by direct reading instruments to measure the levels, and, if there is an increase in these readings, appropriate actions should be promptly taken.

(c) Employees have been buried and suffocated in grain or other agricultural products because they sank into the material. Therefore, it is suggested that employees not be permitted to walk or stand on the grain or other grain product where the depth is greater than waist high. In this regard, employees must use a full body harness or boat-swin's chair with a lifeline when entering from the top. A winch system with mechanical advantage (either powered or manual) would allow better control of the employee than just using a hand held hoist line, and such a system would allow the observer to remove the employee easily without having to enter the space.

(d) It is important that employees be trained in the proper selection and use of any personal protective equipment which is to be worn. Equally important is the training of employees in the planned emergency rescue procedures. Employers should carefully read WAC 296-62-07115 and assure that their procedures follow these requirements. The employee acting as observer is to be equipped to provide assistance and is to know procedures for obtaining additional assistance. The observer should not enter a space until adequate assistance is available. It is recommended that an employee trained in CPR be readily available to provide assistance to those employees entering bins, silos, or tanks.

(6) Contractors.

(a) These provisions of the standard are intended to ensure that outside contractors are cognizant of the hazards associated with grain handling facilities, particularly in relation to the work they are to perform for the employer. Also, in the event of an emergency, contractors should be able to take appropriate action as a part of the overall facility emergency action plan. Contractors should also be aware of the employer's permit systems. Contractors should develop specified procedures for performing hot work and for entry into bins, silos, and tanks and these activities should be coordinated with the employer. Contractors are responsible for informing their own employees.

(b) This coordination will help to ensure that employers know what work is being performed at the facility by contractors; where it is being performed; and, that it is being performed in a manner that will not endanger employees.

(7) Housekeeping.

(a) The housekeeping program is to be designed to keep dust accumulations and emissions under control inside grain facilities. The housekeeping program, which is to be written, is to specify the frequency and method(s) used to best reduce dust accumulations.

(b) Ship, barge, and rail loadout and receiving areas which are located outside the facility need not be addressed in the housekeeping program. Additionally, truck dumps which are open on two or more sides need not be addressed by the housekeeping program. Other truck dumps should be addressed in the housekeeping program to provide for regular cleaning during periods of receiving grain or agricultural products. The housekeeping program should provide coverage for all workspaces in the facility and include walls, beams, etc., especially in relation to the extent that dust could accumulate.

(i) Dust accumulations.

(A) Almost all facilities will require some level of manual housekeeping. Manual housekeeping methods, such as vacuuming or sweeping with soft bristle brooms, should be used which will minimize the possibility of layered dust being suspended in the air when it is being removed.

(B) The housekeeping program should include a contingency plan to respond to situations where dust accumulates rapidly due to a failure of a dust enclosure hood, an unexpected breakdown of the dust control system, a dust-tight connection inadvertently knocked open, etc.

(C) The housekeeping program should also specify the manner of handling spills. Grain spills are not considered to be dust accumulations.

(D) A fully enclosed horizontal belt conveying system where the return belt is inside the enclosure should have inspection access such as sliding panels or doors to permit checking of equipment, checking for dust accumulations and facilitate cleaning if needed.

(ii) Dust emissions.

(A) Employers should analyze the entire stock handling system to determine the location of dust emissions and effective methods to control or to eliminate them. The employer should make sure that holes in spouting, casings of bucket elevators, pneumatic conveying pipes, screw augers, or drag conveyor casings, are patched or otherwise properly repaired to prevent leakage. Minimizing free falls of grain or grain products by using choke feeding techniques, and utilization of dust-tight enclosures at transfer points, can be effective in reducing dust emissions.

(B) Each housekeeping program should specify the schedules and control measures which will be used to control dust emitted from the stock handling system. The housekeeping program should address the schedules to be used for cleaning dust accumulations from motors, critical bearings and other potential ignition sources in the working areas. Also, the areas around bucket elevator legs, milling machinery and similar equipment should be given priority in the cleaning schedule. The method of disposal of the dust which is swept or vacuumed should also be planned.

(C) Dust may accumulate in somewhat inaccessible areas, such as those areas where ladders or scaffolds might be necessary to reach them. The employer may want to consider the use of compressed air and long lances to blow down these areas frequently. The employer may also want to consider the periodic use of water and hoses to wash down these areas. If these methods are used, they are to be specified in the housekeeping program along with the appropriate safety precautions, including the use of personal protective equipment such as eyewear and dust respirators.

(D) Several methods have been effective in controlling dust emissions. A frequently used method of controlling dust emissions is a pneumatic dust collection system. However, the installation of a poorly designed pneumatic dust collection system has fostered a false sense of security and has often led to an inappropriate reduction in manual housekeeping. Therefore, it is imperative that the system be designed properly and installed by a competent contractor. Those employers who have a pneumatic dust control system that is not working according to expectations should request the engineering design firm, or the manufacturer of the filter and related equipment, to conduct an evaluation of the system to determine the corrections necessary for proper operation of the system. If the design firm or manufacturer of the equipment is not known, employers should contact their trade association for recommendations of competent designers of pneumatic dust control systems who could provide assistance.

(E) When installing a new or upgraded pneumatic control system, the employer should insist on an acceptance test period of thirty to forty-five days of operation to ensure that the system is operating as intended and designed. The employer should also obtain maintenance, testing, and inspection information from the manufacturer to ensure that the system will continue to operate as designed.

(F) Aspiration of the leg, as part of a pneumatic dust collection system, is another effective method of controlling dust emissions. Aspiration of the leg consists of a flow of air across the entire boot, which entrains the liberated dust and carries it up the up-leg to take-off points. With proper aspiration, dust concentrations in the leg can be lowered below the lower explosive limit. Where a prototype leg installation has been instrumented and shown to be effective in keeping the dust level twenty-five percent below the lower explosive limit during normal operations for the various products handled, then other legs of similar size, capacity and products being handled which have the same design criteria for the air aspiration would be acceptable to OSHA, provided the prototype test report is available on site.

(G) Another method of controlling dust emissions is enclosing the conveying system, pressurizing the general work area, and providing a lower pressure inside the enclosed conveying system. Although this method is effective in controlling dust emissions from the conveying system, adequate access to the inside of the enclosure is necessary to facilitate frequent removal of dust accumulations. This is also necessary for those systems called "self-cleaning."

(H) The use of edible oil sprayed on or into a moving stream of grain is another method which has been used to control dust emissions. Tests performed using this method have shown that the oil treatment can reduce dust emissions. Repeated handling of the grain may necessitate additional oil treatment to prevent liberation of dust. However, before using this method, operators of grain handling facilities should be aware that the Food and Drug Administration must approve the specific oil treatment used on products for food and feed.

(I) As a part of the housekeeping program, grain elevators are required to address accumulations of dust at priority areas using the action level. The standard specifies a maximum accumulation of one-eighth inch dust, measurable by a ruler or other measuring device, anywhere within a priority area as the upper limit at which time employers must initiate action to remove the accumulations using designated means or methods. Any accumulation in excess of this amount and where no action has been initiated to implement cleaning would constitute a violation of the standard, unless the employer can demonstrate equivalent protection. Employers should make every effort to minimize dust accumulations on exposed surfaces since dust is the fuel for a fire or explosion, and it is recognized that a one-eighth inch dust accumulation is more than enough to fuel such occurrences.

(8) Filter collectors.

(a) Proper sizing of filter collectors for the pneumatic dust control system they serve is very important for the overall effectiveness of the system. The air to cloth ratio of the system should be in accordance with the manufacturer's recommendations. If higher ratios are used, they can result in more maintenance on the filter, shorter bag or sock life, increased differential pressure resulting in higher energy costs, and an increase in operational problems.

(b) A photohelic gauge, magnehelic gauge, or manometer, may be used to indicate the pressure rise across the inlet and outlet of the filter. When the pressure exceeds the design value for the filter, the air volume will start to drop, and maintenance will be required. Any of these three monitoring devices is acceptable as meeting WAC 296-99-060(1).

(c) The employer should establish a level or target reading on the instrument which is consistent with the manufacturer's recommendations that will indicate when the filter should be serviced. This target reading on the instrument and the accompanying procedures should be in the preventive maintenance program. These efforts would minimize the blinding of the filter and the subsequent failure of the pneumatic dust control system.

(d) There are other instruments that the employer may want to consider using to monitor the operation of the filter. One instrument is a zero motion switch for detecting a failure of motion by the rotary discharge valve on the hopper. If the rotary discharge valve stops turning, the dust released by the bag or sock will accumulate in the filter hopper until the filter becomes clogged. Another instrument is a level indicator which is installed in the hopper of the filter to detect the buildup of dust that would otherwise cause the filter hopper to be plugged. The installation of these instruments should be in accordance with manufacturer's recommendations.

(e) All of these monitoring devices and instruments are to be capable of being read at an accessible location and checked as frequently as specified in the preventive maintenance program.

(f) Filter collectors on portable vacuum cleaners, and those used where fans are not part of the system, are not covered by requirements of WAC 296-99-060.

(9) Preventive maintenance.

(a) The control of dust and the control of ignition sources are the most effective means for reducing explosion hazards. Preventive maintenance is related to ignition sources in the same manner as housekeeping is related to dust control and should be treated as a major function in a facility. Equipment such as critical bearings, belts, buckets, pulleys, and milling machinery are potential ignition sources, and periodic inspection and lubrication of such equipment through a scheduled preventive maintenance program is an effective method for keeping equipment functioning properly and safely. The use of vibration detection methods, heat-sensitive tape or other heat detection methods that can be seen by the inspector or maintenance person will

allow for a quick, accurate, and consistent evaluation of bearings and will help in the implementation of the program.

(b) The standard does not require a specific frequency for preventive maintenance. The employer is permitted flexibility in determining the appropriate interval for maintenance provided that the effectiveness of the maintenance program can be demonstrated. Scheduling of preventive maintenance should be based on manufacturer's recommendations for effective operation, as well as from the employer's previous experience with the equipment. However, the employer's schedule for preventive maintenance should be frequent enough to allow for both prompt identification and correction of any problems concerning the failure or malfunction of the mechanical and safety control equipment associated with bucket elevators, dryers, filter collectors, and magnets. The pressure-drop monitoring device for a filter collector, and the condition of the lagging on the head pulley, are examples of items that require regularly scheduled inspections. A system of identifying the date, the equipment inspected and the maintenance performed, if any, will assist employers in continually refining their preventive maintenance schedules and identifying equipment problem areas. Open work orders where repair work or replacement is to be done at a designated future date as scheduled, would be an indication of an effective preventive maintenance program.

(c) It is imperative that the prearranged schedule of maintenance be adhered to regardless of other facility constraints. The employer should give priority to the maintenance or repair work associated with safety control equipment, such as that on dryers, magnets, alarm and shut-down systems on bucket elevators, bearings on bucket elevators, and the filter collectors in the dust control system. Benefits of a strict preventive maintenance program can be a reduction of unplanned downtime, improved equipment performance, planned use of resources, more efficient operations, and, most importantly, safer operations.

(d) The standard also requires the employer to develop and implement procedures consisting of locking-out and tagging equipment to prevent the inadvertent application of energy or motion to equipment being repaired, serviced, or adjusted, which could result in employee injury. All employees who have responsibility for repairing or servicing equipment, as well as those who operate the equipment, are to be familiar with the employer's lock and tag procedures. A lock is to be used as the positive means to prevent operation of the disconnected equipment. Tags are to be used to inform employees why equipment is locked out. Tags are to meet requirements in WAC 296-24-14001. Locks and tags may only be removed by employees that placed them, or by their supervisor, to ensure the safety of the operation.

(10) Grain stream processing equipment. The standard requires an effective means of removing ferrous material from grain streams so that such material does not enter equipment such as hammer mills, grinders, and pulverizers. Large foreign objects, such as stones, should have been removed at the receiving pit. Introduction of foreign objects and ferrous material into such equipment can produce sparks which can create an explosion hazard. Acceptable means for removal of ferrous materials include the use of permanent or electromagnets. Means used to separate foreign objects and ferrous material should be cleaned regularly and kept in good repair as part of the preventive maintenance program in order to maximize their effectiveness.

(11) Emergency escape. The standard specifies that at least two means of escape must be provided from galleries (bin decks). Means of emergency escape may include any available means of egress, consisting of three components, exit access, exit, and exit discharge as defined in WAC 296-24-55001, the use of controlled descent devices with landing velocities not to exceed fifteen ft./sec., or emergency escape ladders from galleries. Importantly, the means of emergency escape are to be addressed in the facility emergency action plan. Employees are to know the location of the nearest means of emergency escape and the action they must take during an emergency.

(12) Dryers. Liquefied petroleum gas-fired dryers should have the vaporizers installed at least ten feet from the dryer. The gas piping system should be protected from mechanical damage. The employer should establish procedures for locating and repairing leaks when there is a strong odor of gas or other signs of a leak.

(13) Inside bucket elevators.

(a) Hazards associated with inside bucket elevator legs are the source of many grain elevator fires and explosions. Therefore, to mitigate these hazards, the standard requires the implementation of special safety precautions and procedures, as well as the installation of safety control devices. The standard provides for a phase-in period for many of the requirements to provide the employer time for planning the implementation of the requirements. Additionally, for elevators with a

permanent storage capacity of less than one million bushels, daily visual inspection of belt alignment and bucket movement can be substituted for alignment monitoring devices and motion detection devices.

(b) The standard requires that belts (purchased after the effective date of the standard) have surface electrical resistance not to exceed 300 megohms. Test methods available regarding electrical resistance of belts are: The American Society for Testing and Materials D257-76, "Standard Test Methods for D-C Resistance or Conductance of Insulating Materials"; and, the International Standards Organization's No. 284, "Conveyor Belts-Electrical Conductivity-Specification and Method of Test." When an employer has a written certification from the manufacturer that a belt has been tested using one of the above test methods, and meets the 300 megohm criteria, the belt is acceptable as meeting this standard. When using conductive belts, the employer should make certain that the head pulley and shaft are grounded through the drive motor ground or by some other equally effective means. When V-type drive belts are used to transmit power to the head pulley assembly from the motor drive shaft, it will be necessary to provide electrical continuity from the head pulley assembly to ground, e.g., motor grounds.

(c) Employers should also consider purchasing new belts that are flame retardant or fire resistive. A flame resistance test for belts is contained in 30 CFR 18.65.

NEW SECTION

WAC 296-99-093 APPENDIX B, GRAIN HANDLING FACILITIES. National consensus standards.

The following table contains a cross-reference listing of current national consensus standards which provide information that may be of assistance to grain handling operations. Employers who comply with provisions in these national consensus standards that provide equal or greater protection than those in this chapter will be considered in compliance with the corresponding requirements in this chapter.

Subject	National consensus standards
Grain elevators and facilities handling bulk raw agricultural commodities	ANSI/NFPA 61B
Feed mills	ANSI/NFPA 61C
Facilities handling agricultural commodities for human consumption	ANSI/NFPA 61D
Pneumatic conveying systems for agricultural commodities	ANSI/NFPA 66
Guide for explosion venting	ANSI/NFPA 68
Explosion prevention systems	ANSI/NFPA 69
Dust removal and exhaust systems	ANSI/NFPA 91

NEW SECTION

WAC 296-99-095 APPENDIX C, GRAIN HANDLING FACILITIES. References for further information.

The following references provide information which can be helpful in understanding the requirements contained in various provisions of the standard, as well as provide other helpful information.

- (1) Accident Prevention Manual for Industrial Operations; National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611.
- (2) Practical Guide to Elevator Design; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.
- (3) Dust Control for Grain Elevators; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.
- (4) Prevention of Grain Elevator and Mill Explosions; National Academy of Sciences, Washington, DC. (Available from National Technical Information Service, Springfield, Virginia 22151.)
- (5) Standard for the Prevention of Fires and Explosions in Grain Elevators and Facilities Handling Bulk Raw Agricultural Commodities, NFPA 61B; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.
- (6) Standard for the Prevention of Fire and Dust Explosions in Feed Mills, NFPA 61C; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.
- (7) Standard for the Prevention of Fire and Dust Explosions in the Milling of Agricultural Commodities for Human Consumption, NFPA 61D; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(8) Standard for Pneumatic Conveying Systems for Handling Feed, Flour, Grain and Other Agricultural Dusts, NFPA 66; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(9) Guide for Explosion Venting, NFPA 68; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(10) Standard on Explosion Prevention Systems, NFPA 69; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(11) Safety-Operations Plans; United States Department of Agriculture, Washington, DC 20250.

(12) Inplant Fire Prevention Control Programs; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(13) Guidelines for Terminal Elevators; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(14) Standards for Preventing the Horizontal and Vertical Spread of Fires in Grain Handling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(15) Belt Conveyors for Bulk Materials, Part I and Part II, Data Sheet 570, Revision A; National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611.

(16) Suggestions for Precautions and Safety Practices in Welding and Cutting; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(17) Food Bins and Tanks, Data Sheet 524; National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611.

(18) Pneumatic Dust Control in Grain Elevators; National Academy of Sciences, Washington, DC. (Available from National Technical Information Service, Springfield, Virginia 22151.)

(19) Dust Control Analysis and Layout Procedures for Grain Storage and Processing Plants; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(20) Standard for the Installation of Blower and Exhaust Systems for Dust, Stock and Vapor Removal, NFPA 91; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(21) Standards for the Installation of Direct Heat Grain Dryers in Grain and Milling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(22) Guidelines for Lubrication and Bearing Maintenance; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(23) Organized Maintenance in Grain and Milling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(24) Safe and Efficient Elevator Legs for Grain and Milling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(25) Explosion Venting and Suppression of Bucket Elevators; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.

(26) Lightning Protection Code, NFPA 78; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(27) Occupational Safety in Grain Elevators, DHHS (NIOSH) Publication No. 83-126; National Institute for Occupational Safety and Health, Morgantown, West Virginia 26505.

(28) Retrofitting and Constructing Grain Elevators; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.

(29) Grain Industry Safety and Health Center-Training Series. (Preventing grain dust explosions, operations maintenance safety, transportation safety, occupational safety and health); Grain Elevator and Processing Society, P.O. Box 15026, Commerce Station, Minneapolis, Minnesota 55415-0026.

(30) Suggestions for Organized Maintenance; The Mill Mutuals Loss Control Department, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(31) Safety-The First Step to Success; The Mill Mutuals Loss Control Department, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(32) Emergency Plan Notebook; Schoeff, Robert W. and James L. Balding, Kansas State University, Cooperative Extension Service, Extension Grain Science and Industry, Shellenberger Hall, Manhattan, Kansas 66506.

AMENDATORY SECTION (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-265 FIRE PREVENTION. (1) Ignition hazards.

(a) Electrical wiring and equipment for light, heat, or power purposes shall be installed in compliance with ~~((the requirements of the National Electrical Code, NFPA 70-1971; ANSI C1-1971 (Rev. of 1968); and))~~ the requirements of Part 1 of this ~~((chapter))~~ standard.

(b) Internal combustion engine powered equipment shall be so located that exhausts are well away from combustible materials. When exhausts are piped to outside the building under construction, a clearance of at least 6 inches shall be maintained between such piping and combustible material.

(c) Smoking shall be prohibited at or in the vicinity of operations which constitute a fire hazard, and shall be conspicuously posted: "No smoking or open flame."

(d) Portable battery powered lighting equipment, used in connection with the storage, handling, or use of flammable gases or liquids, shall be of the type approved for the hazardous locations.

(e) The nozzle of air, inert gas, and steam lines or hoses, when used in the cleaning or ventilation of tanks and vessels that contain hazardous concentrations of flammable gases or vapors, shall be bonded to the tank or vessel shell. Bonding devices shall not be attached or detached in hazardous concentrations of flammable gases or vapors.

(f) Workers shall not take open lights or open flames near or in an open sewer manhole, gas main, conduit or other similar place until the absence of explosive or harmful gases has been assured. Open lights or flames shall not be carried into areas and enclosures where flammable vapors or exposed low flash point solvents exist. Only approved and suitable protected lights shall be used.

(2) Temporary buildings. (a) No temporary building shall be erected where it will adversely affect any means of exit.

(b) Temporary buildings, when located within another building or structure, shall be of either noncombustible construction or of combustible construction having a fire resistance of not less than 1 hour.

(c) Temporary buildings, located other than inside another building and not used for the storage, handling, or use of flammable or combustible liquids, flammable gases, explosives, or blasting agents, or similar hazardous occupancies, shall be located at a distance of not less than 10 feet from another building or structure. Groups of temporary buildings, not exceeding 2,000 square feet in aggregate, shall, for the purpose of this part, be considered a single temporary building.

(3) Open yard storage. (a) Combustible materials shall be piled with due regard to the stability of piles and in no case higher than 20 feet.

(b) Driveways between and around combustible storage piles shall be at least 15 feet wide and maintained free from accumulation of rubbish, equipment, or other articles or materials. Driveways shall be so spaced that a maximum grid system unit of 50 feet by 150 feet is produced.

(c) The entire storage site shall be kept free from accumulation of unnecessary combustible materials. Weeds and grass shall be kept down and a regular procedure provided for the periodic cleanup of the entire area.

(d) When there is a danger of an underground fire, that land shall not be used for combustible or flammable storage.

(e) Method of piling shall be solid wherever possible and in orderly and regular piles. No combustible material shall be stored outdoors within 10 feet of a building or structure.

(f) Portable fire extinguishing equipment, suitable for the fire hazard involved, shall be provided at convenient, conspicuously accessible locations in the yard area. Portable fire extinguishers, rated not less than 2A, shall be placed so that maximum travel distance to the nearest unit shall not exceed 100 feet.

(4) Indoor storage. (a) Storage shall not obstruct, or adversely affect, means of exit.

(b) All materials shall be stored, handled, and piled with due regard to their fire characteristics.

(c) Noncompatible materials, which may create a fire hazard, shall be segregated by a barrier having a fire resistance of at least 1 hour.

(d) Material shall be piled to minimize the spread of fire internally and to permit convenient access for firefighting. Stable piling shall be maintained at all times. Aisle space shall be maintained to safely accommodate the widest vehicle that may be used within the building for fire-fighting purposes.

(e) Clearance of at least 36 inches shall be maintained between the top level of the stored material and the sprinkler deflectors.

(f) Clearance shall be maintained around lights and heating units to prevent ignition of combustible materials.

(g) A clearance of 24 inches shall be maintained around the path of travel of fire doors unless a barricade is provided, in which case no clearance is needed. Material shall not be stored within 36 inches of a fire door opening.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-270 FLAMMABLE AND COMBUSTIBLE LIQUIDS. (1) General requirements. (a) Only approved containers and portable tanks shall be used for storage and handling of flammable and combustible liquids. Approved metal safety cans shall be used for the handling and use of flammable liquids in quantities greater than one gallon, except that this shall not apply to those flammable liquid materials which are highly viscous (extremely hard to pour), which may be used and handled in original shipping containers. For quantities of one gallon or less, only the original container or approved metal safety cans shall be used for storage, use, and handling of flammable liquids.

(b) Flammable or combustible liquids shall not be stored in areas used for exits, stairways, or normally used for the safe passage of people.

(c) Flammable and combustible liquid containers shall be legibly marked to indicate their contents. Each storage container for flammable or combustible liquids, with a capacity of 50 gallons or more, shall have the contents of the container identified by a sign of clearly visible contrasting colors with letters at least 3 inches high, painted on the container at the discharge valve and at the fill point.

(d) Gasoline shall not be used as a solvent or a cleaning agent.

(2) Indoor storage of flammable and combustible liquids. (a) No more than 25 gallons of flammable or combustible liquids shall be stored in a room outside of an approved storage cabinet. For storage of liquid petroleum gas, see WAC 296-155-275.

(b) Quantities of flammable and combustible liquid in excess of 25 gallons shall be stored in an acceptable or approved cabinet meeting the following requirements:

(i) Acceptable wooden storage cabinets shall be constructed in the following manner, or equivalent: The bottom, sides, and top shall be constructed of an exterior grade of plywood at least 1 inch in thickness, which shall not break down or delaminate under standard fire test conditions. All joints shall be rabbeted and shall be fastened in two directions with flathead wood screws, when more than one door is used, there shall be a rabbeted overlap of not less than 1 inch. Steel hinges shall be mounted in such a manner as to not lose their holding capacity due to loosening or burning out of the screws when subjected to fire. Such cabinets shall be painted inside and out with fire retardant paint.

(ii) Approved metal storage cabinets will be acceptable.

(iii) Cabinets shall be labeled in conspicuous lettering, "Flammable—Keep fire away."

(c) Not more than 60 gallons of flammable or 120 gallons of combustible liquids shall be stored in any one storage cabinet. Not more than three such cabinets may be located in a single storage area. Quantities in excess of this shall be stored in an inside storage room.

(d) (i) Inside storage room shall be constructed to meet the required fire-resistive rating for their use. Such construction shall comply with the test specifications set forth in Standard Methods of Fire Test of Building Construction and Material, NFPA 251-1972.

(ii) Where an automatic extinguishing system is provided, the system shall be designed and installed in an approved manner. Openings to other rooms or buildings shall be provided with noncombustible liquid-tight raised sills or ramps at least 4 inches in height, or the floor in the storage area shall be at least 4 inches below the surrounding floor. Openings shall be provided with approved self-closing fire doors. The room shall be liquid-tight where the walls join the floor. A permissible alternate to the sill or ramp is an open-grated trench, inside of the room, which drains to a safe location. Where other portions of the building or other buildings are exposed, windows shall be protected as set forth in the Standard for Fire Doors and Windows, NFPA No. 80-1983, for Class E or F openings. Wood of at least 1-inch nominal thickness may be used for shelving, racks, dunnage, scuffboards, floor overlay and similar installations.

(iii) Materials which will react with water and create a fire hazard shall not be stored in the same room with flammable or combustible liquids.

(iv) Storage in inside storage rooms shall comply with Table D-2 following:

TABLE D-2

Fire protection provided	Fire resistance	Maximum size	Total allowable quantities gals./sq. ft./floor area
Yes	2 hrs.	500 sq. ft.	10
No	2 hrs.	500 sq. ft.	4
Yes	1 hr.	150 sq. ft.	5
No	1 hr.	150 sq. ft.	2

Note: Fire protection system shall be sprinkler, water spray, carbon dioxide or other system approved by a nationally recognized testing laboratory for this purpose.

(v) Electrical wiring and equipment located in inside storage rooms shall be approved for Class 1, Division 1, hazardous locations. For definition of Class 1, Division 1, hazardous locations, see WAC ((296-155-455)) 296-155-456.

(vi) Every inside storage room shall be provided with either a gravity or a mechanical exhausting system. Such system shall commence not more than 12 inches above the floor and be designed to provide for a complete change of air within the room at least 6 times per hour. If a mechanical exhausting system is used, it shall be controlled by a switch located outside of the door. The ventilating equipment and any lighting fixtures shall be operated by the same switch. An electric pilot light shall be installed adjacent to the switch if flammable liquids are dispensed within the room. Where gravity ventilation is provided, the fresh air intake, as well as the exhausting outlet from the room, shall be on the exterior of the building in which the room is located.

(vii) In every inside storage room there shall be maintained one clear aisle at least 3 feet wide. Containers over 30 gallons capacity shall not be stacked one upon the other.

(viii) Flammable and combustible liquids in excess of that permitted in inside storage rooms shall be stored outside of buildings in accordance with subsection (3) of this section.

(3) Storage outside buildings. (a) Storage of containers (not more than 60 gallons each) shall not exceed 1,100 gallons in any one pile or area. Piles or groups of containers shall be separated by a 5-foot clearance. Piles or groups of containers shall not be nearer than 20 feet to a building.

(b) Within 200 feet of each pile of containers, there shall be a 12-foot-wide access way to permit approach of fire control apparatus.

(c) The storage area shall be graded in a manner to divert possible spills away from buildings or other exposures, or shall be surrounded by a curb or earth dike at least 12 inches high. When curbs or dikes are used, provisions shall be made for draining off accumulations of ground or rain water, or spills of flammable or combustible liquids. Drains shall terminate at a safe location and shall be accessible to operation under fire conditions.

(d) Outdoor portable tank storage. (i) Portable tanks shall not be nearer than 20 feet from any building. Two or more portable tanks, grouped together, having a combined capacity in excess of 2,200 gallons, shall be separated by a 5-foot-clear area. Individual portable tanks exceeding 1,100 gallons shall be separated by a 5-foot-clear area.

(ii) Within 200 feet of each portable tank, there shall be a 12-foot-wide access way to permit approach of fire control apparatus.

(e) Storage areas shall be kept free of weeds, debris, and other combustible material not necessary to the storage.

(f) Portable tanks, not exceeding 660 gallons, shall be provided with emergency venting and other devices, as required by chapters III and IV of NFPA 30-1972, The Flammable and Combustible Liquids Code.

(g) Portable tanks, in excess of 660 gallons, shall have emergency venting and other devices, as required by chapters II and III of the Flammable and Combustible Liquids Code, NFPA 30-1972.

(4) Fire control for flammable or combustible liquid storage. (a) At least one portable fire extinguisher, having a rating of not less than 20-B units, shall be located outside of, but not more than 10 feet from, the door opening into any room used for storage of more than 60 gallons of flammable or combustible liquids.

(b) At least one portable fire extinguisher having a rating of not less than 20-B units shall be located not less than 25 feet, nor more than 75 feet, from any flammable liquid storage area located outside.

(c) When sprinklers are provided, they shall be installed in accordance with the Standard for the Installation of Sprinkler Systems, NFPA 13-1972.

(d) At least one portable fire extinguisher having a rating of not less than 20-B:C units shall be provided on all tank trucks or other vehicles used for transporting and/or dispensing flammable or combustible liquids.

(5) Dispensing liquids. (a) Areas in which flammable or combustible liquids are transferred at the same time, in quantities greater than 5 gallons from one tank or container to another tank or container, shall be separated from other operations by 25-foot distance or by construction having a fire-resistance of at least 1 hour. Drainage or other means shall be provided to control spills. Adequate natural or mechanical ventilation shall be provided to maintain the concentration of flammable vapor at or below 10 percent of the lower flammable limit.

(b) Transfer flammable liquids from one container to another shall be done only when containers are electrically interconnected (bonded).

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

(d) The dispensing units shall be protected against collision damage.

(e) Dispensing devices and nozzles for flammable liquids shall be of an approved type, as required by WAC 296-24-33015.

(6) Handling liquids at point of final use. (a) Flammable liquids shall be kept in closed containers when not actually in use.

(b) Leakage or spillage of flammable or combustible liquids shall be disposed of promptly and safely.

(c) Flammable liquids shall be used only where there are no open flames or other sources of ignition within 50 feet of the operation, unless conditions warrant greater clearance.

(7) Service and refueling areas. (a) Flammable or combustible liquids shall be stored in approved closed containers, in tanks located underground, or in aboveground portable tanks.

(b) The tank trucks shall comply with the requirements covered in the Standard for Tank Vehicles for Flammable and Combustible Liquids, NFPA No. 385-1977.

(c) The dispensing hose shall be an approved type.

(d) The dispensing nozzle shall be an approved automatic-closing type.

(e) Underground tanks shall not be abandoned.

(f) Clearly identified and easily accessible switch(es) shall be provided at a location remote from dispensing devices to shut off the power to all dispensing devices in the event of an emergency.

(g) (i) Heating equipment of an approved type may be installed in the lubrication or service area where there is no dispensing or transferring of flammable liquids, provided the bottom of the heating unit is at least 18 inches above the floor and is protected from physical damage.

(ii) Heating equipment installed in lubrication or service areas, where flammable liquids are dispensed, shall be of an approved type for garages, and shall be installed at least 8 feet above the floor.

(h) There shall be no smoking or open flames in the areas used for fueling, servicing fuel systems for internal combustion engines, receiving or dispensing of flammable or combustible liquids.

(i) Conspicuous and legible signs prohibiting smoking shall be posted.

(j) The motor of any equipment being fueled shall be shut off during the fueling operation.

(k) Each service or fueling area shall be provided with at least one fire extinguisher having a rating of not less than 20BC located so that an extinguisher will be within 75 feet of each pump, dispenser, underground fill pipe opening, and lubrication or service area.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-405 ARC WELDING AND CUTTING. (1) Manual electrode holders. (a) Only manual electrode holders which are specifically designed for arc welding and cutting, and are of a capacity capable of safely handling the maximum rated current required by the electrodes, shall be used.

(b) Any current-carrying parts passing through the portion of the holder which the arc welder or cutter grips in his hand, and the outer

surfaces of the jaws of the holder, shall be fully insulated against the maximum voltage encountered to ground.

(2) Welding cables and connectors. (a) All arc welding and cutting cables shall be of the completely insulated, flexible type, capable of handling the maximum current requirements of the work in progress, taking into account the duty cycle under which the arc welder or cutter is working.

(b) Only cable free from repair or splices for a minimum distance of 10 feet from the cable end to which the electrode holder is connected shall be used, except that cables with standard insulated connectors or with splices whose insulating quality is equal to that of the cable are permitted.

(c) When it becomes necessary to connect or splice lengths of cable one to another, substantial insulated connectors of a capacity at least equivalent to that of the cable shall be used. If connections are effected by means of cable lugs, they shall be securely fastened together to give good electrical contact, and the exposed metal parts of the lugs shall be completely insulated.

(d) Cables in need of repair shall not be used. When a cable, other than the cable lead referred to in subdivision (b) of this subsection, becomes worn to the extent of exposing bare conductors, the portion thus exposed shall be protected by means of rubber and friction tape or other equivalent insulation.

(3) Ground returns and machine grounding. (a) A ground return cable shall have a safe current carrying capacity equal to or exceeding the specified maximum output capacity of the arc welding or cutting unit which it services. When a single ground return cable services more than one unit, its safe current-carrying capacity shall equal or exceed the total specified maximum output capacities of all the units which it services.

(b) Pipelines containing gases or flammable liquids, or conduits containing electrical circuits, shall not be used as a ground return. For welding on natural gas pipelines, the technical portions of regulations issued by the Department of Transportation, Office of Pipeline Safety, Minimum Federal Safety Standards for Gas Pipelines shall apply. (49 CFR Part 192, Subpart C.)

(c) When a structure or pipeline is employed as a ground return circuit, it shall be determined that the required electrical contact exist at all joints. The generation of an arc, sparks, or heat at any point shall cause rejection of the structures as a ground circuit.

(d) When a structure or pipeline is continuously employed as a ground return circuit, all joints shall be bonded, and periodic inspections shall be conducted to ensure that no condition of electrolysis or fire hazard exists by virtue of such use.

(e) The frames of all arc welding and cutting machines shall be grounded either through a third wire in the cable containing the circuit conductor or through a separate wire which is grounded at the source of the current. Grounding circuits, other than by means of the structure, shall be checked to ensure that the circuit between the ground and the grounded power conductor has resistance low enough to permit sufficient current to flow to cause the fuse or circuit breaker to interrupt the current.

(f) All ground connections shall be inspected to ensure that they are mechanically strong and electrically adequate for the required current.

(4) Operating instructions. Employers shall instruct employees in the safe means of arc welding and cutting as follows:

(a) When electrode holders are to be left unattended, the electrodes shall be removed and the holders shall be so placed or protected that they cannot make electrical contact with employees or conducting objects.

(b) Hot electrode holders shall not be dipped in water; to do so may expose the arc welder or cutter to electric shock.

(c) When the arc welder or cutter has occasion to leave his work or to stop work for any appreciable length of time, or when the arc welding or cutting machine is to be moved, the power supply switch to the equipment shall be opened.

(d) Any faulty or defective equipment shall be reported to the supervisor.

(e) ~~((Other requirements, as outlined in Article 636, National Electrical Code, NFPA 70-1984, ANSI C2-1984, Electric Welders, shall be followed when applicable))~~ See WAC 296-155-452 for additional requirements.

(5) Shielding. Whenever practical, all arc welding and cutting operations shall be shielded by noncombustible or flameproof screens which will protect employees and other persons working in the vicinity from the direct rays of the arc.

(6) Employee protection. Where welding or cutting operations are being performed in areas where it is possible for molten slag to contact other employees, those employees shall be protected from being burned by providing overhead protection, barricading the impact area, or other effective means.

AMENDATORY SECTION (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-745 COMPRESSED AIR. (1) General provisions. (a) There shall be present, at all times, at least one competent person designated by and representing the employer, who shall be familiar with this part in all respects and responsible for full compliance with these and other applicable parts.

(b) Every employee shall be instructed in the rules and regulations which concern his safety or the safety of others.

(2) Medical attendance, examination, and regulations. (a) There shall be retained one or more licensed physicians familiar with and experienced in the physical requirements and the medical aspects of compressed air work and the treatment of decompression illness. He shall be available at all times while work is in progress in order to provide medical supervision of employees employed in compressed air work. He shall himself be physically qualified and be willing to enter a pressurized environment.

(b) No employee shall be permitted to enter a compressed air environment until he has been examined by the physician and reported by him to be physically qualified to engage in such work.

(c) In the event an employee is absent from work for 10 days, or is absent due to sickness or injury, he shall not resume work until he is reexamined by the physician, and his physical condition reported, as provided in this subsection, to be such as to permit him to work in compressed air.

(d) After an employee has been employed continuously in compressed air for a period designated by the physician, but not to exceed 1 year, he shall be reexamined by the physician to determine if he is still physically qualified to engage in compressed air work.

(e) Such physician shall at all times keep a complete and full record of examinations made by him. The physician shall also keep an accurate record of any decompression illness or other illness or injury incapacitating any employee for work, and of all loss of life that occurs in the operation of a tunnel, caisson, or other compartment in which compressed air is used.

(f) Records shall be available for the inspection by the director or his representatives, and a copy thereof shall be forwarded to the division within 48 hours following the occurrence of the accident, death, injury, or decompression illness. It shall state as fully as possible the cause of said death or decompression illness, and the place where the injured or sick employee was taken, and such other relative information as may be required by the director.

(g) A fully equipped first-aid station shall be provided at each tunnel project regardless of the number of persons employed. An ambulance or transportation suitable for a litter case shall be at each project.

(h) Where tunnels are being excavated from portals more than 5 road miles apart, a first-aid station and transportation facilities shall be provided at each portal.

(i) A medical lock shall be established and maintained in immediate working order whenever air pressure in the working chamber is increased above the normal atmosphere.

(j) The medical lock shall:

(i) Have at least 6 feet of clear headroom at the center, and be subdivided into not less than two compartments;

(ii) Be readily accessible to employees working under compressed air;

(iii) Be kept ready for immediate use for at least 5 hours subsequent to the emergence of any employee from the working chamber;

(iv) Be properly heated, lighted and ventilated;

(v) Be maintained in a sanitary condition;

(vi) Have a nonshatterable port through which the occupant(s) may be kept under constant observation;

(vii) Be designed for a working pressure of 75 p.s.i.g.;

(viii) Be equipped with internal controls which may be overridden by external controls;

(ix) Be provided with air pressure gauges to show the air pressure within each compartment to observers inside and outside the medical lock;

(x) Be equipped with a manual type sprinkler system that can be activated inside the lock or by the outside lock tender;

(xi) Be provided with oxygen lines and fittings leading into external tanks. The lines shall be fitted with check valves to prevent reverse flow. The oxygen system inside the chamber shall be of a closed circuit design and be so designed as to automatically shut off the oxygen supply whenever the fire system is activated.

(xii) Be in constant charge of an attendant under the direct control of the retained physician. The attendant shall be trained in the use of the lock and suitably instructed regarding steps to be taken in the treatment of employee exhibiting symptoms compatible with a diagnosis of decompression illness;

(xiii) Be adjacent to an adequate emergency medical facility;

(xiv) The medical facility shall be equipped with demand-type oxygen inhalation equipment approved by the U.S. Bureau of Mines;

(xv) Be capable of being maintained at a temperature, in use, not to exceed 90°F. nor be less than 70°F.; and

(xvi) Be provided with sources of air, free of oil and carbon monoxide, for normal and emergency use, which are capable of raising the air pressure in the lock from 0 to 75 p.s.i.g. in 5 minutes.

(k) Identification badges shall be furnished to all employees, indicating that the wearer is a compressed air worker. A permanent record shall be kept of all identification badges issued. The badge shall give the employee's name, address of the medical lock, the telephone number of the licensed physician for the compressed air project, and contain instructions that in case of emergency of unknown or doubtful cause or illness, the wearer shall be rushed to the medical lock. The badge shall be worn at all times—off the job, as well as on the job.

(3) Telephone and signal communication. ((+)) Effective and reliable means of communication, such as bells, whistles, or telephones, shall be maintained at all times between all the following locations;

((+)) (a) The working chamber face;

((+)) (b) The working chamber side of the man lock near the door;

((+)) (c) The interior of the man lock;

((+)) (d) Lock attendant's station;

((+)) (e) The compressor plant;

((+)) (f) The first-aid station;

((+)) (g) The emergency lock (if one is required); and

((+)) (h) The special decompression chamber (if one is required).

(4) Signs and records. (a) The time of decompression shall be posted in each man lock as follows:

TIME OF DECOMPRESSION FOR THIS LOCK

..... pounds to pounds in minutes.

..... pounds to pounds in minutes.

(Signed by)
(Superintendent)

This form shall be posted in the man lock at all times.

(b) Any code of signals used shall be conspicuously posted near workplace entrances and such other locations as may be necessary to bring them to the attention of all employees concerned.

(c) For each 8-hour shift, a record of employees employed under air pressure shall be kept by an employee who shall remain outside the lock near the entrance. This record shall show the period each employee spends in the air chamber and the time taken from decompression. A copy shall be submitted to the appointed physician after each shift.

(5) Compression. (a) Every employee going under air pressure for the first time shall be instructed on how to avoid excessive discomfort.

(b) During the compression of employees, the pressure shall not be increased to more than 3 p.s.i.g. within the first minute. The pressure shall be held at 3 p.s.i.g. and again at 7 p.s.i.g. sufficiently long to determine if any employees are experiencing discomfort.

(c) After the first minute the pressure shall be raised uniformly and at a rate not to exceed 10 p.s.i. per minute.

(d) If any employee complains of discomfort, the pressure shall be held to determine if the symptoms are relieved. If, after 5 minutes the discomfort does not disappear, the lock attendant shall gradually reduce the pressure until the employee signals that the discomfort has ceased. If he does not indicate that the discomfort has disappeared, the lock attendant shall reduce the pressure to atmospheric and the employee shall be released from the lock.

(e) No employee shall be subjected to pressure exceeding 50 pounds per square inch except in an emergency.

(6) Decompression. (a) Decompression to normal condition shall be in accordance with the decompression tables in Appendix A of this part.

(b) In the event it is necessary for an employee to be in compressed air more than once in a 24-hour period, the appointed physician shall be responsible for the establishment of methods and procedures of decompression applicable to repetitive exposures.

(c) If decanting is necessary, the appointed physician shall establish procedures before any employee is permitted to be decompressed by decanting methods. The period of time that the employees spend at atmospheric pressure between the decompression following the shift and recompression shall not exceed 5 minutes.

(7) Man locks and special decompression chambers. (a) Man locks. (i) Except in emergency, no employees employed in compressed air shall be permitted to pass from the working chamber to atmospheric pressure until after decompression, in accordance with the procedures in this part.

(ii) The lock attendant in charge of a man lock shall be under the direct supervision of the appointed physician. He shall be stationed at the lock controls on the free air side during the period of compression and decompression and shall remain at the lock control station whenever there are persons in the working chamber or in the man lock.

(iii) Except where air pressure in the working chamber is below 12 p.s.i.g., each man lock shall be equipped with automatic controls which, through taped programs, cams, or similar apparatus, shall automatically regulate decompressions. It shall also be equipped with manual controls to permit the lock attendant to override the automatic mechanism in the event of an emergency, as provided in item (viii) of this subdivision.

(iv) A manual control, which can be used in the event of an emergency, shall be placed inside the man lock.

(v) A clock, thermometer, and continuous recording pressure gauge with a 4-hour graph shall be installed outside of each man lock and shall be changed prior to each shift's decompression. The chart shall be of sufficient size to register a legible record of variations in pressure within the man lock and shall be visible to the lock attendant. A copy of each graph shall be submitted to the appointed physician after each shift. In addition, a pressure gauge, clock, and thermometer shall also be installed in each man lock. Additional fittings shall be provided so that the test gauges may be attached whenever necessary.

(vi) Except where air pressure is below 12 p.s.i.g. and there is no danger of rapid flooding, all caissons having a working area greater than 150 square feet, and each bulkhead in tunnels of 14 feet or more in diameter, or equivalent area, shall have at least two locks in perfect working condition, one of which shall be used exclusively as a man lock, the other, as a materials lock.

(vii) Where only a combination man-and-materials lock is required, this single lock shall be of sufficient capacity to hold the employees constituting two successive shifts.

(viii) Emergency locks shall be large enough to hold an entire heading shift and a limit maintained of 12 p.s.i.g. There shall be a chamber available for oxygen decompression therapy to 28 p.s.i.g.

(ix) The man lock shall be large enough so that those using it are not compelled to be in a cramped position and shall not have less than 5 feet clear head room at the center and a minimum of 30 cubic feet of air space per occupant.

(x) Locks on caissons shall be so located that the bottom door shall be not less than 3 feet above the water level surrounding the caisson on the outside. (The water level, where it is affected by tides, is construed to mean high tide.)

(xi) In addition to the pressure gauge in the locks, an accurate pressure gauge shall be maintained on the outer and inner side of each bulkhead. These gauges shall be accessible at all times and shall be kept in accurate working order.

(xii) Man locks shall have an observation port at least 4 inches in diameter located in such a position that all occupants of the man lock may be observed from the working chamber and from the free air side of the lock.

(xiii) Adequate ventilation in the lock shall be provided.

(xiv) Man locks shall be maintained at a minimum temperature of 70°F.

(xv) When locks are not in use and employees are in the working chamber, lock doors shall be kept open to the working chamber, where practicable.

(xvi) Provision shall be made to allow for rescue parties to enter the tunnel if the working force is disabled.

(xvii) A special decompression chamber of sufficient size to accommodate the entire force of employees being decompressed at the end of a shift shall be provided whenever the regularly established working period requires total time of decompression exceeding 75 minutes.

(b) Special decompression chamber. (i) The headroom in the special decompression chamber shall be not less than a minimum 7 feet and the cubical content shall provide at least 50 cubic feet of airspace for each employee. For each occupant, there shall be provided 4 square feet of free walking area and 3 square feet of seating space, exclusive of area required for lavatory and toilet facilities. The rated capacity shall be based on the stated minimum space per employee and shall be posted at the chamber entrance. The posted capacity shall not be exceeded, except in case of emergency.

(ii) Each special decompression chamber shall be equipped with the following:

(A) A clock or clocks suitably placed so that the attendant and the chamber occupants can readily ascertain the time;

(B) Pressure gauges which will indicate to the attendants and to the chamber occupants the pressure in the chamber;

(C) Valves to enable the attendant to control the supply and discharge of compressed air into and from the chamber.

(D) Valves and pipes, in connection with the air supply and exhaust, arranged so that the chamber pressure can be controlled from within and without;

(E) Effective means of oral intercommunication between the attendant, occupants of the chamber, and the air compressor plant; and

(F) An observation port at the entrance to permit observation of the chamber occupants.

(iii) Seating facilities in special decompression chambers shall be so arranged as to permit a normal sitting posture without cramping. Seating space, not less than 18 inches by 24 inches wide, shall be provided per occupant.

(iv) Adequate toilet and washing facilities, in a screened or enclosed recess, shall be provided. Toilet bowls shall have a built-in protector on the rim so that an air space is created when the seat lid is closed.

(v) Fresh and pure drinking water shall be available. This may be accomplished by either piping water into the special decompression chamber and providing drinking fountains, or by providing individual canteens, or by some other sanitary means. Community drinking vessels are prohibited.

(vi) No refuse or discarded material of any kind shall be permitted to accumulate, and the chamber shall be kept clean.

(vii) Unless the special decompression chamber is serving as the man lock to atmospheric pressure, the special decompression chamber shall be situated, where practicable, adjacent to the man lock on the atmospheric pressure side of the bulkhead. A passageway shall be provided, connecting the special chamber with the man lock, to permit employees in the process of decompression to move from the man lock to the special chamber without a reduction in the ambient pressure from that designated for the next stage of decompression. The passageway shall be so arranged as to not interfere with the normal operation of the man lock, nor with the release of the occupants of the special chamber to atmospheric pressure upon the completion of the decompression procedure.

(8) Compressor plant and air supply. (a) At all times there shall be a thoroughly experienced, competent, and reliable person on duty at the air control valves as a gauge tender who shall regulate the pressure in the working areas. During tunneling operations, one gauge tender may regulate the pressure in not more than two headings: Provided; That the gauges and controls are all in one location. In caisson work, there shall be a gauge tender for each caisson.

(b) The low air compressor plant shall be of sufficient capacity to not only permit the work to be done safely, but shall also provide a margin to meet emergencies and repairs.

(c) Low air compressor units shall have at least two independent and separate sources of power supply and each shall be capable of operating the entire low air plant and its accessory systems.

(d) The capacity, arrangement, and number of compressors shall be sufficient to maintain the necessary pressure without overloading the equipment and to assure maintenance of such pressure in the working chamber during periods of breakdown, repair, or emergency.

(e) Switching from one independent source of power supply to the other shall be done periodically to ensure that workability of the apparatus in an emergency.

(f) Duplicate low-pressure air feedlines and regulating valves shall be provided between the source of air supply and a point beyond the

locks with one of the lines extending to within 100 feet of the working face.

(g) All high-pressure and low-pressure air supply lines shall be equipped with check valves.

(h) Low-pressure air shall be regulated automatically. In addition, manually operated valves shall be provided for emergency conditions.

(i) The air intakes for all air compressors shall be located at a place where fumes, exhaust gases, and other air contaminants will be at a minimum.

(j) Gauges indicating the pressure in the working chamber shall be installed in the compressor building, the lock attendant's station, and at the employer's field office.

(9) Ventilation and air quality. (a) Exhaust valves and exhaust pipes shall be provided and operated so that the working chamber shall be well ventilated, and there shall be no pockets of dead air. Outlets may be required at intermediate points along the main low-pressure air supply line to the heading to eliminate such pockets of dead air. The quantity of ventilation air shall be not less than 30 cubic feet per minute.

(b) The air in the workplace shall be analyzed by the employer not less than once each shift, and records of such tests shall be kept on file at the place where the work is in progress. The test results shall be within the threshold limit values specified in part B of this chapter, for hazardous gases, and within 10 percent of the lower explosive limit of flammable gases. If these limits are not met, immediate action to correct the situation shall be taken by the employer.

(c) The temperature of all working chambers which are subjected to air pressure shall, by means of after-coolers or other suitable devices, be maintained at a temperature not to exceed 85°F.

(d) Forced ventilation shall be provided during decompression. During the entire decompression period, forced ventilation through chemical or mechanical air purifying devices that will ensure a source of fresh air shall be provided.

(e) Whenever heat-producing machines (moles, shields) are used in compressed air tunnel operations, a positive means of removing the heat build-up at the heading shall be provided.

(10) Electricity. (a) All lighting in compressed-air chambers shall be by electricity exclusively, and two independent electric-lighting systems with independent sources of supply shall be used. The emergency source shall be arranged to become automatically operative in the event of failure of the regularly used source.

(b) The minimum intensity of light on any walkway, ladder, stairway, or working level shall be not less than 10 foot-candles, and in all workplaces the lighting shall at all times be such as to enable employees to see clearly.

(c) All electrical equipment, and wiring for light and power circuits, shall comply with requirements of ~~(the National Electrical Code, ANSI C1-1971 (Rev. of 1968))~~ Part I, of this standard, for use in damp, hazardous, high temperature, and compressed air environments.

(d) External parts of lighting fixtures and all other electrical equipment, when within 8 feet of the floor, shall be constructed of noncombustible, nonabsorptive, insulating materials, except that metal may be used if it is effectively grounded.

(e) Portable lamps shall be equipped with noncombustible, nonabsorptive, insulating sockets, approved handles, basket guards, and approved cords.

(f) The use of worn or defective portable and pendant conductors is prohibited.

(11) Sanitation. (a) Sanitary, heated, lighted, and ventilated dressing rooms and drying rooms shall be provided for all employees engaged in compressed air work. Such rooms shall contain suitable benches and lockers. Bathing accommodations (showers at the ratio of one to 10 employees per shift), equipped with running hot and cold water, and suitable and adequate toilet accommodations, shall be provided. One toilet for each 15 employees, or fractional part thereof, shall be provided.

(b) When the toilet bowl is shut by a cover, there should be an air space so that the bowl or bucket does not implode when pressure is increased.

(c) All parts of caissons and other working compartments shall be kept in a sanitary condition.

(12) Fire prevention and protection. (a) Firefighting equipment shall be available at all times and shall be maintained in working condition.

(b) While welding or flame-cutting is being done in compressed air, a firewatch with a fire hose or approved extinguisher shall stand by until such operation is completed.

(c) Shafts and caissons containing flammable material of any kind, either above or below ground, shall be provided with a waterline and a fire hose connected thereto, so arranged that all points of the shaft or caisson are within reach of the hose stream.

(d) Fire hose shall be at least 1 1/2 inches in nominal diameter; the water pressure shall at all times be adequate for efficient operation of the type of nozzle used; and the water supply shall be such as to ensure an uninterrupted flow. Fire hose, when not in use, shall be located or guarded to prevent injury thereto.

(e) The power house, compressor house, and all buildings housing ventilating equipment, shall be provided with at least one hose connection in the waterline, with a fire hose connected thereto. A fire hose shall be maintained within reach of structures of wood over or near shafts.

(f) Tunnels shall be provided with a 2-inch minimum diameter waterline extending into the working chamber and to within 100 feet of the working face. Such line shall have hose outlets with 100 feet of fire hose attached and maintained as follows: One at the working face; one immediately inside of the bulkhead of the working chamber; and one immediately outside such bulkhead. In addition, hose outlets shall be provided at 200-foot intervals throughout the length of the tunnel, and 100 feet of fire hose shall be attached to the outlet nearest to any location where flammable material is being kept or stored or where any flame is being used.

(g) In addition to fire hose protection required by this part, on every floor of every building not under compressed air, but used in connection with the compressed air work, there shall be provided at least one approved fire extinguisher of the proper type for the hazards involved. At least two approved fire extinguishers shall be provided in the working chamber as follows: One at the working face and one immediately inside the bulkhead (pressure side). Extinguishers in the working chamber shall use water as the primary extinguishing agent and shall not use any extinguishing agent which could be harmful to the employees in the working chamber. The fire extinguisher shall be protected from damage.

(h) Highly combustible materials shall not be used or stored in the working chamber. Wood, paper, and similar combustible material shall not be used in the working chamber in quantities which could cause a fire hazard. The compressor building shall be constructed of noncombustible material.

(i) Man locks shall be equipped with a manual type fire extinguisher system that can be activated inside the man lock and also by the outside lock attendant. In addition, a fire hose and portable fire extinguisher shall be provided inside and outside the man lock. The portable fire extinguisher shall be the dry chemical type.

(j) Equipment, fixtures, and furniture in man locks and special decompression chambers shall be constructed of noncombustible materials. Bedding, etc., shall be chemically treated so as to be fire resistant.

(k) Head frames shall be constructed of structural steel or open frame-work fireproofed timber. Head houses and other temporary surface buildings or structures within 100 feet of the shaft, caisson, or tunnel opening shall be built of fire-resistant materials.

(l) No oil, gasoline, or other combustible materials shall be stored within 100 feet of any shaft, caisson, or tunnel opening, except that oils may be stored in suitable tanks in isolated fireproof buildings, provided such buildings are not less than 50 feet from any shaft, caisson, or tunnel opening, or any building directly connected thereto.

(m) Positive means shall be taken to prevent leaking flammable liquids from flowing into the areas specifically mentioned in the preceding subdivision.

(n) All explosives used in connection with compressed air work shall be selected, stored, transported, and used as specified in part T of this chapter.

(13) Bulkheads and safety screens. (a) Intermediate bulkheads with locks, or intermediate safety screens or both, are required where there is danger of rapid flooding.

(b) In tunnels 16 feet or more in diameter, hanging walkways shall be provided from the face to the man lock as high in the tunnel as practicable, with at least 6 feet of head room. Walkways shall be constructed of noncombustible material. Standard railings shall be securely installed throughout the length of all walkways on open sides in accordance with part K of this chapter. Where walkways are ramped under safety screens, the walkway surface shall be skidproofed by cleats or by equivalent means.

(c) Bulkheads used to contain compressed air shall be tested, where practicable, to prove their ability to resist the highest air pressure which may be expected to be used.

AMENDATORY SECTION (Amending Order 86-46, filed 4/22/87)

WAC 296-306-320 FIELD SANITATION—REQUIREMENTS. Agricultural employers shall provide the following for employees engaged in hand-labor operations in the field, without cost to the employee:

(1) Orientation: Orientation shall be given verbally to all employees in a manner readily understandable by each employee and shall include:

(a) Potable water: The location(s) of potable water supplies;

(b) Nonpotable water: Identification of all nonpotable water at the worksite and prohibition of the use of nonpotable water with an explanation of the possible consequences of using nonpotable water;

(c) Handwashing facilities: The location(s) of handwashing facilities with an explanation of when they should be used and the consequences of nonuse; and

(d) Toilet facilities: The location(s) of toilet facilities with an explanation of the necessity to use them and to keep them sanitary as well as the possible consequences of nonuse.

(2) Potable drinking water.

(a) The water shall be provided and shall be placed in locations readily accessible to all employees.

(b) Potable water dispensers shall be designed, constructed, and serviced so that sanitary conditions are maintained. They shall be capable of being closed and shall be equipped with a tap.

(c) Open containers such as barrels, pails, or tanks for drinking water from which water must be dipped or poured, whether or not they are fitted with a cover, are prohibited.

(d) Marking: Any container used to distribute drinking water shall be clearly marked, in English and with appropriate international symbols as to the nature of its contents.

(e) Use: Any container used to distribute drinking water shall not be used for any other purpose.

(f) The water shall be suitably cool and in sufficient amounts, taking into account the air temperature, humidity, and the nature of the work performed, to meet employees' needs.

Note: Suitably cool water should be sixty degrees Fahrenheit or less. During hot weather, workers may require up to three gallons of water per day.

(g) The use of common drinking cups or dippers is prohibited. Water shall be dispensed in single-use drinking cups, personal containers, or by water fountains. Single-use drinking cups mean a container of any type or size whether disposable or not, and may include personal containers so long as the option to use a personal container is exercised by the employee, not the employer. ~~((NOTE: Suitably cool water should be sixty degrees Fahrenheit or less. During hot weather, workers may require up to three gallons of water per day.))~~

(h) Employees shall not be permitted to drink from irrigation ditches, creeks or rivers. Potable water shall meet the standards for drinking purposes by the state or local authority having jurisdiction or water that meets the quality standards prescribed by the local health department in accordance with the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141.

(3) Handwashing facilities.

(a) One handwashing facility, providing a tap with an adequate supply of water, soap, single-use hand towels and either a basin or other suitable container for washing shall be provided for each thirty employees or fraction thereof, except as stated in (h)(ii) of this subsection.

Note: Nonpotable water shall not be used for washing any portion of the person, except as specifically permitted by the health authorities having jurisdiction.

(b) Running water: Each facility shall be provided with running water.

(c) Soap: Each facility shall be provided with a dispenser containing handsoap or a similar cleansing agent.

(d) Towels: Each facility shall be provided with individual single-use hand towels.

(e) Cleanliness: Facilities shall be maintained in a clean and sanitary condition in accordance with appropriate public health sanitation practices.

(f) Waste: Waste receptacles shall be provided. Disposal of wastes from the facilities shall not create a hazard or cause an unsanitary condition.

(g) Reasonable use: Employees shall be allowed reasonable opportunities during the work period to use the facilities.

(h) Location:

(i) Facilities shall be accessibly located in close proximity to toilet facilities and within one-quarter mile of each employee's place of work in the field.

(ii) Where it is not feasible to locate facilities within one-quarter mile, or where facilities are otherwise inaccessible, suitable immediate transportation shall be provided within five minutes transportation time, to facilities meeting the requirements of this subsection. Under exceptional and compelling circumstances, such as adverse weather, temperatures below freezing, or isolated terrain, longer transportation times may be used.

(4) Toilet facilities.

(a) One toilet facility shall be provided for each thirty employees or fraction thereof, except as stated in (h)(ii) of this subsection.

(b) Each employer shall ensure, at the beginning of each day, that the toilets are inspected. If any toilet facility fails to meet the requirements of this section, immediate corrective action shall be taken. Inspections shall be documented and the record shall be maintained at the work site for at least seventy-two hours.

(c) Toilet facilities shall have doors that can be closed and latched from the inside and shall be constructed to ensure privacy.

(d) Cleanliness: Facilities shall be maintained in a clean, sanitary, and functional condition and in accordance with the appropriate public health sanitation practices.

(e) Toilets shall be supplied with toilet paper.

(f) Waste: Disposal of wastes from the facilities shall not create a hazard or cause an unsanitary condition.

(g) Reasonable use: Employees shall be allowed reasonable opportunities during the work period to use the facilities.

(h) Location:

(i) Facilities shall be accessibly located in close proximity to hand washing facilities and within one-quarter mile of each employee's place of work in the field.

(ii) Where it is not feasible to locate facilities within one-quarter mile, or where facilities are otherwise inaccessible, suitable immediate transportation shall be provided within five minutes transportation time, to facilities meeting the requirements of this subsection. Under exceptional and compelling circumstances, such as adverse weather, temperature below freezing, or isolated terrain, longer transportation times may be used.

WSR 88-18-072**EMERGENCY RULES****DEPARTMENT OF NATURAL RESOURCES**

[Order 546—Filed September 6, 1988]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the emergency closure of forest lands protected by the Department of Natural Resources in Eastern Washington.

I, Brian J. Boyle, 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 extreme fire weather conditions exist in Eastern Washington whereby lives, property and the natural resources are at risk from wild fire. The closure of forest lands in Eastern Washington to access and all activities is necessary to prevent a fire from starting.

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

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.325(2) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 6, 1988.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-091 FOREST CLOSURE. *Effective midnight, Tuesday, September 6, 1988 through midnight, Friday, September 9, 1988, all lands protected by the Department of Natural Resources in eastern Washington are closed to access by the public and all activities on such lands are prohibited. During the time of this closure all persons are excluded from said lands except those persons present in the interest of fire protection.*

WSR 88-18-073**PROPOSED RULES****DEPARTMENT OF AGRICULTURE**

[Filed September 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning the amending of WAC 16-532-020 to provide for board membership terms to expire on December 31 instead of June 30, and to hold the elections in November instead of April; and adding new section WAC 16-532-035 requiring inspection of all varieties of hops for quality and condition when marketed;

that the agency will at 2:00 p.m., Thursday, October 13, 1988, in the Federal-State Agricultural Service Center, Conference Room A, 2015 South 1st Street, Yakima, WA 98903, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1988.

The authority under which these rules are proposed is chapter 15.65 RCW.

The specific statute these rules are intended to implement is chapter 15.65 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1988.

Dated: August 30, 1988

By: Arthur C. Scheunemann
Assistance Director

STATEMENT OF PURPOSE

Title: Amending chapter 16-532 WAC; WAC 16-532-020 to provide for board member terms to expire on December 31 instead of June 30, and to hold elections in November instead of April; and 16-532-035 requiring inspection of all varieties of hops produced in this state for quality and condition when marketed.

Statutory Authority: Chapter 15.65 RCW.

Summary of Rule and Reasons for Support: Changing the election period and expiration dates for board member terms will make the nomination and election procedures much more practical and convenient for the business operation of the board. The inspection will verify quality and condition of products to be marketed improving the marketing practices.

Agency Personnel Responsible for Drafting: Roger L. Roberts, Agricultural Programs Administrator, Agricultural Development Division, Washington State Department of Agriculture, 406 General Administration Building, AX-41, Olympia, WA; Implementation and Enforcement: Washington Hop Commission, 504 North Naches Avenue, Suite 5, Yakima, WA 98901.

Persons Proposing Rule: Washington hop producers by petition by the director of agriculture as provided for in RCW 15.65.050.

Agency Comments or Recommendations: None.

Rule is not necessary as a result of federal law or federal or state court action.

Economic Impact: Affects hop producers only.

AMENDATORY SECTION (Amending Marketing Order Article II, filed 7/1/64)

WAC 16-532-020 HOP BOARD. (1) Administration. The provisions of this order and the applicable provisions of the act shall be administered and enforced by the board as the designee of the director.

(2) Board membership.

(a) The board shall consist of ten members. Nine members shall be affected producers elected as provided in this section. The director shall appoint one member of the board who is neither an affected producer nor a handler to represent the department and the public.

(b) For the purpose of nomination and election of producer members of the board, the affected area shall be the entire state of Washington.

(3) Board membership qualifications.

((~~(a)~~)) The affected producer members of the board shall be practical producers of hops and shall be citizens and residents of the state of Washington, over the age of twenty-five years, each of whom is and has been actually engaged in producing hops within the state of Washington for a period of five years and has during that time derived a substantial portion of his income therefrom and who is not engaged in business, directly or indirectly, as a handler or other dealer.

(4) Term of office.

(a) The term of office for members of the board shall be three years and one-third of the membership as nearly as possible shall be elected each year.

(b) Membership positions on the board shall be designated numerically; affected producers shall have positions one through nine and the member appointed by the director position ten.

(c) The term of office for the initial board members shall be as follows:

Positions one, two, three and ten - until June 30, 1967

Positions four, five and six - until June 30, 1966

Positions seven, eight and nine - until June 30, 1965

(d) Terms of office for the board members serving at the time of the 1988 amendment of this section shall be as follows:

Positions one, two, three and ten - until December 31, 1991

Positions four, five and six - until December 31, 1989

Positions seven, eight and nine - until December 31, 1990

(5) Nomination and election of board members. Each year the director shall call for a nomination meeting. Such meeting shall be held at least thirty days in advance of the date set by the director for the election of board members. Notice of every such meeting shall be published in a newspaper of general circulation within the major production area not less than ten days in advance of the date of such meeting and in addition, written notice of every such meeting shall be given to all affected producers according to the list maintained by the director

pursuant to RCW 15.65.200 of the act. Nonreceipt of notice by any interested person shall not invalidate the proceedings at such nomination meeting. Any qualified affected producer may be nominated orally for membership on the board at such nomination meetings. Nominations may also be made within five days after any such meetings by written petition filed with the director signed by not less than five affected producers. At the inception of this order nominations may be made at the issuance hearing.

(6) Election of board members.

(a) Members of the board shall be elected by secret mail ballot within the month of (~~April~~) November under the supervision of the director. Affected producer members of the board shall be elected by a majority of the votes cast by the affected producers. Each affected producer shall be entitled to one vote.

(b) If a nominee does not receive a majority of the votes on the first ballot a run-off election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(c) Notice of every election for board membership shall be published in a newspaper of general circulation within the major production area not less than ten days in advance of the date of such election. Not less than ten days prior to every election for board membership, the director shall mail a ballot of the candidates to each affected producer entitled to vote whose name appears upon the list of such affected producers maintained by the director in accordance with RCW 15.65.200. Any other affected producer entitled to vote may obtain a ballot by application to the director upon establishing his qualifications. Nonreceipt of a ballot by any affected producer shall not invalidate the election of any board member.

(7) Vacancies prior to election. In the event of a vacancy on the board, the remaining members shall select a qualified person to fill the unexpired term.

(8) Quorum. A majority of the members shall constitute a quorum for the transaction of all business and the carrying out of all duties of the board.

(9) Board compensation. No member of the board shall receive any salary or other compensation, but each member shall be reimbursed for actual subsistence and traveling expenses incurred through attendance at meetings or other board activities: PROVIDED, That such expenses shall be authorized by resolution by unanimous approval of the board at a regular meeting.

(10) Powers and duties of the board. The board shall have the following powers and duties:

(a) To administer, enforce and control the provisions of this order as the designee of the director.

(b) To elect a chairman and such other officers as the board deems advisable.

(c) To employ and discharge at its discretion such personnel, including attorneys engaged in the private practice of law subject to the approval and supervision of the attorney general, as the board determines are necessary and proper to carry out the purpose of the order and effectuate the declared policies of the act.

(d) To pay only from moneys collected as assessments or advances thereon the costs arising in connection with the formulation, issuance, administration and enforcement of the order. Such expenses and costs may be paid by check, draft or voucher in such form and in such manner and upon the signature of the person as the board may prescribe.

(e) To reimburse any applicant who has deposited money with the director in order to defray the costs of formulating the order.

(f) To establish a "hop board marketing revolving fund" and such fund to be deposited in a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the board except as the amount of petty cash for each day's needs, not to exceed one hundred dollars, shall be deposited each day or as often during the day as advisable.

(g) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, paid outs, moneys and other financial transactions made and done pursuant to this order. Such records, books and accounts shall be audited at least annually subject to procedures and methods lawfully prescribed by the state auditor. Such books and accounts shall be closed as of the last day of each fiscal year of the state of Washington. A copy of such audit shall be delivered within thirty days after the completion thereof to the governor, the director, the state auditor and the board.

(h) To require a bond of all board members and employees of the board in a position of trust in the amount the board shall deem necessary. The premium for such bond or bonds shall be paid by the board from assessments collected. Such bond shall not be necessary if any such board member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(i) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of the order during each fiscal year.

(j) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the board. All records, books and minutes of board meetings shall be kept at such headquarters.

(k) To adopt rules and regulations of a technical or administrative nature, subject to the provisions of chapter 34.04 RCW (Administrative Procedure Act).

(l) To carry out the provisions of RCW 15.65.510 covering the obtaining of information necessary to effectuate the provisions of the order and the act, along with the necessary authority and procedure for obtaining such information.

(m) To bring actions or proceedings upon joining the director as a party for specific performance, restraint, injunction or mandatory injunction against any person who violates or refuses to perform the obligations or duties imposed upon him by the act or order.

(n) To confer with and cooperate with the legally constituted authorities of other states and of the United States for the purpose of obtaining uniformity in the administration of federal and state marketing regulations, licenses, agreements or orders.

(o) To carry out any other grant of authority or duty provided designees and not specifically set forth in this section.

(11) Procedures for board.

(a) The board shall hold regular meetings, at least quarterly, with the time and date thereof to be fixed by resolution of the board.

(b) The board shall hold an annual meeting, at which time an annual report will be presented. The proposed budget shall be presented for discussion at the meeting. Notice of the annual meeting shall be given by the board at least ten days prior to the meeting by written notice to each producer and by regular wire news services and radio-television press.

(c) The board shall establish by resolution, the time, place and manner of calling special meetings of the board with reasonable notice to the members: PROVIDED, That the notice of any special meeting may be waived by a waiver thereof by each member of the board.

NEW SECTION

WAC 16-532-035 INSPECTION REQUIRED. All varieties of hops produced in the state of Washington shall be inspected and certified by the Federal/State Hop Inspection Service for quality and condition when marketed, pursuant to the standards established by the Federal Grain Inspection Service of the United States Department of Agriculture.

**WSR 88-18-074
NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION
[Memorandum—September 7, 1988]**

The November 3-4, 1988, regular meeting of the Interagency Committee for Outdoor Recreation will be held at the Tye Motor Inn, Coho Annex, 500 Tye Drive, Tumwater, Washington, beginning at 9:00 a.m. on November 3. The meeting will continue on Friday, November 4, if the agenda has not been completed.

This meeting is a funding session for both local agencies' grant-in-aid projects and nonhighway and off-road vehicles activities (NOVA) projects—scheduled as follows:

Local Agencies GIA Projects	10:00 a.m., Thursday, November 3
NOVA Projects	1:00 p.m., Thursday, November 3
	E & E projects
	9:00 a.m., Friday, November 4
	ORV and nonhighway projects

**WSR 88-18-075
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed September 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 the national pollutant discharge elimination system permit program, chapter 173-220 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 1, 1988, at 2:00 p.m., in the Department of Ecology Headquarters, Lacey, Washington.

The authority under which these rules are proposed is chapter 43.21A RCW.

The specific statute these rules are intended to implement is chapter 90.48 RCW and RCW 90.54.020.

This notice is connected to and continues the matter in Notice No. WSR 88-13-095 filed with the code reviewer's office on June 21, 1988.

Dated: September 6, 1988
By: Phillip C. Johnson
Deputy Director, Programs

**WSR 88-18-076
PROPOSED RULES
DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Banking)
[Filed September 6, 1988]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Division of Banking, Department of General Administration, intends to adopt, amend, or repeal rules concerning:

- Amd WAC 50-20-040 Contents of statement to borrower.
- Amd WAC 50-20-050 Restrictions as to charges.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 11, 1988.

The authority under which these rules are proposed is RCW 31.04.150(2).

The specific statute these rules are intended to implement is chapter 31.04 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1988.

Dated: September 6, 1988
By: Thomas H. Oldfield
Supervisor of Banking

STATEMENT OF PURPOSE

Title: Contents of statement to borrower and restrictions as to charges.

Description of Purpose: Adopting regulations to implement statutory amendments passed by 1988 legislature and to clarify disclosure of interest rate.

Statutory Authority: RCW 31.04.150(2).

Specific Statute Rule is Intended to Implement: Chapter 31.04 RCW.

Summary of Rule: Amendments proposed may be summarized as follows: WAC 50-20-040 (1)(e)(i) requires disclosure of interest rate as both the "annual percentage rate" (APR) as defined in Regulation Z and as the simple interest rate; WAC 50-20-040 (1)(e)(iv) and (v) requires disclosure of title insurance premiums and appraisal fees allowed by recent statutory amendment; WAC 50-20-050(3) allows the companies to collect or charge the customer for certain costs to be paid to third parties, if payment is to be made within 60 days after collection, and specifically allows the collection at the time of final payment of the loan of fees for releasing or reconveying security; WAC 50-20-050(4) allows collection of additional investigation fee to the extent that new money is advanced on a subsequent loan or an existing credit line is increased; WAC 50-20-050(6) allows collection of appraisal fee, requires disclosure of amount of appraisal fee, or the company's good faith estimate thereof, if the fee is not collected at the time of application, and requires refunds if loan not completed; WAC 50-20-050(7) amends period at which interest refunds on discount loans must be made, and clarifies language to avoid conflict with federal term of art "annual percentage rate"; WAC 50-20-050(8) defines method of computing maximum amount of investigation fees which may be charged; and WAC 50-20-050(9) allows company to charge borrower for title insurance premiums, pursuant to statutory amendment, and allows customer to select company, subject to reasonable conditions.

Reasons Supporting Proposed Action: The amendatory regulations are necessary to implement the amendments to the Industrial Loan Company Act passed by the 1988 legislature.

Commentary: The division published proposed regulations covering these same matters on June 23, 1988, and provided time for interested persons to submit data, views, or arguments in writing on or before August 9, 1988. A number of written comments were received. Pursuant to a request from several interested parties, a public hearing was scheduled, which was held on August 9, 1988.

The comments received in writing and at the hearing expressed concerns in four principal areas, including: Disclosure of the simple interest rate; the time allowed by the proposed regulation for disbursement of certain third-party fees; the time and manner of collection of investigation fees in connection with open-end loans; and the disclosure of a company's "good faith estimate" of appraisal fees at the time of application, if the exact amount is unknown to the company.

In addition, the comments brought out a potential confusion arising from the juxtaposed words "annual percentage rate" in existing WAC 50-20-050(7) and proposed WAC 50-20-040 (1)(e)(i).

As a result of these comments, certain amendments have been made to the proposed regulations, and these regulations are proposed for final adoption. The above denominated areas of concern have been addressed as follows:

Disclosure of simple interest rate. The primary objections expressed were a potential confusion to customers of a disclosure of the simple interest rate, and the cost of revising loan forms. The division finds both objections unpersuasive. The division is convinced that the public in general does not understand the concept of "discount" interest, and that the statement of the "discount rate" (sometimes labeled the "agreed rate") creates a substantial possibility for confusion between discount rate and simple interest rate. RCW 31.04.090 allows industrial loan companies "to lend money and to deduct interest therefor in advance at the rate of ten percent per annum or less; . . ." The statute does not require that the interest rate be stated in the note or on any other documentation as a discount rate. So long as the simple interest rate is the equivalent of a discount interest rate of ten percent per annum or less, the expression of the interest rate as the simple interest rate is proper.

The division is similarly unconvinced regarding the burden of additional cost. Virtually all companies must reprint forms because of the statutory amendments, in any event. Also, the companies must already provide the capabilities to compute the simple interest rate in connection with loans, since this has, for many years, been the interest rate utilized in calculating interest refunds on many loans in the event of prepayment.

Time for disbursement of fees. The division has extended the time from 10 days to 60 days. Both the written comments and the expressions at the hearing indicated that 60 days would be an acceptable time period, and the division finds that this period is reasonable.

Time and manner of collection of investigation fees in connection with open-end loans. The proposed restriction requiring collection of investigation fees as funds are actually advanced in connection with open-end loans has been deleted. Companies will be able to collect the investigation fee at the time the open-end loan is established.

Disclosure of good faith estimate of appraisal fees. Provisions have been made in the revised regulation to allow the disclosure of the company's good faith estimate of appraisal fees, if the amount of that fee is not precisely known at the time of application.

To avoid the potential confusion arising from the juxtaposed words "annual percentage rate" in existing WAC 50-20-050(7) and proposed WAC 50-20-040 (1)(e)(i), the term "single nominal annual percentage rate" has been changed in each regulation to "single nominal annual interest rate (stated as a percentage)" in each of those regulations. In addition, the term "single annual percentage rate" has, in one instance, been changed to "single annual interest rate."

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Thomas H. Oldfield, Supervisor of Banking.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Division of Banking, Department of General Administration, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: The division recommends adoption of the regulations as promulgated.

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

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order 5, filed 12/4/69)

WAC 50-20-040 CONTENTS OF STATEMENT TO BORROWER. (1) The company shall deliver to the borrower at the time any loan is made, a statement which shall disclose in clear and distinct terms the following information:

- (a) The name and address of the industrial loan company.
- (b) The name and address of the borrower.
- (c) The number and date of the loan.
- (d) The total amount of the loan.
- (e) List of ~~((statutory deductions from the face amount of the note))~~ charges, including:

(i) Interest ~~((=discount))~~ rate and amount. This shall be disclosed both as (A) the Annual Percentage Rate (APR) as defined in Regulation Z, 12 CFR 226, and (B) the simple interest rate, which is the single nominal annual interest rate (stated as a percentage), which if applied to the unpaid amounts of principal outstanding from time to time would produce the same total of interest paid at maturity as originally contracted for, based upon the assumption that all payments were made on the loan according to the schedule of payments agreed to by the borrower and calculations were made according to the actuarial method. For purposes of this calculation only, the original principal amount of a discount interest loan shall be deemed to be the amount of the total note less the interest deducted in advance.

- (ii) Investigation fee.
- (iii) Filing and releasing fee.
- (iv) Title insurance premium.
- (v) Appraisal fee.
- (f) Date of maturity of the loan.
- (g) Rate of interest after original maturity date.
- (h) Description of the security, if any, including adequate description of the investment certificate.
- (i) Agreement to permit payment in full before maturity. Refund of unearned interest shall be made in accordance with WAC 50-20-050(5).
- (j) Amount and date of installment investment certificate.
- (k) The terms of payment of the investment certificate, showing due dates and amount of installments.
- (l) Penalty for payments which are delinquent one week or more.
- (m) Service fees, if any.
- (n) Any other requirements imposed by Regulation Z. (Titles I and V of Consumer Credit Protection Act, P.L. 90-321, 82 Stat. 146 1/5 U.S.C. 1601-1665.)

(2) Sufficient information must be maintained in the companies' files to show compliance with state and federal law.

AMENDATORY SECTION (Amending Order 63, filed 9/13/85)

WAC 50-20-050 RESTRICTIONS AS TO CHARGES. (1) No company shall charge the borrower for notarial fees.

(2) No industrial loan company shall require the purchasing of property insurance from the company or any employee, affiliate or associate of the company or from any agent, broker, or insurance company designated by the company as a condition precedent to the making of a loan nor shall any company decline existing insurance which meets or exceeds the standards set forth in this section.

A company may provide insurance on the life and disability of one borrower and on the life of the spouse of the borrower if both are obligors, provided that such insurance coverage shall not exceed the approximate unpaid balance of the total amount repayable under contract of indebtedness scheduled to be outstanding. The premium or cost for all such insurance when written pursuant to the Washington insurance code and regulations issued thereunder, shall not be deemed interest, charges or consideration in connection with the loan transaction and any gain or advantage to the lender arising out of the premium or cost of the insurance or from its sale shall not be a violation of any provision of chapter 31.04 RCW. The amount of the premium or cost of such insurance may be included in the original loan amount and may be paid from the proceeds of the loan.

If the loan contract is prepaid in full by cash, a new loan, renewal, refinancing, or otherwise, the credit life and/or accident and health insurance coverage shall be cancelled and a portion of the charge made for such insurance shall be rebated as provided by the Washington insurance code and regulations issued thereunder.

(3) No company shall ~~((make any))~~ charge to or collect from the customer any funds for the cost of filing, recording ~~((or))~~, releasing, or reconveyance of mortgages, deeds of trust, security agreements, or other ~~((instruments))~~ documents, or for transferring title certificates to ~~((automobiles unless such charges are or are in fact to be paid out by the company to the proper officials for such filing, recording, transferring or releasing thereof))~~ vehicles, or for any other fees paid or to be paid to public officials, unless such charges are paid or are to be paid within sixty days by the company to public officials or other third parties for such filing, recording, transferring, releasing, or reconveyance thereof. Fees for releasing or reconveying security for the obligation owed to the company may be charged and collected at the time of final payment of the loan.

(4) In the event a company makes a new loan where any part of the proceeds is used to pay the amount due on an existing loan within four months from date of ~~((the))~~ origination or of the most recent advance upon an existing loan, ~~((no charge for))~~ an investigation fee shall be permitted only to the extent that new money is advanced or the existing credit line increased, unless the investigation fee on the existing loan is refunded.

(5) No industrial loan company may charge and collect an annual fee in excess of eighteen dollars payable each year in advance for the privilege of opening and maintaining an open-end loan account.

(6) No industrial loan company may charge ~~((and))~~ or collect an appraisal fee incurred or to be incurred in appraising security offered by the borrower in excess of the actual costs paid or to be paid to an independent third party professional appraiser. ~~((No))~~ Such charge may be made or collected from the borrower for costs of an appraisal at the time of application for the loan or at any time thereafter except as prohibited herein. If the appraisal fee is not collected at the time of application, the customer shall be advised of the company's good faith estimate of the amount of that fee at the time of application. If the loan application is rejected by the company, or if the appraisal is inadequate to meet reasonable appraisal requirements for comparable loans from other lending institutions, the company must refund to the borrower any appraisal fee already collected.

(7) Any note which is prepaid in full by cash, a new loan, refinancing, or otherwise before the final due date, the unearned portion of the interest shall be refunded using the sum of the digits method commonly known as the "Rule of 78's."

PROVIDED, HOWEVER, That in the case of any loan originally scheduled to be repaid in ~~((sixty-one))~~ thirty-seven months or more which is secured by an investment certificate, the refund of the unearned portion of the interest shall be computed as follows: Interest shall be considered earned at the single nominal annual ~~((percentage))~~ interest rate (stated as a percentage), which if applied to the unpaid amounts of principal outstanding from time to time would produce the same total of interest paid at maturity as originally contracted for, based upon the assumption that all payments were made on the loan according to the schedule of payments due on the certificate and calculations were made according to the actuarial method. Interest earned so calculated up to the scheduled due date nearest the date of prepayment shall be subtracted from the original amount of interest included in the note and the balance of such interest shall be refunded.

For purposes of this calculation only, the original principal amount of the loan shall be deemed to be the amount of the total note less the interest deducted in advance. Actuarial method means the method of allocating payments made between principal and interest whereby a

payment is applied first to the interest accumulated to date and the remainder then applied to the unpaid principal amount. In computing an actuarial refund, the lender may round the single annual ((percent-age)) interest rate used to the nearest quarter of one percent.

In computing any required refund, any prepayment made on or before the fifteenth day following the scheduled payment date on the investment certificate shall be deemed to have been made on the payment date preceding such prepayment. In the case of prepayment prior to the first installment date, the company may retain an amount not to exceed 1/30 of the first month's interest charge for each date between the origination date of the loan and the actual date of prepayment.

(8) The maximum amount which may be charged as an investigation fee is two percent of the loan proceeds advanced to or for the direct benefit of the borrower. For a closed-end loan, this means two percent of the "amount financed" disclosed to the borrower pursuant to the federal Truth-in-Lending Act. For an open-end loan, this means two percent of the line of credit established for the borrower under the open-end loan account, not including any "prepaid finance charge".

(9) A company may agree with the borrower for the payment by the borrower of the fees charged by a title company in connection with title insurance required by the company in connection with a loan. The borrower has the right to select the person or company by or through whom such title insurance will be offered, subject to the company's reasonable conditions, such as the type of coverage or endorsements, or financial soundness and proper licensing of the company to do business in the state of Washington. The company may select the person or company by or through whom such title insurance will be offered if the borrower does not do so within a reasonable time before the loan transaction is consummated.

WSR 88-18-077

PROPOSED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Filed September 6, 1988]

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 contracts, WAC 480-80-330 and 480-80-335. The proposed amendatory and new sections are shown below as Appendix A, Docket No. U-88-2337-R. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendatory and new sections 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, October 19, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

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

The specific statute these rules are intended to implement is RCW 80.28.050 and 80.28.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1988.

Dated: September 6, 1988

By: Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of amending WAC 480-80-330 and adopting WAC 480-80-335 relating to contracts.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040, 80.28.050 and 80.28.060 which direct that the commission has authority to implement the provisions of chapter 80.28 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to prescribe, in part, the contracts, and to implement procedures applicable to contracts for service between energy and water utilities on one hand, and ultimate consumers on the other.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, 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, 80.28.050 and 80.28.060.

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

The rule changes 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-9 [R-5], filed 6/6/69)

WAC 480-80-330 SPECIAL CONTRACTS. Every utility shall submit to the commission a true copy of any special contract entered into governing the sale or purchase by it of electrical energy, water, gas, telephone service, or other public utility service or commodity when the rate for such service is not specifically covered in the regular tariff and referred to in the contract as controlling and the commission shall be kept current in that regard: PROVIDED, That in addition to the foregoing, contracts entered into by electric, gas, and water utilities shall also be subject to WAC 480-80-335.

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.

NEW SECTION

WAC 480-80-335 SPECIAL CONTRACTS FOR ELECTRIC, WATER, AND NATURAL GAS UTILITIES. (1) All contracts for the retail sale of regulated utility services by electric, water, or natural gas utilities to end-use customers which contain or state rates or conditions which do not conform to any applicable tariff or which provide for utility services which are not specifically addressed in the utility's published tariffs shall be filed with the commission.

(2) This rule shall apply prospectively to all contracts, as defined in subsection (1), executed after [the effective date of this rule.]

(3) All contracts filed pursuant to this section have the same effect as filed tariffs and are subject to enforcement, supervision, regulation, and control as such. The provisions of this chapter shall apply except for those provisions governing the filing, notice, and form of tariffs, including those stated in WAC 480-80-060 through 480-80-320.

(4) Each such contract shall be filed with the commission not less than thirty days prior to the proposed effective date of the contract, and shall become effective according to its terms the thirty-first day from the date of its filing unless earlier approved, suspended, or rejected by the commission: PROVIDED, That upon application and for good cause shown, the commission may approve the contract as of an effective date prior to the date that the contract would have become effective in accordance with this rule.

(5) Each contract filed for commission approval shall be accompanied by such documentation as may be necessary to show that the contract does not result in discrimination between customers receiving like and contemporaneous service under substantially similar circumstances and provides for the recovery of all costs associated with the provision of the service. In addition, the utility shall file the following information in conjunction with each contract submitted for commission approval:

(a) A statement summarizing the basis of the rate or charge proposed in the contract and an explanation of the derivation of the proposed rate or charge;

(b) An explanation of all cost computations involved in arriving at the derivation of the level of the rate or charge in the contract; and

(c) A statement indicating the basis for the use of a contract rather than a filed tariff for the specific service involved.

(6) All contracts shall be for a stated time period. The commission may approve terms and conditions which prescribe the rate or rates to be applied during the time period, if such rates are found to be appropriate. Unless otherwise provided by the commission, such approval shall not be determinative with respect to the expenses and revenues of the utility for subsequent ratemaking considerations.

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

WSR 88-18-078

PROPOSED RULES

CHIROPRACTIC EXAMINING BOARD

[Filed September 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Chiropractic Examining Board intends to adopt, amend, or repeal rules concerning Continuing chiropractic education—Guidelines for symposium approval, WAC 114-12-160;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Sea-Tac Hyatt Hotel, Continental Room, 17001 Pacific Highway South, Seattle, WA 98188, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.25.017.

The specific statute these rules are intended to implement is RCW 18.25.017.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1988.

Dated: September 2, 1988

By: John H. Keith

Assistant Attorney General
Board Counsel

STATEMENT OF PURPOSE

Name of Agency: Washington State Chiropractic Examining Board.

Rule Title, Summary, Purpose and Reason Proposed: WAC 114-12-160 would be amended to correct the last sentence to reflect that audit attendance by the board members or their representatives will not be used for continuing education purposes.

Statutory Authority: RCW 18.25.017.

Responsible Departmental Personnel: In addition to the Chiropractic Examining Board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Connie Glasgow, Assistant Program Manager, Chiropractic Examining Board, 1300 Quince Street S.E., Olympia, WA 98504, phone (206) 753-0776 comm, 234-0776 scan.

Proponents: The Chiropractic Examining Board.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PM 764, filed 8/22/88)

WAC 114-12-160 CONTINUING CHIROPRACTIC EDUCATION—GUIDELINES FOR SYMPOSIUM APPROVAL. (1) In order to be used by a licensee to satisfy the continuing chiropractic education requirements of RCW 18.25.070(1) an educational symposium must be approved by the Washington board of chiropractic examiners.

(2) In order to qualify for board approval, the subject matter of an educational symposium must relate to matters appropriate to the practice of chiropractic as provided in Washington state law.

(3) In order to qualify for board approval an educational symposium must offer instruction by a lecturer or lecturers who have demonstrated competency through knowledge, experience and reputation in the subject area to be presented.

(4) The board will conduct a random compliance audit of continuing education programs. If based upon the audit the board determines that the educational program does not comply with the subject matter requirements of WAC 114-12-155 or the symposium approval standards set forth in subsections (2) and (3) of this section, then the symposium approval is subject to withdrawal or reduction of hours.

(5) As a condition of approval, all chiropractic continuing education programs shall permit one or more members or representatives of the board to attend without charge all portions of any approved symposium to audit the program content and presentation; provided, that such audit attendance may not be used for continuing education credit.

WSR 88-18-079

PROPOSED RULES

CHIROPRACTIC EXAMINING BOARD

[Filed September 6, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Chiropractic Examining Board intends to adopt, amend, or repeal rules concerning AIDS prevention and information education requirements;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Sea-Tac Hyatt Hotel, Continental Room, 17001 Pacific Highway South, Seattle, WA 98188, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 70.24.270.

The specific statute these rules are intended to implement is RCW 70.24.270.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1988.

Dated: September 2, 1988

By: John H. Keith

Assistant Attorney General
Board Counsel

STATEMENT OF PURPOSE

Name of Agency: Washington State Chiropractic Examining Board.

Rule Title, Summary, Purpose and Reason Proposed: WAC 114-12-200 would implement new AIDS legislation by requiring that chiropractors obtain appropriate education and training on the prevention, transmission and treatment of AIDS.

Statutory Authority: Section 604, chapter 206, Laws of 1988.

Responsible Departmental Personnel: In addition to the Chiropractic Examining Board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Connie Glasgow, Assistant Program Manager, Chiropractic Examining Board, 1300 Quince Street S.E., Olympia, WA 98504, phone (206) 753-0776 comm, 234-0776 scan.

Proponents: The Chiropractic Examining Board.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

NEW SECTION

WAC 114-12-200 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the Department of Social and Health Services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Application for licensure. Effective January 1, 1989 persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) Renewal of licenses. Effective with the renewal period beginning January 1, 1989 all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Persons whose 1989 license expires on or before March 31, 1989 will, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement.

(4) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the model curriculum available from the Office on AIDS. Such education and training shall be a minimum of seven clock hours and shall include, but is not limited to, the following: etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective January 1, 1989, the requirement for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of

completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The licensee shall:

(i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

(ii) Keep records for two years documenting attendance and description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

WSR 88-18-080

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 6, 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 registration of nursing pools;

that the agency will at 1:00 p.m., Wednesday, October 12, 1988, in the Examining Center, 1300 Quince Street S.E., Olympia, WA 98504, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is SHB 1783, section 3 codified as RCW 18.52C.030.

The specific statute these rules are intended to implement is SHB 1783 codified as RCW 18.52C.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1988.

Dated: September 2, 1988

By: Linda M. Moran

Assistant Attorney General

STATEMENT OF PURPOSE

Name of Agency: Department of Licensing.

Purpose: To implement forms and procedures for processing nursing pool registration applications.

Statutory Authority: SHB 1783 codified as RCW 18.52C.030.

Summary of the Proposed Rules: WAC 308-310-020 Registration of a nursing pool; 308-310-030 Renewal of registration; 308-310-040 Denial, suspension or revocation of registration; and 308-310-050 Mandatory reporting.

Reasons Proposed: To enhance the ability of the Department of Licensing to serve the public and to implement legislation recently passed by the legislature on March 9, 1988.

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, enforcing and repealing these rules: Constance Roth, R.N., Ed.D., Executive Secretary, Washington State Board of Nursing, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-2686 comm or 234-2686 scan.

Proponents of the Proposed Rule: The state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court action.

Small Business Impact Statement: Not required for this statement.

NEW SECTION

WAC 308-310-020 REGISTRATION OF A NURSING POOL.

(1) After November 1, 1988, no individual, firm, corporation, partnership or association may advertise, operate, manage, conduct, open or maintain a business providing, procuring, or referring health care personnel for temporary employment in health care facilities without first registering with the department of licensing.

(2) Applicants for nursing pool registration shall submit to the department of licensing:

- (a) A completed application for registration on forms furnished by the department;
- (b) A registration fee;
- (c) The names and addresses of the owner or owners of the nursing pool;
- (d) If the owner is a corporation:
 - (i) Copies of the articles of incorporation and current bylaws;
 - (ii) The names and addresses of officers and directors.

(3) If the applicant meets the requirements of this chapter and chapter 18.130 RCW, the department shall issue a registration which shall remain effective for a period of one year from date of issuance unless revoked or suspended pursuant to chapter 18.130 RCW, or voided pursuant to section (4).

(4) If the registered nursing pool is sold or ownership or management is transferred, the new owner or operator shall apply for a new registration.

(5) Each separate location of the business of a nursing pool shall have a separate registration.

NEW SECTION

WAC 308-310-030 RENEWAL OF REGISTRATION. Nursing pools requesting renewal of registration shall submit a renewal application and fee to the department. If a nursing pool fails to renew its registration prior to the expiration date, the nursing pool is subject to a penalty fee.

NEW SECTION

WAC 308-310-040 DENIAL, SUSPENSION OR REVOCATION OF REGISTRATION. The director may deny, suspend, or revoke the registration and/or assess penalties if any nursing pool is found to have violated the provisions of chapter 18.130 RCW, the Uniform Disciplinary Act or of this act.

NEW SECTION

WAC 308-310-050 MANDATORY REPORTING. (1) The administrator, executive officer or responsible personnel of any nursing pool shall report to the department of licensing when any health care practitioner under chapter 18.130 RCW is terminated or such practitioner's services are restricted based on a determination that the health care practitioner has committed an act or acts which may constitute unprofessional conduct as defined in RCW 18.130.180 or that the health care practitioner may be mentally or physically impaired as defined in RCW 18.130.170.

(2) The administrator, executive officer or responsible personnel of any nursing pool shall report to the department of licensing when any person practices, or offers to practice any profession for which the person is required to be licensed, certified or registered in the state of Washington when the person is not licensed, certified or registered in the state; or when a person uses any title, abbreviation, card or devise to indicate the person is licensed certified or registered when the person is not.

(3) The administrator, executive officer or responsible personnel of any hospital, nursing home or nursing pool shall report to the department of licensing any nursing pool which the responsible person knows, or has reason to know, is not registered pursuant to this act.

(4) The administrator, executive officer or responsible personnel of any hospital or nursing home shall report to the department of licensing when any nursing pool willingly or repeatedly refers or assigns

nursing pool employees or independent contractors which the nursing pool knows, or has reason to know, fails to meet minimum state credentialing requirements, has committed an act or acts which may constitute unprofessional conduct as defined in RCW 18.130.180 or may be mentally or physically impaired as defined in RCW 18.130.170.

(5) The department of licensing requests the assistance of responsible personnel of any state or federal program operating in the state of Washington, under which a nursing pool is utilized, to report to the department whenever such a nursing pool is not registered pursuant to this act or when such a nursing pool willingly or repeatedly refers or assigns nursing pool employees or independent contractors which the nursing pool knows, or has reason to know, fails to meet minimum state credentialing requirements, has committed an act or acts which may constitute unprofessional conduct as defined in RCW 18.130.180 or may be mentally or physically impaired as defined in RCW 18.130.170.

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

WSR 88-18-081

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 6, 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 massage fees, WAC 308-51-210;

that the agency will at 10:00 a.m., Wednesday, October 26, 1988, in the Exam Center, First Floor, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 43.24.086.

The specific statute these rules are intended to implement is RCW 43.24.086.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 17, 1988.

Dated: August 31, 1988

By: Mary Faulk
Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To establish the amount of fees associated with the licensure and regulation of professions administered by the Department of Licensing.

Statutory Authority: RCW 43.24.086.

Summary of Rules: WAC 308-51-210 Massage fees.

Reason Proposed: To set the fees for massage practitioners at a sufficient level to defray the costs of administering the program.

Responsible Department Personnel: In addition to the Department of Licensing, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing the rules: Ron Weaver, Acting A.D., 1300 Quince S.E., Olympia, WA 98504, 234-2241 scan, 753-2241 comm.

Proponents: The director of the Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as the term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PM 667, filed 8/27/87)

WAC 308-51-210 MASSAGE FEES. The following fees shall be changed by the professional licensing division of the department of licensing:

Title of Fee	Fee
Written examination and reexamination	\$ 60.00
Practical examination and reexamination	80.00
<u>Reciprocity</u>	<u>50.00</u>
Initial License	80.00
Renewal	70.00
Late Renewal Penalty	75.00
Certification	25.00
Duplicate License	15.00

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears 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 88-18-082

ADOPTED RULES

DEPARTMENT OF LICENSING

(Board of Nursing)

[Order PM 760—Filed September 6, 1988]

Be it resolved by the Board of Nursing, acting at the Executive Inn, 5700 Pacific Highway East, Fife, WA, that it does adopt the annexed rules relating to termination of ARNP designation by the board, WAC 308-120-360.

This action is taken pursuant to Notice No. WSR 88-12-042 filed with the code reviser on May 27, 1988. 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 18.88.080, [18.88].086 and 18.130.050 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 July 13, 1988.

By Lorraine H. Overmyer
Acting Chairman

AMENDATORY SECTION (Amending Order PL 569, filed 11/26/85)

WAC 308-120-360 TERMINATION OF ARNP DESIGNATION BY THE BOARD. ARNP designation may be terminated by the board when the ARNP has:

- (1) Practiced outside the scope of practice denoted for the area of certification, or
- (2) Been found in violation of any provision of RCW 18.88.230 or 18.130.180.

WSR 88-18-083

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 88-29—Filed September 6, 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 siting of dangerous waste management facilities.

This action is taken pursuant to Notice No. WSR 88-13-116 filed with the code reviser on June 22, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 70.105 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 September 6, 1988.

By Atsushi Kiuchi
for Phillip C. Johnson
Deputy Director

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-120 RECYCLED, RECLAIMED, AND RECOVERED WASTES. (1) This section describes the requirements for persons who recycle materials that are solid wastes and dangerous. Except as provided in subsections (2) and (3) of this section, dangerous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of subsection (4) of this section. Dangerous wastes that are recycled will be known as "recyclable materials."

(2)(a) The following recyclable materials are solid wastes and sometimes are dangerous wastes. However, they are subject only to the requirements of (b) of this subsection, WAC 173-303-050, 173-303-145 and 173-303-960:

- (i) Industrial ethyl alcohol that is reclaimed;
- (ii) Used batteries (or used battery cells) returned to a battery manufacturer for regeneration;

(iii) Used oil that exhibits one or more of the characteristics or criteria of dangerous waste and is recycled in some manner other than:

(A) Being burned for energy recovery; or

(B) Being used in a manner constituting disposal, except when such use is by the generator on his own property;

(iv) Scrap metal;

(v) Fuels produced from the refining of oil-bearing dangerous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production, and transportation practices;

(vi) Oil reclaimed from dangerous waste resulting from normal petroleum refining, production, and transportation practices, which oil is to be refined along with normal process streams at a petroleum refining facility;

(vii) Coke and coal tar from the iron and steel industry that contains dangerous waste from the iron and steel production process;

(viii)(A) Dangerous waste fuel produced from oil-bearing dangerous wastes from petroleum refining, production, or transportation practices, or produced from oil reclaimed from such dangerous wastes, where such dangerous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil so long as the resulting fuel meets the used oil specification under WAC 173-303-515 (1)(d) and so long as no other dangerous wastes are used to produce the dangerous waste fuel;

(B) Dangerous waste fuel produced from oil-bearing dangerous waste from petroleum refining production, and transportation practices, where such dangerous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under WAC 173-303-515 (1)(e); and

(C) Oil reclaimed from oil-bearing dangerous wastes from petroleum refining, production, and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under WAC 173-303-515 (1)(e); and

(ix) Petroleum coke produced from petroleum refinery dangerous wastes containing oil at the same facility at which such wastes were generated, unless the resulting coke product exhibits one or more of the characteristics of dangerous waste in WAC 173-303-090.

(b) Any recyclable material listed in (a) of this subsection will be subject to the applicable requirements listed in subsection (4) of this section if the department determines, on a case-by-case basis, that:

(i) It is being accumulated, used, reused, or handled in a manner that poses a threat to public health or the environment; or

(ii) Due to the dangerous constituent(s) in it, any use or reuse would pose a threat to public health or the environment. Such recyclable material will be listed in WAC 173-303-016(6).

(3) The following recyclable materials are not subject to the requirements of this section but are subject to the requirements of WAC 173-303-070 through 173-303-

110, 173-303-160, 173-303-500 through 173-303-525, and all applicable provisions of WAC 173-303-800 through 173-303-840:

(a) Recycling requirements for state-only dangerous wastes (see WAC 173-303-500);

(b) Recyclable materials used in a manner constituting disposal (see WAC 173-303-505);

(c) Dangerous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670 (see WAC 173-303-510);

(d) Used oil that is burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670, if such used oil:

(i) Exhibits one or more of the characteristics of a dangerous waste; or

(ii) Is designated as DW solely through WAC 173-303-084 or 173-303-101 through 173-303-103; or

(iii) Is designated solely as W001, (see WAC 173-303-515);

(e) Spent lead-acid batteries that are being reclaimed (see WAC 173-303-520);

(f) Recyclable materials from which precious metals are reclaimed (see WAC 173-303-525).

(4) Those recycling processes not specifically discussed in subsections (2) and (3) of this section are generally subject to regulation only up to and including storage prior to recycling.

The recycling process itself is generally exempt from regulation unless the department determines, on a case-by-case basis, that the recycling process poses a threat to public health or the environment.

Unless specified otherwise in subsections (2) and (3) of this section:

(a) Generators of recyclable materials are subject to all applicable requirements of this chapter including, but not limited to, WAC 173-303-170 through 173-303-230;

(b) Transporters of recyclable materials are subject to all applicable requirements of this chapter including, but not limited to, WAC 173-303-240 through 173-303-270;

(c) Owners or operators of facilities that receive recyclable materials from off-site and recycle these recyclable materials without storing them before they are recycled are subject to the following requirements:

(i) WAC 173-303-060, and

(ii) WAC 173-303-370;

(d) Owners or operators of facilities that store recyclable materials before they are recycled are subject to the following requirements including, but not limited to:

(i) For all recyclers, the applicable provisions of:

(A) WAC 173-303-280 through 173-303-395,

(B) WAC 173-303-420,

(C) WAC 173-303-800 through 173-303-840;

(ii) For recyclers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iii) For recyclers with final facility permits, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650, and

(B) WAC 173-303-660.

NEW SECTION

WAC 173-303-281 NOTICE OF INTENT. (1) Purpose. The purpose of this section is to provide notification to the department, local communities and the public that the siting of a dangerous waste management facility is being considered. Also, to provide general information about the proposed facility owner/operator, the type of facility and the types of wastes to be managed and compliance with the siting standards.

(2) Applicability. This section applies to owners and operators of proposed facilities. This section also applies to owners and operators of existing facilities with interim or final status for which the department receives an application for expansion. As used in this section:

(a) "Proposed facility" means a facility that does not have interim or final status on the effective date of this section, and for which the owner/operator applies for an interim or final status permit, under WAC 173-303-805 or 173-303-806, after the effective date of this section;

(b) "Existing facility" means a facility for which an interim or final status permit has been issued by the department pursuant to WAC 173-303-805 or 173-303-806; and

(c) "Expansion" means the enlargement of the land surface area of an existing facility from that described in an interim status permit, the addition of a new dangerous waste management process, or an increase in the overall design capacity of existing dangerous waste management processes at a facility. However, a process or equipment change within the existing handling code (not to include "other") as defined under WAC 173-303-380 (2)(d) will not be considered a new dangerous waste management process.

This section does not apply to owners/operators of facilities or portions of facilities applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65. In addition, this section does not apply to mobile facilities for on-site cleanup at treatment, storage or disposal facilities undergoing closure, facilities operating under an emergency permit pursuant to WAC 173-303-804, or facilities for on-site cleanup of sites under the Comprehensive Environmental Response Compensation and Liability Act, or chapters 70.105, 70.105B, and 90.48 RCW.

(3) Notice of intent to file for a dangerous waste permit.

(a) The notice of intent to be prepared by the owners/operators of the applicable facilities shall consist of:

(i) The name, address, and telephone number of the owner, operator, and corporate officers;

(ii) The location of the proposed facility or expansion on a topographic map with specifications as detailed in WAC 173-303-806 (4)(a)(xviii);

(iii) A brief description of the types and amounts of wastes to be managed annually;

(iv) A brief description of the major equipment items proposed, if any, and the waste management activities requiring a permit or revision of an existing permit;

(v) An environmental checklist from the State Environmental Policy Act rules, chapter 197-11 WAC;

(vi) Documentation that the proposed facility or expansion site meets the requirements of WAC 173-303-420, Siting standards. Preliminary ground water characterization based on available data shall also be provided;

(vii) For informational purposes a complete summary of compliance violations of permit conditions at hazardous waste management facilities owned or operated by the applicant, its subsidiaries or its parent company, during the ten calendar years preceding the permit application. Along with the summary of compliance violations, as issued by appropriate state or federal regulatory agencies, the applicant shall also submit responses to past violations and any written correspondence with regulatory agencies regarding the compliance status of any hazardous waste management facility owned or operated by the applicant, its subsidiaries or parent company of the owner or operator. A more detailed compliance record must be provided upon request by the department;

(viii) For informational purposes the need for the proposed facility or expansion shall be demonstrated by one of the following methods:

(A) Current overall capacity within Washington is inadequate for dangerous wastes generated in Washington as determined by regional or state dangerous waste management plans; or

(B) The facility is a higher priority management method, as described in RCW 70.105.150, than is currently in place or practical and available for the types of waste proposed to be managed; or

(C) The facility will add to the types of technology available or will reduce cost impacts (not to include transportation costs) to Washington generators for disposal of dangerous wastes; and

(ix) For informational purposes it shall be shown how the capacity of the proposed facility or expansion will affect the overall capacity within the state, in conjunction with existing facilities in Washington.

(b) The notice of intent shall be filed with the department, and copies shall be made available for public review, no less than one hundred fifty days prior to filing an application for a permit or permit revision. Public notification of the notice of intent to file shall be given at the time of filing by announcement in a daily newspaper within the area of the proposed facility or expansion for a minimum of fourteen consecutive days.

(c) Reserved.

NEW SECTION

WAC 173-303-283 PERFORMANCE STANDARDS. (1) Purpose. This section provides general performance standards for designing, constructing, operating, and maintaining dangerous waste facilities.

(2) Applicability. This section applies to all dangerous waste facilities permitted under WAC 173-303-800 through 173-303-840. These general performance standards shall be used to determine whether more stringent facility standards should be applied than those spelled out in WAC 173-303-280, 173-303-290 through 173-303-400 and 173-303-600 through 173-303-670.

(3) Performance standards. Unless authorized by state, local, or federal laws, or unless otherwise authorized in this regulation, the owner/operator shall design, construct, operate, or maintain a dangerous waste facility that to the maximum extent practical given the limits of technology prevents:

- (a) Degradation of ground water quality;
- (b) Degradation of air quality by open burning or other activities;
- (c) Degradation of surface water quality;
- (d) Destruction or impairment of flora and fauna outside the active portion of the facility;
- (e) Excessive noise;
- (f) Conditions that constitute a negative aesthetic impact for the public using rights of ways, or public lands, or for landowners of adjacent properties;
- (g) Unstable hillsides or soils as a result of trenches, impoundments, excavations, etc.;
- (h) The use of processes that do not treat, detoxify, recycle, reclaim, and recover waste material to the extent economically feasible; and
- (i) Endangerment of the health of employees, or the public near the facility.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-420 (~~((RESERVED))~~) **SITING STANDARDS.** (1) Purpose. This section provides criteria for the siting of dangerous waste facilities. The criteria are to be viewed as standards which a facility owner/operator shall meet in siting his facility.

(2) Applicability. These siting standards will apply to all facilities which require a permit under WAC 173-303-805 and 173-303-806, or as otherwise limited in each of the applicable paragraphs of this section.

(3) Earthquake fault criteria.

(a) Active portions of new TSD facilities will not be located within two hundred feet of a fault which has had displacement in Holocene times. For facilities managing moderate risk waste only, engineering efforts, as approved by the department, may be substituted for the two hundred-foot buffer zone.

(b) As used in (a) of this subsection:

(i) "Fault" means a fracture along which rocks on one side have been displaced with respect to those on the other side;

(ii) "Displacement" means the relative movement of any two sides of a fault measured in any direction; and

(iii) "Holocene" means the most recent epoch of the Quarternary period, extending from the end of the Pleistocene to the present.

(c) Facilities which are located in counties other than those listed below are assumed to be in compliance with this subsection.

Chelan	Grant	Lewis	Skagit
Clallam	Grays Harbor	Mason	Skamania
Clark	Jefferson	Okanogan	Snohomish
Cowlitz	King	Pacific	Thurston
Douglas	Kitsap	Pierce	Wahkiakum
Ferry	Kittitas	San Juan	Whatcom
			Yakima

(4) Floodplain criteria.

(a) A facility located in a one hundred-year floodplain must be designed, constructed, operated, and maintained to prevent washout of any dangerous waste by a one hundred-year flood, unless, in the case of facilities which manage DW only, the owner or operator has included in his contingency plan (WAC 173-303-350) procedures which will cause the waste to be removed safely, before floodwaters can reach the facility, to a location where the wastes will not be vulnerable to floodwaters. The location to which wastes will be removed must be a facility permitted according to this chapter.

(b) For facilities which manage EHW, a facility located in a one hundred-year floodplain must be designed, constructed, operated, and maintained to prevent washout of any EHW by a one hundred-year flood. Contingency procedures for removal of EHW will not be deemed equivalent to engineered flood proofing.

(c) As used in (a) and (b) of this subsection:

(i) "One hundred-year floodplain" means any land area which is subject to one percent or greater chance of flooding in any given year from any source;

(ii) "Washout" means the movement of dangerous waste from the active portion of the facility as a result of flooding; and

(iii) "One hundred-year flood" means a flood that has a one percent chance of being equalled or exceeded in any given year.

(5) The siting of facilities in areas under the jurisdiction of the 1971 Shoreline Management Act (chapter 90.58 RCW).

(a) Areas defined as "wetlands" under RCW 90.58-.030 (2)(f) (those areas under jurisdiction of the Shoreline Management Act) shall not be considered or used for the disposal of dangerous waste.

(b) Dangerous waste storage and treatment facilities, where such facilities have either historically located in areas under jurisdiction of the Shoreline Management Act, or where such facilities require a waterfront or harbor area location, shall be limited to those locations where the local shoreline management master program permits industrial, navigation, manufacturing, or similar activities. Areas classified natural, conservancy, rural, or residential shall not be considered for the location of a dangerous waste facility.

(6) Sole source aquifer criteria. No new facility shall dispose of dangerous waste over a sole source aquifer designated pursuant to section 1424(e) of the Safe Drinking Water Act (Public Law 93-523).

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-510 **SPECIAL REQUIREMENTS FOR DANGEROUS WASTES BURNED FOR ENERGY RECOVERY.** (1) Applicability.

(a) This section applies to dangerous wastes that are burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670, except as provided by (b) of this subsection. Such dangerous wastes burned for energy recovery are termed "dangerous waste fuel." Fuel produced from dangerous waste by processing, blending, or other treatment is also dangerous waste

fuel. (These regulations do not apply, however, to gas recovered from dangerous waste management activities when such gas is burned for energy recovery.)

(b) The following dangerous wastes are not subject to regulation under this section:

(i) Used oil burned for energy recovery if it is a dangerous waste because it:

(A) Exhibits a characteristic of dangerous waste identified in WAC 173-303-090; or

(B) Is designated as DW only through the criteria of WAC 173-303-101 through 173-303-103; or

(C) Is a dangerous waste designated solely as W001.

Such used oil is subject to regulation under WAC 173-303-515 rather than this section.

Note: Used oil burned for energy recovery containing a listed waste (unless such listed waste is only state source W001) or a waste designated as EHW through the criteria of WAC 173-303-101 through 173-303-103 is subject to this section.

(ii) (Reserved.)

(2) Prohibitions.

(a) A person may market dangerous waste fuel only:

(i) To persons who have notified the department of their dangerous waste fuel activities under WAC 173-303-060 and have an EPA/state identification number; and

(ii) If the fuel is burned, to persons who burn the fuel in boilers or industrial furnaces identified in (b) of this subsection.

(b) Dangerous waste fuel may be burned for energy recovery in only the following devices;

(i) Industrial furnaces identified in WAC 173-303-040;

(ii) Boilers, as defined in WAC 173-303-040, that are identified as follows:

(A) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes; or

(B) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale.

(c) No fuel which contains any dangerous waste may be burned in any cement kiln which is located within the boundaries of any incorporated municipality with a population greater than five hundred thousand (based on the most recent census statistics) unless such kiln fully complies with regulations under this chapter that are applicable to incinerators.

(3) Standards applicable to generators of dangerous waste fuel.

(a) Generators of dangerous waste that is used as a fuel or used to produce a fuel are subject to WAC 173-303-170 through 173-303-230.

(b) Generators who market dangerous waste fuel to a burner also are subject to subsection (5) of this section.

(c) Generators who are burners also are subject to subsection (6) of this section.

(4) Standards applicable to transporters of dangerous waste fuel. Transporters of dangerous waste fuel (and

dangerous waste that is used to produce a fuel) are subject to the requirements of WAC 173-303-240 through 173-303-270.

(5) Standards applicable to marketers of dangerous waste fuel.

Persons who market dangerous waste fuel are termed "marketers," and are subject to the following requirements. Marketers include generators who market dangerous waste fuel directly to a burner, persons who receive dangerous waste from generators and produce, process, or blend dangerous waste fuel from these dangerous wastes, and persons who distribute but do not process or blend dangerous waste fuel.

(a) Prohibitions. The prohibitions under subsection (2) of this section;

(b) Notification. Notification requirements under WAC 173-303-060 for dangerous waste fuel activities. Even if a marketer has previously notified the department of his dangerous waste management activities and obtained an EPA/state identification number, he must renotify to identify his dangerous waste fuel activities.

(c) Storage.

(i) For short term accumulation by generators who are marketers of dangerous waste fuel, the applicable provisions of WAC 173-303-200 or 173-303-201;

(ii) For all marketers who store dangerous waste fuel, the applicable storage provisions of:

(A) WAC 173-303-280 through 173-303-395; ~~(and)~~

(B) WAC 173-303-420; and

(C) WAC 173-303-800 through 173-303-840;

(iii) For marketers with interim status permits who store dangerous waste fuel, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iv) For marketers with final status permits who store dangerous waste fuel, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650; and

(B) WAC 173-303-660.

(d) Off-site shipment. The standards for generators in WAC 173-303-170 through 173-303-230 when a marketer initiates a shipment of dangerous waste fuel;

(e) Required notices.

(i) Before a marketer initiates the first shipment of dangerous waste fuel to a burner or another marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(A) The burner or marketer has notified the department under WAC 173-303-060 and identified his waste-as-fuel activities; and

(B) If the recipient is a burner, the burner will burn the dangerous waste fuel only in an industrial furnace or boiler identified in subsection (2)(b) of this section.

(ii) Before a marketer accepts the first shipment of dangerous waste fuel from another marketer, he must provide the other marketer with a one-time written and signed certification that he has notified the department under WAC 173-303-060 and identified his dangerous waste fuel activities; and

(f) Recordkeeping. In addition to the applicable recordkeeping requirements of WAC 173-303-210 and

173-303-380, a marketer must keep a copy of each certification notice he receives or sends for three years from the date he last engages in a dangerous waste fuel marketing transaction with the person who sends or receives the certification notice.

(6) Standards applicable to burners of dangerous waste fuel.

Owners and operators of industrial furnaces and boilers identified in subsection (2)(b) of this section that burn dangerous fuel are "burners" and are subject to the following requirements:

(a) Prohibitions. The prohibitions under subsection (2)(b) of this section;

(b) Notification. Notification requirements under WAC 173-303-060 for dangerous waste fuel activities. Even if a burner has previously notified the department of his dangerous waste management activities and obtained an EPA/state identification number, he must renotify to identify his dangerous waste fuel activities.

(c) Storage.

(i) For short term accumulation by generators who burn their dangerous waste fuel on site, the applicable provisions of WAC 173-303-200 or 173-303-201.

(ii) For all burners who store dangerous waste fuel, the applicable provisions of:

(A) WAC 173-303-280 through 173-303-395;
((and))

(B) WAC 173-303-420; and

(C) WAC 173-303-800 through 173-303-840;

(iii) For burners under interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iv) For burners with final facility permits, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650; and

(B) WAC 173-303-660.

(d) Required notices. Before a burner accepts the first shipment of dangerous waste fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

(i) He has notified the department under WAC 173-303-060 and identified his waste-as-fuel activities; and

(ii) He will burn the fuel only in a boiler or furnace identified in subsection (2)(b) of this section.

(e) Recordkeeping. In addition to the applicable recordkeeping requirements of WAC 173-303-380, a burner must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives dangerous waste fuel from that marketer.

(f) Local requirements. Any person who burns dangerous waste for energy recovery must comply with air emission requirements of the local air pollution control authority (or department of ecology if no local authority with jurisdiction exists).

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-520 SPECIAL REQUIREMENTS FOR RECLAIMING SPENT LEAD ACID BATTERY WASTES. This section applies to persons who reclaim spent lead-acid batteries that are recyclable materials ("spent batteries").

(1) Persons who generate, transport, or who store spent batteries but do not reclaim them are subject only to the requirements of WAC 173-303-050, 173-303-145 and 173-303-960 if such spent batteries are going to a battery reclaimer.

(2) Owners and operators of battery reclaiming facilities that store spent lead acid batteries prior to reclaiming them are subject to the following requirements:

(a) For all reclaimers, the applicable storage provisions of:

(i) WAC 173-303-280 (2) and (3);

(ii) WAC 173-303-283;

(iii) WAC 173-303-290;

~~((iii))~~ (iv) WAC 173-303-310 through 173-303-360;

~~((iv))~~ (v) WAC 173-303-380;

~~((v))~~ (vi) WAC 173-303-390 (2) and (3);

~~((vi))~~ (vii) WAC 173-303-395;

~~((vii) WAC 173-303-285);~~

(viii) WAC ~~((173-303-286))~~ 173-303-420; and

(ix) WAC 173-303-800 through 173-303-840.

(b) For reclaimers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(c) For reclaimers with final facility permits, the applicable storage provisions of:

(i) WAC 173-303-600 through 173-303-650; and

(ii) WAC 173-303-660.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-560 MINIMUM STANDARDS FOR FACILITIES MANAGING SPECIAL WASTE. In no case will the department approve standards for facilities managing special waste which do not include, at a minimum, the following applicable requirements:

(1) WAC 173-303-060;

(2) WAC ~~((173-303-286))~~ 173-303-283;

(3) WAC 173-303-350;

(4) WAC 173-303-360;

(5) WAC 173-303-370;

(6) WAC 173-303-380; and

(7) WAC 173-303-390.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-600 FINAL FACILITY STANDARDS. Purpose, scope, and applicability.

(1) The purpose of WAC 173-303-600 through 173-303-670, is to establish minimum state-wide standards which describe the acceptable management of dangerous waste. In addition to WAC 173-303-600 through 173-303-670, the final facility standards include WAC 173-303-280 through 173-303-395 and 173-303-420.

(2) The final facility standards apply to owners and operators of all facilities which treat, store or dispose of dangerous waste, and which are not exempted by subsection (3) of this section.

(3) The final facility standards do not apply to:

(a) Persons whose disposal activities are permitted under the Marine Protection, Research and Sanctuaries

Act, except that storage, or treatment facilities where dangerous waste is loaded onto an ocean vessel for incineration or disposal at sea are subject to final facility standards;

(b) Persons whose disposal activities are permitted under the underground injection control program of the Safe Drinking Water Act, except that storage, or treatment facilities needed to handle dangerous wastes are subject to final facility standards;

(c) Owners or operators of POTWs which treat, store, or dispose of dangerous waste provided they follow the permit-by-rule requirement of WAC 173-303-802(4);

(d) A generator accumulating waste on site in compliance with WAC 173-303-200;

(e) The owner or operator of a facility which is permitted to manage solid waste pursuant to chapter 173-304 WAC, if the only dangerous waste the facility manages is excluded from regulation under this chapter by WAC 173-303-070(8);

(f) A farmer disposing of waste pesticides from his own use provided he complies with WAC 173-303-160 (2)(b);

(g) A transporter storing a manifested shipment of dangerous waste for ten days or less in accordance with WAC 173-303-240(5);

(h) Any person, other than an owner or operator who is already subject to the final facility standards, who is carrying out an immediate or emergency response to contain or treat a discharge or potential discharge of a dangerous waste or hazardous substance;

(i) The owner or operator of a facility which is in compliance with the interim status requirements of WAC 173-303-400 and 173-303-805, until final administrative disposition of his final facility permit;

(j) The owner or operator of a totally enclosed treatment facility or elementary neutralization or wastewater treatment unit as defined in WAC 173-303-040, provided that he complies with the permit by rule requirements of WAC 173-303-802(5); and

(k) The addition, by a generator, of absorbent material to waste in a container, or of waste to absorbent material in a container, provided that these actions occur at the time the waste is first placed in containers and the generator complies with WAC 173-303-200 (1)(b) and 173-303-395 (1)(a) and (b).

(4) The owner or operator of a final status TSD facility which manages special waste may comply with the special requirements selected under WAC 173-303-550 through 173-303-560 in lieu of the final facility standards of WAC 173-303-600 through 173-303-670, but only for those special wastes which he manages and only after the department has issued or modified his final facility permit in accordance with WAC 173-303-800 through 173-303-840 to incorporate the special requirements.

(5) The owner or operator of a facility which recycles dangerous waste may, for such recycled wastes only, comply with the applicable recycling standards specified in WAC 173-303-120 and 173-303-500 through 173-303-525 in lieu of the final facility standards.

(6) The owner or operator must comply with the special land disposal restrictions for certain dangerous wastes in WAC 173-303-140.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-650 SURFACE IMPOUNDMENTS. (1) Applicability. The regulations in this section apply to owners and operators of facilities that use surface impoundments to treat, store, or dispose of dangerous waste.

(2) Design and operating requirements.

(a)(i) A surface impoundment (except for an existing portion of a surface impoundment) must have a liner that is designed, constructed, and installed to prevent any migration of wastes out of the impoundment to the adjacent subsurface soil or ground water or surface water at any time during the active life (including the closure period) of the impoundment. The liner may be constructed of materials that may allow wastes to migrate into the liner (but not into the adjacent subsurface soil or ground water or surface water) during the active life of the facility, provided that the impoundment is closed in accordance with subsection (6)(a)(i) of this section. For impoundments that will be closed in accordance with subsection (6)(a)(ii) of this section, the liner must be constructed of materials that can prevent wastes from migrating into the liner during the active life of the facility. The liner must be:

(A) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation;

(B) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift;

(C) Installed to cover all surrounding earth likely to be in contact with the waste or leachate; and

(D) For EHW management, the owner or operator shall submit an engineering report with his permit application under WAC 173-303-806(4) stating the basis for selecting the liner(s). The report shall be certified by a licensed professional engineer.

(ii) The owner or operator of a new surface impoundment installed after October 31, 1984, and in which liquid EHW is managed must:

(A) Install a double lined system which incorporates the specifications of subsection (3)(a), (b), and (c) of this section; and

(B) Must comply with either the ground water monitoring requirements of WAC 173-303-645, or the unsaturated zone monitoring requirements of WAC 173-303-655(6).

(b) The owner or operator will be exempted from the requirements of (a) of this subsection, if the department

finds, based on a demonstration by the owner or operator, that alternate design and operating practices, together with location characteristics, will prevent the migration of any dangerous constituents listed in WAC 173-303-9905, or which otherwise cause his wastes to be regulated under this chapter, into the ground water or surface water at any future time. In deciding whether to grant an exemption, the department will consider:

(i) The nature and quantity of the wastes;
 (ii) The proposed alternate design and operation;
 (iii) The hydrogeologic setting of the facility, including the attenuative capacity and thickness of the liners and soils present between the impoundment and ground water or surface water; and

(iv) All other factors which would influence the quality and mobility of the leachate produced and the potential for it to migrate to ground water or surface water.

(c) A surface impoundment must be designed, constructed, maintained, and operated to prevent overtopping resulting from normal or abnormal operations; overfilling; wind and wave action; rainfall; run-on; malfunctions of level controllers, alarms, and other equipment; and human error.

(d) A surface impoundment must be designed so that any flow of waste into the impoundment can be immediately shut off in the event of overtopping or liner failure.

(e) A surface impoundment must be designed to repel birds.

~~(f) ((A surface impoundment shall be located so as to meet the buffer zone requirements of WAC 173-303-285.~~

~~(g))~~ A surface impoundment must have dikes that are designed, constructed, and maintained with sufficient structural integrity to prevent their failure. In ensuring structural integrity, it must not be presumed that the liner system will function without leakage during the active life of the unit.

~~((h))~~ (g) Earthen dikes must be kept free of:

(i) Perennial woody plants with root systems which could weaken its structural integrity; and

(ii) Burrowing mammals which could weaken its structural integrity or create leaks through burrows.

~~((i))~~ (h) Earthen dikes must have a protective cover, such as grass, shale or rock to minimize wind and water erosion and to preserve their structural integrity.

~~((j))~~ (i) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this subsection are satisfied.

(3) Double-lined surface impoundments; exemption from WAC 173-303-645, ground water protection requirements.

(a) Except as provided in subsection (2)(a)(ii) of this section, the owner or operator of a double-lined surface impoundment is not subject to regulation under WAC 173-303-645 if the following conditions are met:

(i) The impoundment (including its underlying liners) must be located entirely above the seasonal high water table;

(ii) The impoundment must be underlain by two liners which are designed and constructed in a manner that prevents the migration of liquids into or out of the space

between the liners. Both liners must meet all the specifications of subsection (2)(a)(i) of this section;

(iii) A leak detection system must be designed, constructed, maintained, and operated between the liners to detect any migration of liquids into the space between the liners; and

(iv) A leachate detection, collection and removal system must be designed and operated to remove accumulated liquids from the system as quickly as possible so as to avoid unnecessary buildup of hydrostatic pressure in the system.

(b) If liquid leaks into the leak detection system, the owner or operator must:

(i) Notify the department of the leak in writing within seven days after detecting the leak; and

(ii)(A) Within a period of time specified in the permit, remove accumulated liquid, repair or replace the liner which is leaking to prevent the migration of liquids through the liner, and obtain a certification from a qualified engineer that, to the best of his knowledge and opinion, the leak has been stopped; or

(B) If a detection monitoring program pursuant to WAC 173-303-645(9) has already been established in the permit (to be complied with only if a leak occurs), begin to comply with that program and any other applicable requirements of WAC 173-303-645 within the period of time specified in the permit.

(c) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this section are satisfied.

(4) Monitoring and inspection.

(a) During construction and installation, liners (except in the case of existing portions of surface impoundments exempt from subsection (2)(a)(i) of this section) and cover systems (e.g., membranes, sheets, or coatings) must be inspected for uniformity, damage, and imperfections (e.g., holes, cracks, thin spots, or foreign materials). Immediately after construction or installation:

(i) Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, or blisters; and

(ii) Soil-based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes, or other structural nonuniformities that may cause an increase in the permeability of the liner or cover.

(b) While a surface impoundment is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:

(i) Deterioration, malfunctions, or improper operation of overtopping control systems;

(ii) Sudden drops in the level of the impoundment's contents;

(iii) The presence of liquids in leak detection systems, where installed to comply with subsection (3) of this section; and

(iv) Severe erosion or other signs of deterioration in dikes or other containment devices.

(c) Prior to the issuance of a permit, and after any extended period of time (at least six months) during which the impoundment was not in service, the owner or

operator must obtain a certification from a qualified engineer that the impoundment's dike, including that portion of any dike which provides freeboard, has structural integrity. The certification must establish, in particular, that the dike:

(i) Will withstand the stress of the pressure exerted by the types and amounts of wastes to be placed in the impoundment; and

(ii) Will not fail due to scouring or piping, without dependence on any liner system included in the surface impoundment construction.

(5) Emergency repairs; contingency plans.

(a) A surface impoundment must be removed from service in accordance with (b) of this subsection when:

(i) Unexpected changes of liquid levels occur; or

(ii) The dike leaks.

(b) When a surface impoundment must be removed from service as required by (a) of this subsection, the owner or operator must:

(i) Immediately shut off the flow or stop the addition of wastes into the impoundment;

(ii) Immediately contain any surface leakage which has occurred or is occurring;

(iii) Immediately stop the leak;

(iv) Take any other necessary steps to stop or prevent catastrophic failure;

(v) Empty the impoundment, if a leak cannot be stopped by any other means; and

(vi) Notify the department of the problem in writing within seven days after detecting the problem.

(c) As part of the contingency plan required in WAC 173-303-340 through 173-303-360, the owner or operator must specify:

(i) A procedure for complying with the requirements of (b) of this subsection; and

(ii) A containment system evaluation and repair plan describing: Testing and monitoring techniques; procedures to be followed to evaluate the integrity of the containment system in the event of a possible failure; description of a schedule of actions to be taken in the event of a possible failure; and the repair techniques and materials (and their availability) to be used in the event of leakage due to containment system failure or deterioration which does not require the impoundment to be removed from service.

(d) No surface impoundment that has been removed from service in accordance with the requirements of this section may be restored to service unless the portion of the impoundment which was failing is repaired and the following steps are taken:

(i) If the impoundment was removed from service as the result of actual or imminent dike failure, the dike's structural integrity must be recertified in accordance with subsection (4)(c) of this section;

(ii) If the impoundment was removed from service as the result of a sudden drop in the liquid level, then:

(A) For any existing portion of the impoundment, a liner must be installed in compliance with subsection (2)(a)(i) or (3) of this section; and

(B) For any other portion of the impoundment, the repaired liner system must be certified by a qualified engineer as meeting the design specifications approved in the permit.

(e) A surface impoundment that has been removed from service in accordance with the requirements of this section and that is not being repaired must be closed in accordance with the provisions of subsection (6) of this section.

(6) Closure and post-closure care.

(a) At closure, the owner or operator must:

(i) Remove or decontaminate all dangerous waste and dangerous waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with dangerous waste and leachate, and manage them as dangerous waste; or

(ii) If the surface impoundment will be closed as a landfill, except that this option is prohibited if EHW would remain in the closed unit(s):

(A) Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues;

(B) Stabilize remaining wastes to a bearing capacity sufficient to support a final cover; and

(C) Cover the surface impoundment with a final cover designed and constructed to:

(I) Provide long-term minimization of the migration of liquids through the closed impoundment with a material that has a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present;

(II) Function with minimum maintenance;

(III) Promote drainage and minimize erosion or abrasion of the final cover; and

(IV) Accommodate settling and subsidence so that the cover's integrity is maintained.

(b) If some waste residues or contaminated materials are left in place at final closure (except that no EHW may ever be left in place), the owner or operator must comply with all post-closure requirements contained in WAC 173-303-610 (7), (8), (9), and (10), including maintenance and monitoring throughout the post-closure care period (specified in the permit). The owner or operator must:

(i) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events;

(ii) Maintain and monitor the leak detection system in accordance with subsection (3) of this section, where such a system is present between double liner systems;

(iii) Maintain and monitor the ground water monitoring system and comply with all applicable requirements of WAC 173-303-645; and

(iv) Prevent run-on and run-off from eroding or otherwise damaging the final cover.

(c)(i) If an owner or operator plans to close a surface impoundment in accordance with (a)(i) of this subsection, and the impoundment does not comply with the liner requirements of subsection (2)(a)(i) of this section, and is not exempt from them in accordance with subsection (2)(b) of this section, then:

(A) The closure plan for the impoundment under WAC 173-303-610(3) must include both a plan for complying with (a)(i) of this subsection, and a contingent plan for complying with (a)(ii) of this subsection in case not all contaminated subsoils can be practicably removed at closure; and

(B) The owner or operator must prepare a contingent post-closure plan under WAC 173-303-610(8) for complying with (b) of this subsection in case not all contaminated subsoils can be practicably removed at closure.

(ii) The cost estimates calculated under WAC 173-303-620 (3) and (5) for closure and post-closure care of an impoundment subject to (c) of this subsection must include the cost of complying with the contingent closure plan and the contingent post-closure plan, but are not required to include the cost of expected closure under (a)(i) of this subsection.

(d) During the post-closure care period, if liquids leak into a leak detection system installed under subsection (3) of this section, the owner or operator must notify the department of the leak in writing within seven days after detecting the leak. The department will then modify the permit to require compliance with applicable requirements of WAC 173-303-645, or, if so requested by the owner or operator, to require removal of all materials in accordance with (a)(i) of this subsection.

(7) Special requirements for ignitable or reactive waste. Ignitable or reactive waste must not be placed in a surface impoundment, unless:

(a) The waste is treated, rendered, or mixed before or immediately after placement in the impoundment so that:

(i) The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090; and

(ii) WAC 173-303-395 (1)(b) is complied with; or
(b) The waste is managed in such a way that it is protected from any material or conditions which may cause it to ignite or react; or

(c) The surface impoundment is used solely for emergencies.

(8) Special requirements for incompatible wastes. Incompatible wastes and materials must not be placed in the same surface impoundment, unless WAC 173-303-395 (1)(b) is complied with.

(9) Special requirements for dangerous wastes F020, F021, F022, F023, F026, and F027.

(a) The wastes F020, F021, F022, F023, F026, or F027 must not be placed in a surface impoundment unless the owner or operator operates the surface impoundment in accordance with a management plan for these wastes that is approved by the department pursuant to the standards set out in this subsection, and in accord with all other applicable requirements of this section. The factors to be considered are:

(i) The volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

(ii) The attenuative properties of underlying and surrounding soils or other materials;

(iii) The mobilizing properties of other materials co-disposed with these wastes; and

(iv) The effectiveness of additional treatment, design, or monitoring techniques.

(b) The department may determine that additional design, operating, and monitoring requirements are necessary in order to reduce the possibility of migration of these wastes to ground water, surface water, or air so as to protect human health and the environment.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-800 PERMIT REQUIREMENTS FOR DANGEROUS WASTE MANAGEMENT FACILITIES. (1) The purpose of WAC 173-303-800 through 173-303-840 is to establish the requirements for permits which will allow a dangerous waste facility to operate without endangering the public health and the environment.

(2) The owner/operator of a dangerous waste facility that transfers, treats, stores, or disposes (TSD) or recycles dangerous waste shall, when required by this chapter, obtain a permit covering the active life, closure period, ground water protection compliance period, and for any regulated unit (as defined in WAC 173-303-040(75)), and for any facility which at closure does not meet the removal or decontamination limits of WAC 173-303-610 (2)(b), post-closure care period in accordance with WAC 173-303-800 through 173-303-840.

(3) TSD facility permits will be granted only if the objectives of the siting and performance standards set forth in WAC ((173-303-285)) 173-303-420 and ((173-303-286)) 173-303-283 are met.

(4) Permits shall be issued according to the requirements of all applicable TSD facility standards.

(5) The owner/operator of a TSD facility is responsible for obtaining all other applicable federal, state, and local permits authorizing the development and operation of the TSD facility.

(6) The terms used in regard to permits which are not defined in WAC 173-303-040 shall have the same meanings as set forth in 40 CFR 270.2.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-802 PERMITS BY RULE. (1) Purpose and applicability. This section provides for permit by rule for particular facilities and activities managing dangerous wastes, provided that certain conditions are met. These facilities, activities, and conditions are listed in this section. Owners and operators of facilities with permits by rule are not required to submit an application for a dangerous waste facility permit.

(2) Ocean disposal barges or vessels. The owner or operator of a barge or other vessel which accepts dangerous waste for ocean disposal, shall have a permit by rule if the owner or operator:

(a) Has a permit for ocean dumping issued under 40 CFR Part 220 (Ocean Dumping, authorized by the Marine Protection, Research, and Sanctuaries Act, as amended, 33 U.S.C. § 1420 et seq.);

(b) Complies with the conditions of that permit; and
 (c) Complies with the following dangerous waste regulations:

- (i) WAC 173-303-060, notification and identification numbers;
- (ii) WAC 173-303-170 through 173-303-230 when initiating shipments of dangerous waste;
- (iii) WAC 173-303-370, manifest system;
- (iv) WAC 173-303-380 (1)(a), operating record;
- (v) WAC 173-303-390(2), annual report; and
- (vi) WAC 173-303-390(1), unmanifested waste report.

(3) Underground injection wells. Underground injection wells with an underground injection control (UIC) permit for underground injection shall have a permit by rule if the owner or operator has a UIC permit issued by the department under a federally approved program for underground injection control, and complies with the conditions of the permit and requirements of 40 CFR 144.14 and applicable state waste discharge rules. All underground injection wells must comply with WAC 173-303-060, notification and identification numbers. However, underground injection wells disposing of EHW are prohibited.

(4) Publicly owned treatment works (POTW). The owner or operator of a POTW which accepts dangerous waste for treatment, shall have a permit by rule if the owner or operator:

- (a) Has a National Pollutant Discharge Elimination System (NPDES) permit;
- (b) Complies with the conditions of that permit;
- (c) Complies with the following regulations:
 - (i) WAC 173-303-060, notification and identification numbers;
 - (ii) WAC 173-303-170 through 173-303-230 when initiating shipments of dangerous waste;
 - (iii) WAC 173-303-370, manifest system;
 - (iv) WAC 173-303-380 (1)(a), operating record;
 - (v) WAC 173-303-390(2), annual report; and
 - (vi) WAC 173-303-390(1), unmanifested waste reports;

(d) Accepts the waste only if it meets all federal, state, and local pretreatment requirements which would be applicable to the waste if it were being discharged into the POTW through a sewer, pipe, or similar conveyance; and

(e) Accepts no EHW for disposal at the POTW.

(5) Totally enclosed treatment facilities or elementary neutralization or wastewater treatment units.

(a) The owner or operator of a totally enclosed treatment facility or an elementary neutralization or wastewater treatment unit shall have a permit by rule, except as provided in (b) or (c) of this subsection, if he complies with:

- (i) WAC 173-303-060, notification and identification numbers;
- (ii) WAC 173-303-310, 173-303-350, 173-303-360, 173-303-370, 173-303-380 (1)(d), and 173-303-390 of the general facility standards; and
- (iii) WAC (~~173-303-286~~) 173-303-283, performance standards.

(b) A facility is not required to have a permit by rule under this subsection if the owner or operator can demonstrate to the department's satisfaction that:

(i) The facility already has an existing permit (or permits) issued under federal, state or local authority (such as NPDES, state waste discharge, pretreatment, etc.); and

(ii) The permit (or permits) include, either separately or jointly in the case of multiple permits, all requirements specified in (a) of this subsection.

(c) The department may require the owner or operator of a totally enclosed treatment facility or an elementary neutralization or wastewater treatment unit subject to either (a) or (b) of this subsection to apply for and obtain a final facility permit in accordance with WAC 173-303-800 through 173-303-840, if:

(i) The owner or operator violates the general facility or performance requirements specified in (a) of this subsection;

(ii) The owner or operator is conducting other activities which require him to obtain a final facility permit;

(iii) The department determines that the general facility or performance requirements specified in (a) of this subsection, are not sufficient to protect public health or the environment and that additional requirements under this chapter (~~(173-303-WAC)~~) are necessary to provide such protection; or

(iv) The owner or operator does not comply with applicable local, state or federal requirements established pursuant to sections 402 or 307(b) of the Federal Clean Water Act, or chapter 90.48 RCW.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-805 INTERIM STATUS PERMITS. (1) Applicability. This section applies to all facilities eligible for an interim status permit. When a facility is owned by one person but is operated by another person, it is the operator's duty to qualify for interim status, except that the owner must also sign an interim status application. Prior to submittal of an interim status permit application the requirements of WAC (~~173-303-284~~) 173-303-281 must be met.

(2) Failure to qualify for interim status. If the department has reason to believe upon examination of a Part A application that it fails to provide the required information, it shall notify the owner or operator in writing of the apparent deficiency. Such notice shall specify the grounds for the department's belief that the application is deficient. The owner or operator shall have thirty days from receipt to respond to such a notification and to explain or cure the alleged deficiency in his Part A application. If, after such notification and opportunity for response, the department determines that the application is deficient it may take appropriate enforcement action.

(3) Interim status for facilities under RCRA interim status. Any existing facility operating under interim status gained under section 3005 of RCRA shall be deemed to have an interim status permit under this chapter (~~(173-303-WAC)~~) provided that the

owner/operator complies with the applicable requirements of WAC 173-303-400 and this section.

(4) Interim status for facilities managing state-designated (non-RCRA) dangerous wastes. Any existing facility which does not satisfy subsection (3) of this section, but which is only managing dangerous wastes that are not hazardous wastes under 40 CFR Part 261, shall be deemed to have an interim status permit provided that the owner/operator of the facility has complied with the notification requirements of WAC 173-303-060 by May 11, 1982 and has submitted Part A of his permit application by August 9, 1982. If an existing facility becomes subject to this chapter due to amendments to this chapter and the facility was not previously subject to this chapter, then the owner/operator of an existing facility may qualify for an interim status permit by complying with the notification requirements of WAC 173-303-060 within three months, and submitting Part A of his permit application within six months, after the adoption date of the amendments which cause the facility to be subject to the requirements of this chapter. Facilities qualifying for interim status under this subsection shall not be deemed to have interim status under section 3005 of RCRA, and may only manage non-RCRA wastes until they either qualify separately for interim status under section 3005 of RCRA or receive a final status facility permit allowing them to manage RCRA wastes.

(5) Maintaining the interim status permit.

(a) Timely notification and submission of a Part A application qualifies the owner/operator of the existing TSD facility for the interim status permit, until the department terminates interim status pursuant to subsection (8) of this section.

(b) Interim status for the existing TSD facility shall be maintained while the department makes final administrative disposition of a final facility permit pursuant to WAC 173-303-806 if:

(i) The owner/operator has submitted his final facility permit application (as described in WAC 173-303-806) within six months of the written request by the department to submit such application; and

(ii) Grounds for terminating interim status (as described in subsection (8) of this section) do not exist.

(c) The owner/operator of an interim status facility must update his Part A whenever he is managing wastes that are newly regulated under this chapter, and as necessary to comply with subsection (7) of this section. Failure to comply with this updating requirement is a violation of interim status.

(6) Prohibitions for interim status permits. Facilities with an interim status permit shall not:

(a) Treat, store, or dispose of dangerous waste not specified in Part A of the permit application;

(b) Employ processes not specified in Part A of the permit application; or

(c) Exceed the design capacities specified in Part A of the permit application.

(7) Changes during interim status.

(a) Dangerous wastes not previously identified in Part A of the application may be treated, stored, or disposed at a facility with interim status if the owner/operator

submits to the department a revised Part A permit application prior to accepting the new dangerous wastes.

(b) Increases in the design capacity of processes used at a facility with interim status may be made if the owner or operator submits a revised Part A permit application prior to such a change, the requirements of WAC ((173-303-284)) 173-303-281 are met and the department approves the change because of a lack of available treatment, storage, or disposal capacity at other permitted TSD facilities.

(c) Changes in the processes for the treatment, storage, or disposal of dangerous waste may be made at a facility with interim status, or additional processes may be added if the owner or operator submits a revised Part A permit application prior to such changes, the requirements of WAC ((173-303-284)) 173-303-281 are met and the department approves the change because:

(i) It is necessary to prevent a threat to public health or the environment because of an emergency situation; or

(ii) It is necessary to comply with state, local, or federal regulations.

(d) Changes in the ownership or operational control of a facility with interim status may be made if the new owner or operator submits a revised Part A permit application no later than ninety days prior to the scheduled change. When a transfer of ownership or operational control of a facility occurs, the old owner or operator shall comply with the interim status financial requirements of 40 CFR Part 265 subpart H (as referenced in WAC 173-303-400), until the new owner or operator has demonstrated to the department that he is complying with the financial requirements. The new owner or operator must demonstrate compliance with the financial requirements within six months of the date of the change in the ownership or operational control of the facility. All other interim status duties are transferred effective immediately upon the date of the change of ownership or operational control of the facility. Upon demonstration to the department by the new owner or operator of compliance with the interim status financial requirements, the department shall notify the old owner or operator in writing that he no longer needs to comply with the interim status financial requirements as of the date of demonstration.

(e) In no event shall changes be made to a TSD facility under the interim status permit which amount to reconstruction of the facility. Reconstruction occurs when the capital investment in the changes to the facility exceeds fifty percent of the capital cost of a comparable entirely new TSD facility.

(f) Any revisions to an existing interim status permit must be made on the applicable Part A form(s), (forms 1 or 3 are available from the department). The owner and operator certification page must be signed and included with those sections completed.

~~((g) Demonstration zone. The authority provided under this subsection will allow the department to request additional information. Such additional information shall be deemed necessary to ensure protection of public health and the environment when a facility expansion is~~

~~proposed to be located within a demonstration zone. Information requests by the department under this subsection are not subject to justification and must be provided by the facility owner/operator. Owners or operators of existing interim status facilities applying for expansion may be required to submit additional detailed information as determined by the department on a case-by-case basis. Such information must address specific features of the environment and human populations in the vicinity of a proposed expansion and predict potential negative impacts on public health and the environment. The information submitted must also demonstrate to the department's satisfaction how those impacts, and any other impacts identified by the department, will be prevented or mitigated. The burden of proof for such demonstrations will be solely on the applicant. Such information may be required for facility expansions proposed to be located within a demonstration zone defined as:~~

~~(i) Any hazardous waste management facility proposed to be located within one-half mile of the property boundary of a designated municipal watershed for public water systems utilizing surface water as governed by WAC 248-54-225, Watershed control; or~~

~~(ii) Any landfill, land treatment, surface impoundment, waste pile or incineration facility proposing to locate within one-quarter mile of the boundary of a wetland, city or county park, recreation area, natural preserve or archaeological or historic area as defined under WAC 173-303-285 (5)(f).~~

~~(h) The information required under (g) of this subsection will be used by the department to determine if preventative or mitigative measures will be required, beyond those proposed by the facility owner or operator, regarding structural design, operation and maintenance procedures, monitoring and detection systems or other measures as the department deems necessary and reasonable to protect public health and the environment.~~

~~(i) In addition to the above approvals and requirements the owners and operators of interim status facilities proposing to expand after the effective date of these amendments and under the conditions described in subsection (7)(g) of this section must also apply for a Part B final facility permit application pursuant to WAC 173-303-806.)~~

(8) Termination of interim status permit. The following are causes for terminating an interim status permit, or for denying a revised permit application:

(a) Final administrative disposition of a final facility permit application is made pursuant to WAC 173-303-806;

(b) When the department on examination or reexamination of a Part A application determines that it fails to meet the applicable standards of this chapter, it may notify the owner or operator that the application is deficient and that the interim status permit has been revoked. The owner or operator will then be subject to enforcement for operating without a permit;

(c) Failure to submit a requested Part B application on time, or to provide in full the information required in the Part B application;

(d) Violation of applicable interim status standards; or

(e) A determination that the permit applicant has failed to ((demonstrate that the proposed facility expansion complies with the location standards of WAC 173-303-285; or

(f) A determination by the department that the permit applicant has not demonstrated to the department's satisfaction, as required under subsection (7)(g) of this section, that the proposed facility expansion will not result in significant adverse impacts on public health or the environment, or in failure to)) satisfy the performance standards of WAC ((173-303-286)) 173-303-283.

(9) Special waste facilities. If the department determines, pursuant to WAC 173-303-550 through 173-303-560, that interim status standards can be reduced, the department will issue a notice of interim status modification stating what standards will be applied. Failure to comply with the conditions and standards as stated in the notice of modification or with the requirements of this section shall form a basis for revoking the notice. Upon revocation of the notice of interim status modification by the department, the owner or operator shall be subject to all of the requirements applicable to interim status dangerous waste management facilities. Before issuing the notice of modification, the department shall provide public notice of its intent, shall allow thirty days for public comment, and shall hold a public hearing if there is a significant degree of public interest or there is written notice of opposition and the department receives a request for a hearing during the comment period. Notice of a public hearing shall be provided at least fifteen days in advance, and the public comment period shall be extended to include the date of the hearing if it will occur after the initial thirty-day comment period. Within fifteen days of the end of the public comment period the department shall, based on comments received, issue, modify and issue, or deny the notice of interim status modification.

AMENDATORY SECTION (Amending Order 87-37, filed 3/11/88)

WAC 173-303-806 FINAL FACILITY PERMITS. (1) Applicability. This section applies to all dangerous waste facilities required to have a final facility permit. The final facility permit requirements are applicable to:

- (a) Final status TSD facilities;
- (b) Special waste management facilities; and
- (c) Certain recycling facilities that are not exempt from the permit requirements.

(2) Application. Any person subject to the permit requirements of this section who intends to operate a new TSD facility must comply with WAC ((173-303-284)) 173-303-281 and apply for a final facility permit. The department may, at any time, require the owner or operator of an existing TSD facility to apply for a final facility permit. Such owner or operator will be allowed one hundred eighty days to submit his application; the department may extend the length of the application period if it finds that there are good reasons to do so. The owner or operator of an existing TSD facility may voluntarily apply for a final facility permit at any time. Any person seeking a final facility permit shall complete,

sign, and submit an application to the department. An application shall consist of a Part A permit form (which can be obtained from the department), and the contents of Part B as specified in subsection (4) of this section.

(3) Effective regulations. A final facility permit will include all applicable requirements of this chapter which are in effect on the date that the permit is issued by the department. WAC 173-303-840(7) provides a means for reopening permit proceedings at the discretion of the department where new requirements become effective during the permitting process and are of sufficient magnitude to make additional proceedings desirable. Any other changes to the final facility permit will be in accordance with the permit modification requirements of WAC 173-303-830.

(4) Contents of Part B. Part B of a permit application shall consist of the information required in (a) through (h) of this subsection.

(a) General requirements. Part B of the permit application consists of the general information requirements of this subsection, and the specific information requirements in (b) through (h) of this subsection as applicable to the facility. The Part B information requirements presented in (a) through (h) of this subsection, reflect the standards promulgated in WAC 173-303-600. These information requirements are necessary in order for the department to determine compliance with WAC 173-303-600 through 173-303-670. If owners and operators of TSD facilities can demonstrate that the information prescribed in Part B cannot be provided to the extent required, the department may make allowance for submission of such information on a case-by-case basis. Information required in Part B shall be submitted to the department and signed in accordance with requirements in WAC 173-303-810(12). Certain technical data, such as design drawings and specifications, and engineering studies shall be certified by a registered professional engineer. The following information is required for all TSD facilities, except as WAC 173-303-600(3) provides otherwise.

(i) A general description of the facility.

(ii) Chemical, biological, and physical analyses of the dangerous waste to be handled at the facility. At a minimum, these analyses shall contain all the information which must be known to treat, store, or dispose of the wastes properly in accordance with WAC 173-303-600.

(iii) A copy of the waste analysis plan required by WAC 173-303-300(5) and, if applicable WAC 173-303-300 (5)(g).

(iv) A description of the security procedures and equipment required by WAC 173-303-310, or a justification demonstrating the reasons for requesting a waiver of this requirement.

(v) A copy of the general inspection schedule required by WAC 173-303-320(2): Include where applicable, as part of the inspection schedule, specific requirements in WAC 173-303-395 (1)(d), 173-303-630(6), 173-303-640(4), 173-303-650(4), 173-303-660 (4) and (5), 173-303-665(4), and 173-303-670(7).

(vi) A justification of any request for a waiver(s) of the preparedness and prevention requirements of WAC 173-303-340.

(vii) A copy of the contingency plan required by WAC 173-303-350: Include, where applicable, as part of the contingency plan, specific requirements in WAC 173-303-640(8), 173-303-650(5) and 173-303-660(6).

(viii) A description of procedures, structures, or equipment used at the facility to:

(A) Prevent hazards and contain spills in unloading/loading operations (for example, ramps, berms, pavement, special forklifts);

(B) Prevent run-off from dangerous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, berms, dikes, trenches);

(C) Prevent contamination of water supplies;

(D) Mitigate effects of equipment failure and power outages; and

(E) Prevent undue exposure of personnel to dangerous waste (for example, protective clothing).

(ix) A description of precautions to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes as required to demonstrate compliance with WAC 173-303-395 including documentation demonstrating compliance with WAC 173-303-395 (1)(c).

(x) Traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes (if appropriate); describe access road surfacing and load bearing capacity; show traffic control signals).

(xi) Facility location information;

(A) ~~((The facility owner or operator shall demonstrate compliance with the seismic standard WAC 173-303-285 (5)(a)(i).))~~ In order to determine the applicability of the earthquake fault criteria (WAC 173-303-420(3)) the owner or operator of a new facility must identify the county in which the facility is proposed to be located.

(Comment: If the county is not listed in WAC 173-303-420 (3)(c), no further information is required to demonstrate compliance with WAC 173-303-420(3).)

(B) If the facility is proposed to be located in a county listed in WAC 173-303-420 (3)(c), the owner or operator shall demonstrate compliance with the seismic standard. This demonstration may be made using either published geologic data or data obtained from field investigations carried out by the applicant. The information provided must be of such quality to be acceptable to geologists experienced in identifying and evaluating seismic activity. The information submitted must show that either:

(I) No faults which have had displacement in Holocene time are present, or no lineations which suggest the presence of a fault (which have displacement in Holocene time) within three thousand feet of a facility are present, based on data from: Published geologic studies; aerial reconnaissance of the area within a five-mile radius from the facility; an analysis of aerial photographs covering a three thousand foot radius of the facility; and if needed to clarify the above data, a reconnaissance based on walking portions of the area within three thousand feet of the facility; or

(II) If faults (to include lineations) which have had displacement in Holocene time are present within three thousand feet of a facility, no faults pass within two

hundred feet of the portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted, based on data from a comprehensive geologic analysis of the site. Unless a site analysis is otherwise conclusive concerning the absence of faults within two hundred feet of such portions of the facility data shall be obtained from a subsurface exploration (trenching) of the area within a distance no less than two hundred feet from portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted. Such trenching shall be performed in a direction that is perpendicular to known faults (which have had displacement in Holocene time) passing within three thousand feet of the portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted. Such investigation shall document with supporting maps and other analyses, the location of faults found.

~~((B))~~ (C) Owners and operators of all facilities shall provide an identification of whether the facility is located within a one hundred-year floodplain. This identification must indicate the source of data for such determination and include a copy of the relevant Federal Insurance Administration (FIA) flood map, if used, or the calculations and maps used where an FIA map is not available. Information shall also be provided identifying the one hundred-year flood level and any other special flooding factors (e.g., wave action) which must be considered in designing, constructing, operating, or maintaining the facility to withstand washout from a one hundred-year flood.

(Comment: Where maps for the National Flood Insurance Program produced by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency are available, they will normally be determinative of whether a facility is located within or outside of the one hundred-year floodplain. However, if the FIA map excludes an area (usually areas of the floodplain less than two hundred feet in width), these areas must be considered and a determination made as to whether they are in the one hundred-year floodplain. Where FIA maps are not available for a proposed facility location, the owner or operator must use equivalent mapping techniques to determine whether the facility is within the one hundred-year floodplain, and if so located, what the one hundred-year flood elevation would be.)

~~((C))~~ (D) Owners and operators of facilities located in the one hundred-year floodplain must provide the following information:

(I) Engineering analysis to indicate the various hydrodynamic and hydrostatic forces expected to result at the site as the consequence of a one hundred-year flood;

(II) Structural or other engineering studies showing the design of operational units (e.g., tanks, incinerators) and flood protection devices (e.g., floodwalls, dikes) at the facility and how these will prevent washout;

(III) If applicable, and in lieu of (a)(xi)~~((D))~~ (E)(I) and (II) of this subsection, a detailed description of procedures to be followed to remove dangerous waste to

safety before the facility is flooded, including: Timing of such movement relative to flood levels, including estimated time to move the waste, to show that such movement can be completed before floodwaters reach the facility; a description of the location(s) to which the waste will be moved and demonstration that those facilities will be eligible to receive dangerous waste in accordance with the regulations under this chapter; the planned procedures, equipment, and personnel to be used and the means to ensure that such resources will be available in time for use; and the potential for accidental discharges of the waste during movement.

~~((D))~~ (E) Owners and operators of all facilities shall provide all information necessary to demonstrate compliance with the shoreline siting standards of WAC ~~((173-303-285-5)(f)(iii))~~ 173-303-420(5).

~~((E))~~ (F) The owner or operator of a new disposal facility must provide all information necessary to demonstrate compliance with the sole source aquifer siting standards of WAC ~~((173-303-285-5)(d)(ii))~~ 173-303-420(6).

~~((F))~~ The owner or operator of a new disposal facility must provide all information necessary to demonstrate compliance with all other siting standards of WAC 173-303-285.

~~(G) Demonstration zone. The authority provided under this subsection will allow the department to request additional information during review of an application for completeness under WAC 173-303-840. Such additional information shall be deemed necessary to ensure protection of public health and the environment when a facility is proposed to be located within a demonstration zone. Information requests by the department under this subsection are not subject to justification and must be provided by the facility owner/operator. The department may request additional detailed information of facility owners or operators to ensure compliance with WAC 173-303-285, Location standards and 173-303-286, Performance standards. The content and extent of such information requests shall be determined on a case-by-case basis and may extend beyond design and operation specifications set forth in this chapter. The additional information submitted must address specific features of the environment and human populations in the vicinity of a proposed facility and predict potential negative impacts on public health and the environment due to natural or man-made hazards regarding that facility. The information submitted must also demonstrate to the department's satisfaction how those impacts, and any other impacts identified by the department, will be prevented or mitigated. The burden of proof for such demonstrations will be solely on the applicant. Such information may be required for facilities proposed to be located within a demonstration zone defined as:~~

~~(H) Any hazardous waste management facility proposed to be located within one-half mile of the property boundary of a designated municipal watershed for public water systems utilizing surface water as governed by WAC 248-54-225, Watershed control; or~~

~~(H) Any landfill, land treatment, surface impoundment, waste pile or incineration facility proposing to locate within one-quarter mile of the boundary of a wetland, city or county park, recreation area, natural preserve, archaeological or historic area as defined under WAC 173-303-285 (5)(f).~~

~~(H) The information required under (a)(G) of this subsection will be used by the department to determine if preventative or mitigative measures will be required, beyond those proposed by the facility owner or operator, regarding structural design, operation and maintenance procedures, monitoring and detection systems or other measures as the department deems necessary and reasonable to protect public health and the environment.))~~

(xii) An outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or maintain the TSD facility in a safe manner as required to demonstrate compliance with WAC 173-303-330. A brief description of how training will be designed to meet actual job tasks in accordance with requirements in WAC 173-303-330 (1)(d).

(xiii) A copy of the closure plan and, where applicable, the post-closure plan required by WAC 173-303-610 (3) and (8). Include, where applicable, as part of the plans, specific requirements in WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), and 173-303-665(6).

(xiv) For dangerous waste disposal units that have been closed, documentation that notices required under WAC 173-303-610(10) have been filed.

(xv) The most recent closure cost estimate for the facility prepared in accordance with WAC 173-303-620(3) and a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(4). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvi) Where applicable, the most recent post-closure cost estimate for the facility prepared in accordance with WAC 173-303-620(5) plus a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(6). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvii) Where applicable, a copy of the insurance policy or other documentation which comprises compliance with the requirements of WAC 173-303-620(8). For a new facility, documentation showing the amount of insurance meeting the specification of WAC 173-303-620 (8)(a) and, if applicable, WAC 173-303-620 (8)(b), that the owner or operator plans to have in effect before initial receipt of dangerous waste for treatment, storage, or disposal. A request for a variance in the amount of required coverage, for a new or existing facility, may be submitted as specified in WAC 173-303-620 (8)(c).

(xviii) A topographic map showing a distance of one thousand feet around the facility at a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). Contours must be shown on the map. The contour interval must be sufficient to clearly show the pattern of

surface water flow in the vicinity of and from each operational unit of the facility. For example, contours with an interval of 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). Owners and operators of TSD facilities located in mountainous areas should use large contour intervals to adequately show topographic profiles of facilities. The map shall clearly show the following:

- (A) Map scale and date;
- (B) One hundred-year floodplain area;
- (C) Surface waters including intermittent streams;
- (D) Surrounding land uses (residential, commercial, agricultural, recreational);
- (E) A wind rose (i.e., prevailing windspeed and direction);
- (F) Orientation of the map (north arrow);
- (G) Legal boundaries of the TSD facility site;
- (H) Access control (fences, gates);
- (I) Injection and withdrawal wells both on-site and off-site;

(J) Buildings; treatment, storage, or disposal operations; or other structure (recreation areas, run-off control systems, access and internal roads, storm, sanitary, and process sewerage systems, loading and unloading areas, fire control facilities, etc.);

(K) Barriers for drainage or flood control; and

(L) Location of operational units within the TSD facility site, where dangerous waste is (or will be) treated, stored, or disposed (include equipment clean-up areas).

(Note - For large TSD facilities the department will allow the use of other scales on a case-by-case basis.)

(xix) Applicants may be required to submit such information as may be necessary to enable the department to carry out its duties under other state or federal laws as required.

(xx) Additional information requirements. The following additional information regarding protection of ground water is required from owners or operators of dangerous waste surface impoundments, waste piles, land treatment units, and landfills except as otherwise provided in WAC 173-303-645 (1)(b):

(A) A summary of the ground water monitoring data obtained during the interim status period under 40 CFR 265.90 through 265.94, where applicable;

(B) Identification of the uppermost aquifer and aquifers hydraulically interconnected beneath the facility property, including ground water flow direction and rate, and the basis for such identification (i.e., the information obtained from hydrogeologic investigations of the facility area);

(C) On the topographic map required under (a)(xviii) of this subsection, a delineation of the waste management area, the property boundary, the proposed "point of compliance" as defined under WAC 173-303-645(6), the proposed location of ground water monitoring wells as required under WAC 173-303-645(8), and, to the extent possible, the information required in (a)(xx)(B) of this subsection;

(D) A description of any plume of contamination that has entered the ground water from a regulated unit at the time that the application was submitted that:

(I) Delineates the extent of the plume on the topographic map required under (a)(xviii) of this subsection;

(II) Identifies the concentration of each constituent throughout the plume or identifies the maximum concentrations of each constituent in the plume. (Constituents are those listed in WAC 173-303-9905, and any other constituents not listed there which have caused a managed waste to be regulated under this chapter.);

(E) Detailed plans and an engineering report describing the proposed ground water monitoring program to be implemented to meet the requirements of WAC 173-303-645(8);

(F) If the presence of dangerous constituents has not been detected in the ground water at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a detection monitoring program which meets the requirements of WAC 173-303-645(9). This submission must address the following items specified under WAC 173-303-645(9):

(I) A proposed list of indicator parameters, waste constituents, or reaction products that can provide a reliable indication of the presence of dangerous constituents in the ground water;

(II) A proposed ground water monitoring system;

(III) Background values for each proposed monitoring parameter or constituent, or procedures to calculate such values; and

(IV) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data;

(G) If the presence of dangerous constituents has been detected in the ground water at the point of compliance at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a compliance monitoring program which meets the requirements of WAC 173-303-645(10). The owner or operator must also submit an engineering feasibility plan for a corrective action program necessary to meet the requirements of WAC 173-303-645(11) except as provided in WAC 173-303-645(9)(h)(v). To demonstrate compliance with WAC 173-303-645(10), the owner or operator must address the following items:

(I) A description of the wastes previously handled at the facility;

(II) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(III) A list of constituents and parameters for which compliance monitoring will be undertaken in accordance with WAC 173-303-645 (8) and (10);

(IV) Proposed concentration limits for each dangerous constituent and parameter, based on the criteria set forth in WAC 173-303-645 (5)(a), including a justification for establishing any alternate concentration limits;

(V) Detailed plans and an engineering report describing the proposed ground water monitoring system, in accordance with the requirements of WAC 173-303-645(8); and

(VI) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data; and

(H) If dangerous constituents or parameters have been measured in the ground water which exceed the concentration limits established under WAC 173-303-645(5), Table 1, or if ground water monitoring conducted at the time of permit application under 40 CFR 265.90 through 265.94 at the waste boundary indicates the presence of dangerous constituents from the facility in ground water over background concentrations, the owner or operator must submit sufficient information, supporting data, and analyses to establish a corrective action program which meets the requirements of WAC 173-303-645(11). However, an owner or operator is not required to submit information to establish a corrective action program if he demonstrates to the department that alternate concentration limits will protect human health and the environment after considering the criteria listed in WAC 173-303-645(5). An owner or operator who is not required to establish a corrective action program for this reason must instead submit sufficient information to establish a compliance monitoring program which meets the requirements of WAC 173-303-645 (10) and (a)(xx)(F) of this subsection. To demonstrate compliance with WAC 173-303-645(11), the owner or operator must address, at a minimum, the following items:

(I) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(II) The concentration limit for each dangerous constituent and parameter found in the ground water as set forth in WAC 173-303-645(5);

(III) Detailed plans and an engineering report describing the corrective action to be taken; and

(IV) A description of how the ground water monitoring program will demonstrate the adequacy of the corrective action.

(b) Specific Part B information requirements for containers. Except as otherwise provided in WAC 173-303-600(3), owners or operators of facilities that store containers of dangerous waste must provide the following additional information:

(i) A description of the containment system to demonstrate compliance with WAC 173-303-630(7). Show at least the following:

(A) Basic design parameters, dimensions, and materials of construction including allowance for a twenty-five-year, twenty-four-hour storm;

(B) How the design promotes positive drainage control or how containers are kept from contact with standing liquids in the containment system;

(C) Capacity of the containment system relative to the volume of the largest container to be stored;

(D) Provisions for preventing or managing run-on;

(E) How accumulated liquids can be analyzed and removed to prevent overflow; and

(F) A description of the building or other protective covering for EHW containers;

(ii) For storage areas that store containers holding wastes that do not contain free liquids, a demonstration

of compliance with WAC 173-303-630 (7)(c), including:

(A) Test procedures and results or other documentation or information to show that the wastes do not contain free liquids; and

(B) A description of how the storage area is designed or operated to drain and remove liquids or how containers are kept from contact with standing liquids;

(iii) A description of the procedures for labeling containers;

(iv) Sketches, drawings, or data demonstrating compliance with WAC 173-303-630(8) (location of buffer zone and containers holding ignitable or reactive wastes) and WAC 173-303-630 (9)(c) (location of incompatible wastes), where applicable; and

(v) Where incompatible wastes are stored or otherwise managed in containers, a description of the procedures used to ensure compliance with WAC 173-303-630 (9)(a) and (b), and 173-303-395 (1)(b) and (c).

(c) Specific Part B information requirements for tanks. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use tanks to store or treat dangerous waste must provide the following information:

(i) References to design standards or other available information used (or to be used) in design and construction of the tank;

(ii) A description of design specifications including identification of construction materials and lining materials (include pertinent characteristics such as corrosion or erosion resistance);

(iii) Tank dimensions, capacity, and the basis for selecting shell thickness, certified by a licensed professional engineer;

(iv) A diagram of piping, instrumentation, and process flow;

(v) Description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);

(vi) Description of procedures for handling incompatible ignitable, or reactive wastes, including the use of buffer zones;

(vii) A description of the containment system to demonstrate compliance with WAC 173-303-640 (2)(b) and, where applicable, WAC 173-303-640(8). Show at least the following:

(A) Drawings and a description of the basic design parameters, dimensions, and materials of construction of the containment system;

(B) Capacity of the containment system relative to the design capacity of the tank(s) within the system;

(C) Description of the system to detect leaks and spills, and how precipitation and run-on will be prevented from entering into the detection system;

(viii) A description of the marking and/or labeling of tanks; and

(ix) Tank design to prevent escape of vapors and emissions of acutely or chronically toxic (upon inhalation) EHW.

(d) Specific Part B information requirements for surface impoundments. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store, treat, or dispose of dangerous waste in

surface impoundments must provide the following additional information:

(i) A list of the dangerous wastes placed or to be placed in each surface impoundment;

(ii) Detailed plans and an engineering report describing how the surface impoundment is or will be designed, constructed, operated and maintained to meet the requirements of WAC 173-303-650(2). This submission must address the following items as specified in WAC 173-303-650(2):

(A) The liner system (except for an existing portion of a surface impoundment), including the certification required by WAC 173-303-650 (2)(a)(i)(D) for EHW management. If an exemption from the requirement for a liner is sought as provided by WAC 173-303-650 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituents into the ground water or surface water at any future time;

(B) Prevention of overtopping; and

(C) Structural integrity of dikes;

(iii) If any exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-650(3), detailed plans and an engineering report explaining the location of the saturated zone in relation to the surface impoundment, and the design of a double-liner system that incorporates a leak detection system between the liners;

(iv) A description of how each surface impoundment, including the liner and cover systems and appurtenances for control of overtopping, will be inspected in order to meet the requirements of WAC 173-303-650 (4)(a) and (b). This information should be included in the inspection plan submitted under (a)(v) of this subsection;

(v) A certification by a qualified engineer which attests to the structural integrity of each dike, as required under WAC 173-303-650 (4)(c). For new units, the owner or operator must submit a statement by a qualified engineer that he will provide such a certification upon completion of construction in accordance with the plans and specifications;

(vi) A description of the procedure to be used for removing a surface impoundment from service, as required under WAC 173-303-650 (5)(b) and (c). This information should be included in the contingency plan submitted under (a)(vii) of this subsection;

(vii) A description of how dangerous waste residues and contaminated materials will be removed from the unit at closure, as required under WAC 173-303-650 (6)(a)(i). For any wastes not to be removed from the unit upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-650 (6)(a)(ii) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under (a)(xiii) of this subsection;

(viii) If ignitable or reactive wastes are to be placed in a surface impoundment, an explanation of how WAC 173-303-650(7) will be complied with;

(ix) If incompatible wastes, or incompatible wastes and materials will be placed in a surface impoundment,

an explanation of how WAC 173-303-650(8) will be complied with; and

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how the surface impoundment is or will be designed to meet the requirements of WAC 173-303-650(9).

(e) Specific Part B information requirements for waste piles. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store or treat dangerous waste in waste piles must provide the following additional information:

(i) A list of dangerous wastes placed or to be placed in each waste pile;

(ii) If an exemption is sought to WAC 173-303-660(2), and 173-303-645 as provided by WAC 173-303-660 (1)(c), an explanation of how the standards of WAC 173-303-660 (1)(c) will be complied with;

(iii) Detailed plans and an engineering report describing how the pile is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(2). This submission must address the following items as specified in WAC 173-303-660(2):

(A) The liner system (except for an existing portion of a pile), including the licensed engineer's certification when required by WAC 173-303-660 (2)(c). If an exemption from the requirement for a liner is sought, as provided by WAC 173-303-660 (2)(d), the owner or operator must submit detailed plans and engineering and hydrogeologic reports, as applicable, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the ground water or surface water at any future time;

(B) Control of run-on;

(C) Control of run-off;

(D) Management of collection and holding units associated with run-on and run-off control systems; and

(E) Control of wind dispersal of particulate matter, where applicable;

(iv) If an exemption from WAC 173-303-645 is sought as provided by WAC 173-303-660 (3) or (4), submit detailed plans and an engineering report describing how the requirements of WAC 173-303-660 (3)(a) or (4)(a) will be complied with;

(v) A description of how each waste pile, including the liner and appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of WAC 173-303-660(5). This information should be included in the inspection plan submitted under (a)(v) of this subsection. If an exemption is sought to WAC 173-303-645 pursuant to WAC 173-303-660(4), describe in the inspection plan how the inspection requirements of WAC 173-303-660 (4)(a)(iii) will be complied with;

(vi) If treatment is carried out on or in the pile, details of the process and equipment used, and the nature and quality of the residuals;

(vii) If ignitable or reactive wastes are to be placed in a waste pile, an explanation of how the requirements of WAC 173-303-660(7) will be complied with;

(viii) If incompatible wastes, or incompatible wastes and materials will be placed in a waste pile, an explanation of how WAC 173-303-660(8) will be complied with;

(ix) A description of how dangerous waste, waste residues and contaminated materials will be removed from the waste pile at closure, as required under WAC 173-303-660 (9)(a). For any waste not to be removed from the waste pile upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-665 (6)(a) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under (a)(xiii) of this subsection;

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a waste pile that is not enclosed (as defined in WAC 173-303-660 (1)(c)) is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(10).

(f) Specific Part B information requirements for incinerators. Except as WAC 173-303-670(1) provides otherwise, owners and operators of facilities that incinerate dangerous waste must fulfill the informational requirements of (f) of this subsection.

(i) When seeking an exemption under WAC 173-303-670 (1)(b) (ignitable or reactive wastes only):

(A) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is ignitable; or

(B) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is reactive for characteristics other than those listed in WAC 173-303-090 (7)(a)(iv) and (v), and will not be burned when other dangerous wastes are present in the combustion zone; or

(C) Documentation that the waste is a dangerous waste solely because it possesses the characteristic of ignitability, as determined by the tests for characteristics of dangerous waste under WAC 173-303-090; or

(D) Documentation that the waste is a dangerous waste solely because it possesses the reactivity characteristics listed in WAC 173-303-090 (7)(a)(i), (ii), (iii), (vi), (vii), and (viii), and that it will not be burned when other dangerous wastes are present in the combustion zone.

(ii) Submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with WAC 173-303-807.

(iii) In lieu of a trial burn, the applicant may submit the following information;

(A) An analysis of each waste or mixture of wastes to be burned including:

(I) Heating value of the waste in the form and composition in which it will be burned;

(II) Viscosity (if applicable), or description of physical form of the waste, and specific gravity of the waste;

(III) An identification of any dangerous organic constituents listed in WAC 173-303-9905 or, if not listed, which cause the waste(s) to be regulated, which are

present in the waste to be burned, except that the applicant need not analyze for constituents which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified and the basis for their exclusion stated. The waste analysis must rely on analytical techniques specified in WAC 173-303-110(3), or their equivalent;

(IV) An approximate quantification of the dangerous constituents identified in the waste, within the precision produced by the analytical methods specified in WAC 173-303-110(3); and

(V) A quantification of those dangerous constituents in the waste which may be designated as principal organic dangerous constituents (PODC's) based on data submitted from other trial or operational burns which demonstrate compliance with the performance standards in WAC 173-303-670(4);

(B) A detailed engineering description of the incinerator, including:

(I) Manufacturer's name and model number of incinerator;

(II) Type of incinerator;

(III) Linear dimension of incinerator unit including cross sectional area of combustion chamber;

(IV) Description of auxiliary fuel system (type/feed);

(V) Capacity of prime mover;

(VI) Description of automatic waste feed cutoff system(s);

(VII) Stack gas monitoring and pollution control monitoring system;

(VIII) Nozzle and burner design;

(IX) Construction materials; and

(X) Location and description of temperature, pressure, and flow indicating devices and control devices;

(C) A description and analysis of the waste to be burned compared with the waste for which data from operational or trial burns are provided to support the contention that a trial burn is not needed. The data should include those items listed in (f)(iii)(A) of this subsection. This analysis should specify the principal organic dangerous constituents (PODC's) which the applicant has identified in the waste for which a permit is sought, and any differences from the PODC's in the waste for which burn data are provided;

(D) The design and operating conditions of the incinerator unit to be used, compared with that for which comparative burn data are available;

(E) A description of the results submitted from any previously conducted trial burn(s) including:

(I) Sampling and analysis techniques used to calculate performance standards in WAC 173-303-670(4); and

(II) Methods and results of monitoring temperatures, waste feed rates, carbon monoxide, and an appropriate indicator of combustion gas velocity (including a statement concerning the precision and accuracy of this measurement);

(F) The expected incinerator operation information to demonstrate compliance with WAC 173-303-670 (4) and (6), including:

(I) Expected carbon monoxide (CO) level in the stack exhaust gas;

(II) Waste feed rate;

(III) Combustion zone temperature;

(IV) Indication of combustion gas velocity;

(V) Expected stack gas volume, flow rate, and temperature;

(VI) Computed residence time for waste in the combustion zone;

(VII) Expected hydrochloric acid removal efficiency;

(VIII) Expected fugitive emissions and their control procedures; and

(IX) Proposed waste feed cutoff limits based on the identified significant operating parameters;

(G) Such supplemental information as the department finds necessary to achieve the purposes of this subsection;

(H) Waste analysis data, including that submitted in (f)(iii)(A) of this subsection, sufficient to allow the department to specify as permit principal organic dangerous constituents (permit PODC's) those constituents for which destruction and removal efficiencies will be required; and

(I) Test protocols and sampling and analytical data to demonstrate the designation status under WAC 173-303-070 of:

(I) Incinerator ash residues, if any; and

(II) Residues from the air pollution control devices.

(iv) The department shall approve a permit application without a trial burn if the department finds that:

(A) The wastes are sufficiently similar; and

(B) The incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under WAC 173-303-670(6)) operating conditions that will ensure that the performance standards in WAC 173-303-670(4) will be met by the incinerator.

(g) Specific Part B information requirements for land treatment facilities. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use land treatment to dispose of dangerous waste must provide the following additional information:

(i) A description of plans to conduct a treatment demonstration as required under WAC 173-303-655(3). The description must include the following information:

(A) The wastes for which the demonstration will be made and the potential dangerous constituents in the waste;

(B) The data sources to be used to make the demonstration (e.g., literature, laboratory data, field data, or operating data);

(C) Any specific laboratory or field test that will be conducted, including:

(I) The type of test (e.g., column leaching, degradation);

(II) Materials and methods, including analytical procedures;

(III) Expected time for completion; and

(IV) Characteristics of the unit that will be simulated in the demonstration, including treatment zone characteristics, climatic conditions, and operating practices;

(ii) A description of a land treatment program, as required under WAC 173-303-655(2). This information must be submitted with the plans for the treatment demonstration, and updated following the treatment

demonstration. The land treatment program must address the following items:

- (A) The wastes to be land treated;
- (B) Design measures and operating practices necessary to maximize treatment in accordance with WAC 173-303-655 (4)(a) including:
 - (I) Waste application method and rate;
 - (II) Measures to control soil pH;
 - (III) Enhancement of microbial or chemical reactions;
- and
- (IV) Control of moisture content;
- (C) Provisions for unsaturated zone monitoring, including:
 - (I) Sampling equipment, procedures, and frequency;
 - (II) Procedures for selecting sampling locations;
 - (III) Analytical procedures;
 - (IV) Chain of custody control;
 - (V) Procedures for establishing background values;
 - (VI) Statistical methods for interpreting results; and
 - (VII) The justification for any dangerous constituents recommended for selection as principal dangerous constituents, in accordance with the criteria for such selection in WAC 173-303-655 (6)(a);
- (D) A list of dangerous constituents reasonably expected to be in, or derived from, the wastes to be land treated based on waste analysis performed pursuant to WAC 173-303-300;
- (E) The proposed dimensions of the treatment zone;
- (iii) A description of how the unit is or will be designed, constructed, operated, and maintained in order to meet the requirements of WAC 173-303-655(4). This submission must address the following items:
 - (A) Control of run-on;
 - (B) Collection and control of run-off;
 - (C) Minimization of run-off of dangerous constituents from the treatment zone;
 - (D) Management of collection and holding facilities associated with run-on and run-off control systems;
 - (E) Periodic inspection of the unit. This information should be included in the inspection plan submitted under (a)(v) of this subsection; and
 - (F) Control of wind dispersal of particulate matter, if applicable;
- (iv) If food-chain crops are to be grown in or on the treatment zone of the land treatment unit, a description of how the demonstration required under WAC 173-303-655(5) will be conducted including:
 - (A) Characteristics of the food-chain crop for which the demonstration will be made;
 - (B) Characteristics of the waste, treatment zone, and waste application method and rate to be used in the demonstration;
 - (C) Procedures for crop growth, sample collection, sample analysis, and data evaluation;
 - (D) Characteristics of the comparison crop including the location and conditions under which it was or will be grown; and
 - (E) If cadmium is present in the land treated waste, a description of how the requirements of WAC 173-303-655 (5)(b) will be complied with;

(v) A description of the vegetative cover to be applied to closed portions of the facility, and a plan for maintaining such cover during the post-closure care period, as required under WAC 173-303-655 (8)(a)(viii) and (c)(ii). This information should be included in the closure plan and, where applicable, the post-closure care plan submitted under (a)(xiii) of this subsection;

(vi) If ignitable or reactive wastes will be placed in or on the treatment zone, an explanation of how the requirements of WAC 173-303-655(9) will be complied with; and

(vii) If incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, an explanation of how WAC 173-303-655(10) will be complied with.

(viii) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a land treatment facility is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-655(12).

(h) Specific Part B information requirements for landfills. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that dispose of dangerous waste in landfills must provide the following additional information;

(i) A list of the dangerous wastes placed or to be placed in each landfill or landfill cell;

(ii) Detailed plans and an engineering report describing how the landfill is or will be designed, constructed, operated and maintained to comply with the requirements of WAC 173-303-665(2). This submission must address the following items as specified in WAC 173-303-665(2):

(A) The liner system and leachate collection and removal system (except for an existing portion of a landfill), including the licensed engineer's certification required by WAC 173-303-665 (2)(a)(i). If an exemption from the requirements for a liner and a leachate collection and removal system is sought, as provided by WAC 173-303-665 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituent into the ground water or surface water at any future time;

(B) Control of run-on;

(C) Control of run-off;

(D) Management of collection and holding facilities associated with run-on and run-off control systems; and

(E) Control of wind dispersal of particulate matter, where applicable;

(iii) If an exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-665(3), the owner or operator must submit detailed plans and an engineering report explaining the location of the saturated zone in relation to the landfill, the design of a double-liner system that incorporates a leak detection system between the liners, and a leachate collection and removal system above the liners;

(iv) A description of how each landfill, including the liner and cover systems, will be inspected in order to meet the requirements of WAC 173-303-665(4). This

information should be included in the inspection plan submitted under (a)(v) of this subsection;

(v) Detailed plans and an engineering report describing the final cover which will be applied to each landfill or landfill cell at closure in accordance with WAC 173-303-665 (6)(a), and a description of how each landfill will be maintained and monitored after closure in accordance with WAC 173-303-665 (6)(b) and (c). This information should be included in the closure and post-closure plans submitted under (a)(xiii) of this subsection;

(vi) If ignitable or reactive wastes will be landfilled, an explanation of how the standards of WAC 173-303-665(7) will be complied with;

(vii) If incompatible wastes, or incompatible wastes and materials will be landfilled, an explanation of how WAC 173-303-665(8) will be complied with;

(viii) If bulk of noncontainerized liquid waste or wastes containing free liquids is to be landfilled, an explanation of how the requirements of WAC 173-303-665(9) will be complied with;

(ix) If containers of dangerous waste are to be landfilled, an explanation of how the requirements of WAC 173-303-665(10) will be complied with; and

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a landfill is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-665(11).

(5) Construction. A person may begin physical construction of a new facility, or of new portions of an existing facility if the new portions would amount to reconstruction under interim status (WAC 173-303-805(7)), only after complying with WAC (~~(+73-303-284)~~) 173-303-281, submitting Part A and Part B of the permit application and receiving a final facility permit. All permit applications must be submitted at least one hundred eighty days before physical construction is expected to begin.

(6) Reapplications. Any dangerous waste facility with an effective final facility permit shall submit a new application one hundred eighty days prior to the expiration date of the effective permit, unless the department grants a later date provided that such date will never be later than the expiration date of the effective permit.

(7) Continuation of expiring permits.

(a) When the owner/operator submits a timely application for a final facility permit and the application is determined by the department to be complete pursuant to subsection (8) of this section, the facility is allowed to continue operating under the expiring or expired permit until the effective date of the new permit.

(b) When the facility is not in compliance with the conditions of the expiring or expired permit, the department may choose to do any of the following:

(i) Initiate enforcement action based upon the permit which has been continued;

(ii) Issue a notice of intent to deny the new permit. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;

(iii) Issue a new permit with appropriate conditions; and/or

(iv) Take other actions authorized by this chapter.

(8) Completeness. The department shall not issue a final facility permit before receiving a complete application, except for permits by rule or emergency permits. An application for a permit is complete when the application form and any supplemental information has been submitted to the department's satisfaction. The completeness of any application for a permit shall be judged independently of the status of any other permit application or permit for the same facility or activity.

(9) Recordkeeping. Applicants shall keep records of all data used to complete the permit applications, and any supplemental information submitted to the department for a period of at least three years from the date the application is signed.

(10) General permit conditions. All final facility permits shall contain general permit conditions described in WAC 173-303-810.

(11) Permit duration.

(a) Final facility permits shall be effective for a fixed term not to exceed ten years.

(b) The department may issue any final facility permit for a duration that is less than the full allowable term.

(c) The term of a final facility permit shall not be extended beyond ten years, unless otherwise authorized under (~~WAC 173-303-806~~) subsection (7) of this section.

(12) Grounds for termination. The following are causes for terminating a final facility permit during its term, or for denying a permit application:

(a) Noncompliance by the permittee with any condition of the permit;

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;

(c) A determination that the permitted activity endangers public health or the environment and the hazard can only be controlled by permit modification or termination; or

(d) A determination that the permit applicant has failed to (~~demonstrate that the proposed facility complies with the location standards of WAC 173-303-285;~~ or

~~(c) A determination by the department that the permit applicant has not demonstrated to the department's satisfaction, as required under subsection (4)(a)(xi)(G) of this section, that a facility at the proposed location will not result in significant adverse impacts on public health or the environment, or in failure to)) satisfy the performance standards of WAC ((+73-303-286)) 173-303-283.~~

(13) Permit changes. All final facility permits shall be subject to the requirements of permit changes, WAC 173-303-830.

(14) Procedures for decision making. Issuance of final facility permits will be subject to the procedures for decision making described in WAC 173-303-840.

(15) Other requirements for final special waste and recycling facility permits. In lieu of issuing a final special waste or recycling facility permit, the department may, after providing opportunity for public comment in accordance with WAC 173-303-840, defer to a permit already issued under other statutory authority administered by the department (such as the State Water Pollution Control Act, chapter 90.48 RCW, the State Clean Air Act, chapter 70.94 RCW, etc.) which incorporates the requirements of this section, and WAC 173-303-500 through 173-303-525 for recycling facilities or WAC 173-303-550 through 173-303-560 for special waste facilities.

NEW SECTION

WAC 173-303-905 **RESPONSE TO REQUESTS FOR PUBLIC RECORDS.** RCW 42.17.320 requires that the department, when responding to requests for public records make such responses "promptly." The department often receives requests, submitted pursuant to chapter 42.17 RCW, for public records that exist because of the requirements of or actions mandated by this chapter (such public records are referred to as dangerous waste records). When the department receives requests for such dangerous waste records, then the department shall respond promptly, as required by RCW 42.17.320, and in no event will the response occur later than twenty working days after receipt of the public request submitted pursuant to chapter 42.17 RCW.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 173-303-284 **NOTICE OF INTENT.**

WAC 173-303-285 **LOCATION STANDARDS.**

WAC 173-303-286 **PERFORMANCE STANDARDS.**

WAC 173-303-901 **RESPONSE TO REQUESTS FOR PUBLIC RECORDS.**

WSR 88-18-084

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 6, 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 the amending of WAC 308-128D-020, 308-128D-040 and 308-128D-060; new WAC 308-128E-011; and repealing WAC 308-128E-010;

that the agency will at 9:30 a.m., Thursday, October 20, 1988, in the Westwater Inn, 2300 Evergreen Park Drive S.W., Room 202, 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 18.44.320.

The specific statute these rules are intended to implement is RCW 18.44.320.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 19, 1988.

Dated: September 6, 1988

By: Linda M. Moran
Assistant Attorney General

STATEMENT OF PURPOSE

Title and Number of Rule Section and Chapter: WAC 308-128D-020 Required records; 308-128D-040 Agreements and closings; 308-128D-060 Disbursement of funds; 308-128E-011 Administration of funds held in trust; and 308-128E-010 Administration of trust accounts.

Statutory Authority and Specific Statute that the Rules are Intended to Implement: RCW 18.44.320.

Summary of Rules and Reasons Supporting the Rules: The following amendments and repeals to existing rules are housekeeping changes: WAC 308-128D-020 requires escrow records to identify the transaction to which those records pertain and includes escrow instructions as records which must be maintained by the escrow agent; WAC 308-128D-040 allows an escrow agent to modify the escrow instructions only upon agreement of all of the principals and the escrow agent and obtain original signatures of the principals on either the preliminary or final closing statement; WAC 308-128D-060 permits the escrow agent to interplead disputed funds under chapter 4.08 RCW; WAC 308-128E-011 clarifies the requirements for maintaining and administering trust accounts; and WAC 308-128E-010 is consistent with the adoption of WAC 308-128E-011 which replaces WAC 308-128E-010.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Mary G. Faulk, Director, Department of Licensing, Fourth Floor, Highways-Licenses Building, Olympia, WA 98504, 234-5029 scan, 753-5029 comm; and Bob Mitchell, Assistant Program Manager, Professional Program Management Division, Fourth Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 321-4681 scan, 586-4681 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 escrow agents and escrow officers. Escrow agents and escrow officers are most appropriately classed in SIC Code 6531. They account for less 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 escrow agents and escrow officers.

AMENDATORY SECTION (Amending Order RE 122, filed 9/21/77)

WAC 308-128D-020 REQUIRED RECORDS. Escrow agents shall be required to keep the following transaction records as a minimum; and all records except the reconciled bank statements, shall identify the transaction to which they pertain:

- (1) Trust account records.
 - (a) Duplicate receipt book recording all receipts;
 - (b) Prenumbered checks (~~((with check register or check stubs))~~);
 - (c) Trust account receipt and disbursement records;
 - (d) Duplicate bank deposit slips, either validated by the bank or bearing the signature of the designated escrow officer and the date of actual deposit;
 - ~~((+))~~ (e) Client's ledger containing an individual ledger sheet for each transaction(;
 - ~~(e) Reconciled bank statements and cancelled checks for all bank accounts);~~ PROVIDED HOWEVER, That for computerized record systems, an individual ledger sheet need not be maintained in the transaction files until the closing of the transaction if the computer records demonstrate on a daily basis the status of the transaction funds.
- (2) Other records.
 - (a) A transaction file shall be maintained to contain all agreements, contracts, documents, leases, escrow instructions, closing statements and correspondence for each transaction;
 - (b) Reconciled bank statements and cancelled checks for all bank accounts of the escrow agent.

AMENDATORY SECTION (Amending Order RE 122, filed 9/21/77)

WAC 308-128D-040 AGREEMENTS AND CLOSINGS. The escrow agent shall be responsible for the effecting and closing of escrow agreements between the principal parties. The agent shall as a minimum:

- (1) Prepare or accept an instrument of escrow instructions ((between)) among each principal and the agent based upon a written agreement signed by the principals. The escrow instructions shall not be modified except by written agreement signed by the principals and accepted by the agent.
- (2) Require an addendum to the purchase agreement for any and all material changes in the terms of the transaction, including but not limited to, changes in the financing of the transaction.
- (3) Provide the services and perform all acts pursuant to the escrow instructions.
- ~~((+))~~ (4) Provide a complete detailed closing statement as it applies to each principal at the time the transaction is closed. The agent shall retain a copy of all closing statements, even though funds are not handled by the agent, in the transaction file. The closing statements shall show:
 - (a) The date of closing.
 - (b) The total purchase price.
 - (c) An itemization of all adjustments, monies or things of value received or paid.
 - (d) To whom each item is debited and/or credited.
 - (e) Date each adjustment was made.
 - (f) Names of payees, makers and assignees of all notes paid, made or assumed.
 - (g) Pay the net proceeds of sale directly to the seller unless otherwise provided in writing by the seller or a court of competent jurisdiction.
 - (h) Obtain original signatures of the principals on either the preliminary or final closing statement and maintain a copy of the signed closing statement in the transaction file.

AMENDATORY SECTION (Amending Order RE 122, filed 9/21/77)

WAC 308-128D-060 DISBURSEMENT OF FUNDS. Disbursement of any money or other items in violation of the trust or before the happening of the conditions of the escrow agreement or escrow instructions is a violation of RCW 18.44.260(5). If the ownership of the funds is in dispute or is unclear based on the written agreement of the parties, the escrow agent may interplead the funds into a court of competent jurisdiction pursuant to chapter 4.08 RCW.

Funds and other items or documents must be paid and/or disbursed immediately upon closing of the transaction or as specifically agreed to in writing by the principals: PROVIDED, That disbursement of funds may be withheld to allow for checks to clear.

NEW SECTION

WAC 308-128E-011 ADMINISTRATION OF FUNDS HELD IN TRUST. The escrow agent shall be responsible for all funds received from any principal or any party to an escrow transaction or escrow collection account and shall hold the funds in trust for the purposes of the transaction or agreement and shall not utilize such funds for the benefit of the agent or any person not entitled to such benefit. The escrow agent shall establish a trust bank account(s) in a recognized Washington state depository. The escrow agent is responsible for depositing, holding, disbursing, and accounting for funds in trust as provided herein.

(1) The trust bank account(s) shall be designated as a trust account in the name of the escrow agent as certified. Trust bank accounts shall be noninterest bearing demand deposit accounts except as follows:

(a) Interest-bearing trust bank accounts or dividend earning investment accounts containing funds pertaining to an individual escrow transaction or escrow collection account may be established by the agent if directed by written agreement signed by the principals to the transaction and specifying the manner of distribution of accumulated interest to the parties to the transaction.

(b) Interest-bearing trust bank accounts or dividend-earning investment accounts containing only funds held on behalf of an owner, vendor, lessor, etc., involving escrow collections may be established by the agent when directed by written agreement or directive signed by the principals: PROVIDED, That all interest or earnings shall accrue to the principals as directed in the agreement.

(2) The agent shall establish and maintain a system of records and procedures as provided in this section. Any alternative records or procedures proposed for use by the escrow agent shall be approved in advance by the department.

(3) The agent is responsible for the disbursement of all funds received and held in trust, whether disbursed by personal signature, signature plate, or signature of another person authorized to act on the agents behalf.

(4) All funds received for any reason pertaining to an escrow transaction or collection account shall be deposited in the escrow agents trust bank account(s) not later than the first banking day following receipt thereof except funds owned exclusively by the agent.

(5) All funds received shall be identified by the day received and by the amount, source, and purpose on either a cash receipts journal or duplicate receipt which shall be retained as a permanent record.

(6) All deposits to the trust bank account(s) shall be documented by a duplicate bank deposit slip, validated by bank imprint or attached deposit receipt which shall bear the signature of the authorized representative of the agent indicating that the funds were actually deposited into the proper trust bank account. Receipt of funds by wire transfer are to be posted in the same manner as other receipts and there shall be a traceable identifying name or number supplied by the financial institution or transferring entity. The agent must also make arrangements for a follow-up "hard copy" receipt for the deposit.

(7) An individual client's ledger sheet shall be established and maintained for each escrow transaction for which funds are received in trust and to which all receipts and disbursements shall be posted.

(a) Credit entries must show the date of deposit or wire transfer, amount, and item covered.

(b) Debit entries must show the date of check, check number, amount of check, name of payee, and item covered.

(8) The reconciled trust bank account(s) must equal at all times the outstanding trust liability to clients. The outstanding trust liability to clients must equal the trial balance of all escrows with undisbursed balances.

(9) The agent 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 receipts and disbursement records. Such reconciliations are to be retained as permanent records.

(10) All disbursement of trust funds shall be made by check, drawn on the trust bank account, and identified on the check as pertaining to a specific escrow transaction or collection account except as provided in (a) through (c) of this subsection. The number of each check, amount, date, payee, item covered, and the specific client's ledger sheet

debited must be shown in the cash register or cash disbursement journal 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 receipt until the deposit has been verified.

(b) The escrow agent must make arrangements with the financial institution in which the trust bank account is located to provide a follow-up "hard copy" debit memo when funds are disbursed via wire transfer.

(c) The escrow agent 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.

(11) Voided checks written on the trust bank account shall be permanently defaced and shall be retained.

(12)(a) A separate check shall be drawn on the trust bank account payable to the escrow agent as certified, for each escrow fee earned as set forth in the escrow instructions or settlement statement upon the closing of the escrow transaction. Each check for escrow fees shall be identified to the transaction to which it applies.

(b) Collection account fees may be withdrawn by a single check provided such check is supported by a schedule of fees identified to each individual account. Such fees shall be withdrawn at least once monthly or as provided in the collection contract agreement if the fees are payable for a greater term than monthly.

(13) No deposits to the trust bank accounts shall be made of funds that do not pertain to an escrow transaction or not received in connection with an escrow collection account, or that belong to the agent, including fees to "open" the bank account or to keep the account from being closed.

(14) No disbursement from the trust bank account shall be made:

(a) For items not pertaining to a specific escrow transaction or escrow collection account;

(b) In advance of the closing of an escrow transaction, or before the happening of a condition set forth in the escrow instructions, to any person or for any reason without a written release from all principals of the escrow transaction or collection account, except that if the earnest money agreement terminates according to its own terms prior to closing, disbursement of earnest money funds shall be made as provided by the earnest money agreement without a written release unless the funds are handled as provided in WAC 308-128D-060;

(c) Pertaining to a specific escrow transaction or collection account in excess of the actual amount held in the trust bank account in connection with such account;

(d) In payment of a fee owed to any employee of an agent or in payment of any business expense of the agent. Payment of fees to employees of an agent or of any business expense of the agent shall be paid from the regular business bank account of the agent;

(e) For bank charges of any nature. Arrangements must be made with the bank to have any such charges applicable to the trust bank accounts 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 agents regular business bank account;

(f) For preauthorization of payments by the financial institution for recurring expenses such as mortgage payments on behalf of the owner if the account contains tenant security deposits or funds belonging to more than one client;

(g) Of funds received as a damage or security deposit involving a lease or rental contract, to the property owner or to any person(s) without the written authority of the lessee. Such funds are to be held until the end of the tenancy when they are to be disbursed to the person(s) 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.

(15) The provisions of this section 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 escrow agent 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 preprinted on the check or retained voucher copy by the supplier (printer). The program may 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;

(f) All checks written must be included within the computer accounting system.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-128E-010 ADMINISTRATION OF TRUST ACCOUNTS.

WSR 88-18-085
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-97—Filed September 6, 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 a liberal bag limit for chinook salmon was established to harvest greater than anticipated numbers of chinook salmon in both Skagit Bay and the Skagit River. The expected run of coho salmon is now returning to the Skagit River, and the normal bag limit of two adult salmon is being reinstated to conserve coho salmon. There is insufficient time to follow the permanent rule adoption procedures.

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

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

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

APPROVED AND ADOPTED September 6, 1988.

By J. McKillip
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000H SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-190, effective immediately until further notice, the daily bag limit in Skagit Bay is two salmon of any species, and the minimum size for chinook salmon is 22 inches. Skagit Bay is defined as those waters east of line from West Point to Reservation Head on Fidalgo Island, north of a line from Polnell Point to Rocky Point, north of the State Highway 532 Bridge between

Camano Island and mainland, and south of a line between the southern end of McGlenn Island and the light on Fidalgo Island (QK fl "13") at the southern end of Swinomish Slough.

NEW SECTION

WAC 220-57-42500R SKAGIT RIVER. Notwithstanding the provisions of WAC 220-57-425, effective immediately:

(1) Until further notice, Bag Limit A upstream from the mouth of the Skagit River to Gilligan Creek.

(2) Until further notice, Bag Limit A upstream from Gilligan Creek to the mouth of the Baker River, except all chinook greater than 24 inches in length must be released immediately.

(3) Until further notice, Bag Limit C upstream from the mouth of the Baker River to the mouth of the Cascade River.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-56-19000D SALTWATER SEASONS AND BAG LIMITS. (88-68)

WAC 220-57-42500Q SKAGIT RIVER. (88-68)

WSR 88-18-086
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-98—Filed September 6, 1988]

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

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the allotted catch of 6,000 chinook for the management period prior to September 15 has been taken. The remaining harvestable chinook can be taken and are needed for incidental catch during the coho management period. Further harvest of chinook prior to September 15 will require restrictions on the harvest of coho salmon in order to prevent the overharvest of chinook. There is insufficient time to follow the permanent rule adoption procedures.

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

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

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

APPROVED AND ADOPTED September 6, 1988.

By J. McKillip
for Joseph R. Blum
Director

NEW SECTION

WAC 220-40-02100J WILLAPA HARBOR GILLNET SEASON. Notwithstanding the provisions of WAC 220-40-021, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes from any Willapa Harbor Salmon Management and Catch Reporting Area except as provided for in this section:

Area 2G – Open 6:00 p.m. September 15 to 6:00 p.m. October 14, 1988; 6 1/2 inch maximum mesh.

Area 2H – Open 6:00 p.m. September 21 to 11:59 p.m. November 19, 1988; 6 1/2 inch maximum mesh.

Areas 2J and 2K – Open 6:00 p.m. September 22 to 6:00 p.m. September 23, 1988; 6 1/2 inch maximum mesh.

Open 6:00 p.m. September 26 to 6:00 p.m. September 27, 1988; 6 1/2 inch maximum mesh.

Open 6:00 p.m. September 29 to 6:00 p.m. September 30, 1988; 6 1/2 inch maximum mesh.

Area 2M – Open 6:00 p.m. September 21 to 6:00 p.m. October 14, 1988; 6 1/2 inch maximum mesh.

(2) It is unlawful to fish for salmon in Willapa Harbor using gillnet gear longer than 1,500 feet in length or containing mesh less than 5 inches.

(3) It is unlawful to fish for or possess salmon taken with gillnet gear in that portion of Willapa Harbor Area 2J between Long Island and the North Beach Peninsula, south of a line drawn true east-west through Marker Piling 18 after 6:00 p.m. October 7.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02100I WILLAPA HARBOR GILLNET SEASON. (88-90)

WSR 88-18-087
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-99—Filed September 6, 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 and commercial.

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 extremely dry conditions constitute a high potential for wildfire on range and forest land in Washington east of the Cascade Crest; fishing for food fish and shellfish under current regulations is an inducement to attract people to the exposed range and forest lands, both publicly and privately owned, thereby potentially increasing the risk of accidental wildfire on such lands, which would effect food fish and shellfish habitat. There is insufficient time to follow the permanent regulation process.

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

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

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

APPROVED AND ADOPTED September 6, 1988.

By J. McKillip
for Joseph R. Blum
Director

NEW SECTION

WAC 220-01-00100A **EASTERN WASHINGTON CLOSURE.** *Notwithstanding the provisions of Title 220 WAC, effective 12:01 a.m. September 7 through 11:59 p.m. September 15, 1988, it is unlawful to fish for or possess food fish or shellfish taken for any purpose from all contiguous waters, including all lakes, of the Columbia River System above Priest Rapids Dam.*

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

WSR 88-18-088
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
 [Order 359—Filed September 6, 1988]

Be it resolved by the director, Department of Wildlife, acting at Olympia, Washington, that it does adopt the annexed rules relating to:

- New WAC 232-28-21702 Closure of all lands east of the Cascade Crest in Washington to the hunting of wild animals and wild birds and to the fishing for game fish.
- Rep WAC 232-28-21701 Closure of all lands in Ferry County to the hunting of wild animals and wild birds.

I, the director, Department of Wildlife, 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 extreme dry conditions constituting a high potential for wildfire on range and forest lands in Washington east of the Cascade Crest exist; and further, that hunting of wild animals and wild birds and fishing for game fish under existing regulations are an inducement to attract people to the exposed range and forest lands, both publicly and privately owned, thereby potentially increasing the risk of accidental wildfire on such lands; the closure of hunting for all wild animals and wild birds and fishing for game fish is necessary to protect such lands.

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

This rule is promulgated pursuant to RCW 77.04.020 and WAC 232-12-085 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 6, 1988.

By Curt Smith
Director

NEW SECTION

WAC 232-28-21702 CLOSURE OF ALL LANDS EAST OF THE CASCADE CREST IN WASHINGTON TO THE HUNTING OF WILD ANIMALS AND WILD BIRDS AND TO THE FISHING FOR GAME FISH. *Effective 12:01 a.m. on September 7, 1988, it is unlawful for any person to hunt or take any wild animal or wild bird or fish for game fish east of the Cascade Crest EXCEPT that fishing for game fish under current regulation on the mainstem of the Columbia River below Priest Rapids Dam shall be allowed. This action repeals WAC 232-28-21701. This closure terminates at 11:59 p.m. on September 15, 1988.*

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 232-28-21701 CLOSURE OF ALL LANDS IN FERRY COUNTY TO THE HUNTING OF WILD ANIMALS AND WILD BIRDS

WSR 88-18-089
PROPOSED RULES
DEPARTMENT OF
INFORMATION SERVICES
 [Filed September 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Information Services intends to adopt, amend, or repeal rules concerning chapter 143-06 WAC, Access to public records of the Department of Information Services and the information services board; and chapter 143-10 WAC, SEPA exemption.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 11, 1988.

The authority under which these rules are proposed is chapter 43.105 RCW.

The specific statute these rules are intended to implement is chapter 42.17 RCW and Title 197 WAC.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1988.

Dated: September 6, 1988

By: George K. Pickett
 Assistant Director
 Management Support Division

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Title 143 WAC, Department of Information Services; chapter 143-06 WAC, Practice and procedure of agency—Public records; and chapter 143-10 WAC, SEPA guidelines.

Description of Purpose: To update agency rules on public records access and SEPA exemption.

Statutory Authority: Chapter 43.105 RCW.

Specific Statute Rule is Intended to Implement: Chapter 42.17 RCW and Title 197 WAC.

Summary of Rule: Updates rules to reflect July 1, 1987, creation of new agency and board; deletes references to Data Processing Authority; simplifies rules; and announces agency office location.

Reasons Supporting the Proposed Action: Updated WAC reflecting proper agency and board title is required and has been authorized by the board.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: George Pickett, Assistant Director, Management Support Division.

Name of the Person or Organization, Whether Private, Public or Governmental, Proposing the Rule: Department of Information Services.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: [No information supplied by agency.]

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Rules did not result from federal law or federal or state court action.

Small Business Economic Impact Statement: Rules have no small business economic impact.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-010 PURPOSE. The purpose of this chapter shall be to adopt rules descriptive of the Washington state ~~((data-processing authority's operations and methods))~~ department of information services and the information services board and to ensure compliance with the provisions of chapter 42.17 RCW (Initiative 276), and in particular with ~~((sections 25-32 of that act))~~ RCW 42.17.250 through 42.17.320, dealing with public records.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-020 DEFINITIONS. (1) Public record includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

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

(3) The Washington state department of information services is the agency created by chapter 504, Laws of 1987, hereinafter referred to as the department.

(4) The Washington state ~~((data-processing authority))~~ information services board is ~~((the agency))~~ appointed by the governor pursuant to ((chapter 219, Laws of 1973 1st ex. sess)) chapter 504, Laws of 1987. The Washington state ~~((data-processing authority))~~ information services board shall hereinafter be referred to as the ~~((authority))~~ board. ~~((Where appropriate, the term authority also refers to the staff and employees of the Washington state data processing authority:))~~

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-030 DESCRIPTION OF ~~((CENTRAL-AND FIELD))~~ ORGANIZATION. (1) The board shall conduct its business through the administrative office of the department. The administrative office ~~((of the authority and its staff))~~ is located in the ~~((9th and Columbia Building))~~ Jefferson Building, Olympia, Wash., 98504.

(2) The ~~((authority))~~ board is composed of ~~((eleven))~~ seven persons appointed by the governor, and one person selected by the chief justice of the supreme court, and one member selected by the president of the senate and the speaker of the house of representatives to carry out the duties ~~((and tasks))~~ contained in chapter 43.105 RCW as amended. The administrative head of the ~~((authority))~~ board is ~~((its executive director))~~ the director of the department of information services, hereinafter referred to as the director. All communications, requests and business shall be forwarded to the ~~((executive))~~ director at the afore-designated administrative office of the ~~((authority))~~ board.

(3) The department is composed of a services component and a planning component.

(4) The ~~((authority is))~~ board and department are chartered by the legislature to provide for ~~((the efficient and))~~ coordinated ((utilization)) planning and management of ((data-processing equipment, techniques and personnel to achieve optimum effectiveness and economy in collection, storage, interchange, retrieval, processing and transmission of information; to authorize development, implementation and maintenance of a coordinated state-wide plan for data-processing and data-communications systems; to achieve consolidation of automated data-processing resources and centralization of control over automated data-processing and to ensure that automated data-processing systems shall serve the management and other needs of the legislative, executive and judicial branches of state and local government)) state information services.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-050 PUBLIC RECORDS AVAILABLE. All public records of the ~~((authority)) board and of the department~~, as defined in WAC 143-06-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by ~~((section 31, chapter 42.17))~~ RCW 42.17.310 and WAC 143-06-100.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-060 PUBLIC RECORDS OFFICER. The ~~((authority's)) board and the department's~~ public records shall be in charge of the public records officer designated by the ~~((executive))~~ director ~~((of the authority))~~. The person so designated shall be located in the administrative office of the ~~((authority)) board and the department~~. The public records officer shall be responsible for the following: The implementation of the ~~((authority's)) board and the department's~~ rules and regulations regarding release of public records, ~~((coordinating the staff of the authority in this regard;))~~ and generally insuring compliance ~~((by the staff))~~ with the public records disclosure requirements of chapter 42.17 RCW.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-070 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the ~~((authority)) administrative office~~. For the purposes of this chapter, the customary office hours shall be from ~~((9))~~ 8:30 a.m. to noon and from 1 p.m. to ~~((4))~~ 4:30 p.m., Monday through Friday, excluding legal holidays.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-080 REQUESTS FOR PUBLIC RECORDS. ~~((In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency;))~~ Public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the ~~((authority (Appendix A- WAC 143-06-990)))~~ department which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the ~~((authority's staff))~~ department's administrative office, if the public records officer is not available, at the administrative office of the ~~((authority))~~ department during customary office hours. The request shall include the following information:

- The name of the person requesting the record
- The time of day and calendar date on which the request was made
- The nature of the request
- If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index
- An appropriate description of the record is requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-090 COPYING. No fee shall be charged for the inspection of public records. The ~~((authority))~~ department shall charge a fee of ~~((ten))~~ twenty-five cents per page of copy for providing copies of public records and for use of the ~~((authority's))~~ department's copy equipment. This charge is the amount necessary to reimburse the ~~((authority))~~ department for its actual costs incident to such copying.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-100 EXEMPTIONS. (1) The ~~((authority))~~ department reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 143-06-080 is exempt under the provisions of ~~((section 31, chapter 42.17))~~ RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260, the ~~((authority))~~ department reserves the right to delete identifying details when it makes

available or publishes any public record, in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-110 REVIEW OF DENIALS OF PUBLIC RECORDS REQUEST. (1) Any person who objects to the denial of a request for a public record may petition for review of such decision by tendering a written request to the ~~((executive))~~ director for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) The ~~((executive))~~ director shall consider the matter and either affirm or reverse such denial ~~((or call a special meeting of the authority as soon as legally possible to review the denial))~~. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the ~~((authority))~~ director has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-120 PROTECTION OF PUBLIC RECORDS. (1) No person shall knowingly alter, deface or destroy public records of the ~~((authority))~~ board and department.

(2) Original copies of public records of the ~~((authority))~~ board and department shall not be removed from the administrative offices of the ~~((authority))~~ board and department.

(3) Care and safekeeping of public records of the ~~((authority))~~ board and department, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.

(4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.

(5) Boisterous or otherwise disruptive conduct by those requesting public records of the ~~((authority))~~ board and department shall not be permitted.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-130 RECORDS INDEX. ~~((+))~~ The ~~((authority))~~ department has available to all persons a current index which provides identifying information as to the ~~((following))~~ records ~~((issued, adopted or promulgated since its inception:~~

- Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;
- Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;
- Administrative staff manuals and instructions to staff that affect a member of the public;
- Planning policies and goals, and interim and final planning decisions;

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

~~((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 current index promulgated by the authority shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection)) of the board and department.~~

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-140 COMMUNICATIONS WITH THE ~~((AUTHORITY))~~ BOARD AND DEPARTMENT. All communications

WSR 88-18-091**PROPOSED RULES****DEPARTMENT OF COMMUNITY DEVELOPMENT
(Office of Archaeology and Historic Preservation)**

[Filed September 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Community Development intends to adopt, amend, or repeal rules concerning the application and review procedures for the issuance of archaeological excavation and removal permits;

that the agency will at 9:00 a.m., Thursday, October 13, 1988, in the GA Conference Room, 1st Floor, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is chapter 27.53 RCW, as amended by section 11, chapter 124, Laws of 1988.

The specific statute these rules are intended to implement is RCW 27.53.030, [27.53.]060; sections 1, 3, 5, 6, 7, chapter 124, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1988.

Dated: September 2, 1988

By: Linda Dupont-Johnson

STATEMENT OF PURPOSE

Title: Revising chapter 25-48 WAC.

Description of Purpose: To revise existing archaeological excavation permit rules to apply to the archaeological excavation and salvage of historic shipwrecks and aircraft on state owned aquatic lands.

Statutory Authority: Chapter 27.53 RCW, as amended by section 11, chapter 124, Laws of 1988.

Specific Statute Rule is Intended to Implement: RCW 27.53.030, [27.53.]060, [27.53.]080, as amended by chapter 124, Laws of 1988, and sections 1, 3, 5, 6, 7, 10, chapter 124, Laws of 1988.

Summary of Rule: The rules establish application and review procedures for the issuance of archaeological excavation and removal permits.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Jacob Thomas, State Historic Preservation Officer, Office of Archaeology and Historic Preservation, Department of Community Development, 111 West 21st Avenue, KL-11, Olympia, 98504.

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

The proposed rule does not impose an additional cost of compliance and therefore, no economic impact statement is required under the Regulatory Fairness Act.

Chapter 25-48 WAC

ARCHAEOLOGICAL EXCAVATION AND REMOVAL PERMIT

MIT

with the ((authority)) board and department including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules; requests for copies of the ((authority's)) board and department's decisions and other matters, shall be addressed as follows: Washington State ((Data Processing Authority)) Department of Information Services, c/o Public Records Officer, ((9th and Columbia Building)) Jefferson Building, Olympia, Wash. 98504.

AMENDATORY SECTION (Amending Order 004, filed 3/6/81)

WAC 143-06-150 **ADOPTION OF FORM.** The ((authority)) department hereby adopts State form 276 for use by all persons requesting inspection and/or copying or copies of ((its)) records((the form attached hereto as Appendix A, entitled "Request for public records.") of the department or the board.

Chapter 143-10 WAC

STATE ENVIRONMENTAL POLICY ACT GUIDELINES

WAC

143-10-010 ((Authority)) Board and department activities exempt.**AMENDATORY SECTION** (Amending Order 76-01, filed 10/19/76)

WAC 143-10-010 ((AUTHORITY)) **BOARD AND DEPARTMENT ACTIVITIES EXEMPT.** (((+))) The Washington ((state data processing authority is a coordinating and planning body created by chapter 43.105 RCW. It is authorized to acquire automatic data processing equipment and approve acquisition by other state agencies. The authority has reviewed its functions with regard to the application of SEPA and finds that all its authorized activities have been exempted by WAC 197-10-040(2) and 197-10-150 through 197-10-190. More specifically, but not limited to the following, its activities are exempt under WAC 197-10-170 (7), (8), (11), (16), (17) and (21).

(2) In accordance with WAC 197-10-800(4), the authority adopts this statement in compliance with the requirements of RCW 43.21C-120)) department of information services and the information services board have reviewed their authorized activities and found them to be exempt from the provisions of Title 197 WAC. This statement is provided as compliance with the requirements that the board and department adopt guidelines consistent with Title 197 WAC.

WSR 88-18-090**PROPOSED RULES****DEPARTMENT OF ECOLOGY**

[Filed September 7, 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 minimum functional standards for solid waste handling, chapter 173-304 WAC, to include requirements for closure and post-closure care of solid waste handling facilities.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 4, 1988.

The authority under which these rules are proposed is chapter 43.21A RCW.

The specific statute these rules are intended to implement is chapter 70.95 RCW.

This notice is connected to and continues the matter in Notice No. WSR 88-14-110 filed with the code reviser's office on July 6, 1988.

Dated: September 6, 1988

By: Atsushi Kiuchi
P.I.O.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-010 PURPOSE. The purpose of this chapter is to establish application and review procedures for the issuance of archaeological excavation and removal permits as provided for in (~~RCW 27.53.060 and 27.44.020~~) chapters 27.44 and 27.53 RCW.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-020 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Archaeology" means systematic, scientific study of man's past through his material remains.

(2) "Historic" means peoples and cultures who are known through written documents in their own or other languages. As applied to underwater archaeological resources, the term historic shall include only those properties which are listed in or eligible for listing in the Washington state register of historic places (RCW 27.34.220) or the National Register of Historic Places as defined in the National Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

(3) "Prehistoric" means peoples and cultures who are unknown through contemporaneous written documents in any language.

(4) "Professional archaeologist" means a person has designed and executed an archaeological study as evidenced by a thesis or dissertation, and has been awarded an advanced degree such as an M.A., M.S., or Ph.D. from an accredited institution of higher education in archaeology, anthropology, or history or other germane discipline with a specialization in archaeology; has a minimum of one year of field experience with at least twenty-four weeks of field work under the supervision of a professional archaeologist including no more than twelve weeks of survey or reconnaissance work, and at least eight weeks of supervised laboratory experience. Twenty weeks of field work in a supervisory capacity must be documentable with a report produced by the individual on the field work.

(5) "Public lands" means lands owned by or under the possession, custody, or control of the state of Washington or any county, city, or political subdivision of the state.

(6) "Site restoration" means to repair the archaeological property to its preexcavation vegetational and topographic state.

(7) "Amateur society" means any organization composed primarily of persons who are not professional archaeologists, whose primary interest is in the archaeological resources of the state, and which has been certified in writing by two professional archaeologists.

(8) "Archaeological resource" means any material remains of human life or activities which are of archaeological interest. This shall include all sites, objects, structures, artifacts, implements, and locations of prehistorical or archaeological interest, whether previously recorded or still unrecognized, including, but not limited to, those pertaining to prehistoric and historic American Indian or aboriginal burials, campsites, dwellings, and their habitation sites, including rock shelters and caves, their artifacts and implements of culture such as projectile points, arrowheads, skeletal remains, grave goods, basketry, pestles, mauls, and (~~grinding~~) grinding stones, knives, scrapers, rock carvings and paintings, and other implements and artifacts of any material.

(9) "Historic archaeological resources" means those properties which are listed in or eligible for listing in the Washington state register of historic places (RCW 27.34.220) or the National Register of Historic Places as defined in the National Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

(10) "Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation.

~~((+0))~~ (11) "Director" means the ~~((state historic preservation officer as provided for in chapter 27.34 RCW))~~ director of the department of community development or his designee.

~~((+1))~~ (12) "Office" means the Washington state office of archaeology and historic preservation, department of community development.

~~((+2))~~ (13) "Department" means the department of community development.

(14) "Suspension" means the abeyance of a permit under this chapter for a specified period of time.

~~((+3))~~ (15) "Revocation" means the termination of a permit under this chapter.

(16) "Mitigation" means:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action;

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

(c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

(e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or

(f) Monitoring the impact and taking appropriate corrective measures.

(17) "Abandonment" means that the resource has been deserted and the owner has relinquished ownership rights with no retention, as demonstrated by a writing, oral communication, action, or inaction.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-030 SCOPE AND COVERAGE OF THIS CHAPTER. (1) This chapter is applicable to any person, corporation, partnership, trust, institution, association, or any other private entity, or any officer, employee, agent, department, or instrumentality of the state, county, or city, or a political subdivision of the state.

(2) This chapter is applicable to the alteration, digging, excavating, or removal of archaeological or historic archaeological resources which have been abandoned thirty years or more from public lands, the alteration, digging, excavating or removal of archaeological or historic archaeological resources from private lands where the landowner has requested the office to issue archaeological excavation and removal permits, and the removal of glyptic or painted records of prehistoric peoples or archaeological resources from Indian cairns or graves under either circumstance.

(3) This chapter does not apply to the removal of artifacts found exposed on the surface of the ground (~~nor to the excavation and removal of artifacts from state-owned shorelands below the line of ordinary high water or within the intertidal zone~~) which are not historic archaeological resources except when there will be removal of glyptic or painted records of prehistoric peoples, or archaeological resources from Indian cairns or graves.

(4) This chapter is applicable as follows to the removal of sample artifacts as provided under WAC 25-46-060 (1)(d):

WAC 25-48-010.

WAC 25-48-020.

WAC 25-48-030.

WAC 25-48-050.

WAC 25-48-060 (1)(a), except for the requirements of a completed inventory form, (1)(d), (f), (g), (h), (m), (n), and (5).

WAC 25-48-090.

WAC 25-48-100.

WAC 25-48-105.

WAC 25-48-120.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-050 APPLICATION REQUIREMENTS AND FORMS. (1) Any person or entity covered by this chapter and described in WAC 25-48-030 proposing to excavate and/or remove archaeological or historic archaeological resources from public lands, or private lands where the landowner has transferred permit authority to the (~~office~~) department, or proposing to remove glyptic or painted records of prehistoric tribes or peoples, or archaeological resources from Indian cairns or graves shall apply to the office for a permit for the proposed work, and shall not begin the proposed work until a permit has been issued.

(2) Each application for a permit from the (~~office~~) department shall be submitted on the archaeological excavation and removal permit application form approved by the (~~preservation officer~~) director. These application forms may be obtained from the Office of Archaeology and Historic Preservation, Department of Community Development, 111 West 21st Avenue KL-11, Olympia, WA 98504; telephone (206) 753-5010.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-060 SUMMARY OF INFORMATION REQUIRED OF AN APPLICANT. (1) Each application for a permit shall include:

(a) The nature and extent of the work proposed, including how and why it is proposed to be conducted and the methods proposed for excavation and recovery, proposed time of performance, locational maps, and a completed site inventory form.

(b) An artifact inventory plan detailing the character of the expected data categories to be recovered including the proposed methods of inventorying the recovered data and proposed methods of cleaning, stabilizing, and curating of specimens and recovered data consistent with the Secretary of the Interior's standards for archaeological curation.

(c) A professional, scientific research design demonstrating that the work will be performed in a scientific and technically acceptable manner taking into account current scientific research issues and cultural resource management plans.

~~((c))~~ (d) The name and address of the individual(s) proposed to be responsible for conducting the work, institutional affiliation, if any, and evidence of education, training, and experience in accord with the minimal qualifications listed in this chapter.

~~((d))~~ (e) The name and address of the individual(s) proposed to be responsible for carrying out the terms and conditions of the permit, if different from the individuals enumerated under ~~((c))~~ (d) of this subsection.

~~((e))~~ (f) Financial evidence of the applicant's ability to initiate, conduct, and complete the proposed work, including evidence of logistical support and laboratory facilities.

~~((f))~~ (g) A plan for site restoration following excavation activities and evidence of plans to secure bonding to cover the cost of site restoration.

~~((g))~~ (h) Evidence of ~~((approval of))~~ an agreement for the proposed work from the agency or political subdivision with management responsibility over the land.

~~((h))~~ (i) Evidence of filing of the proposed work with the Washington archaeological research center.

~~((i))~~ (j) For amateur society application, evidence of review and recommendations from the Washington archaeological research center.

~~((j))~~ (k) A site security plan to assure the protection of the site and its contents during the public permit review and excavation process.

~~((k))~~ (l) A public participation plan detailing the extent of public involvement and dissemination of project results.

~~((l))~~ (m) A completed environmental checklist as required by WAC 197-11-100 to assist the office in making a threshold determination and to initiate SEPA compliance.

(n) Evidence of abandonment: Abandonment will be presumed where the applicant presents information that thirty or more years have elapsed since the loss of the resource. If it appears to the office from any source that the resource has not been abandoned or may not have been abandoned, and in the case of all United States government warships, aircraft, or other public vessels, the office will find that the presumption does not arise and will require proof of abandonment. Proof may be satisfied by submission of a statement of abandonment from the owner, his or her successors, assigns or legal representatives, or through final adjudication by a court of law.

(2) Where the application is for the excavation and/or removal of archaeological resources on public lands, the name of the Washington university, museum, repository or other scientific or educational institution in which the applicant proposes to store all collections, and copies of records, data, photographs, and other documents derived from the proposed work. Applicants shall submit written certification, signed by an authorized official of the institution, of willingness to assume curatorial responsibility for the collections, records, data, photographs and other documents and to safeguard, preserve, and allow for the future scientific access to these materials as property of the state.

(3) Where the application is for the excavation and/or removal of archaeological resources on private land, the name of the university, museum, repository, or other scientific or educational institution in which the applicant proposes to store copies of records, data, photographs, and other documents derived from the proposed work and all collections in the event the landowner does not wish to take custody or otherwise dispose of the archaeological resources. Applicants shall submit written certification, signed by an authorized official of the institution, of willingness to assume curatorial responsibility for the collections, if applicable, and/or the records, data, photographs, and other

documents derived from the proposed work and to safeguard, preserve, and allow for the future scientific access to these materials.

(4) Where the application is for the excavation and/or removal of a historic archaeological resource that is an historic aircraft, the name of the Washington museum, historical society, nonprofit organization, or governmental entity that proposes to assume curatorial responsibility for the resource. Applicants shall submit written certification, signed by an authorized official of the institution, of willingness to assume curatorial responsibility for the resource and all associated records, data, photographs and other documents derived from the proposed work and to safeguard, preserve, and allow for the future scientific and public access to these materials.

(5) After review of the application, the office may require additional information to properly evaluate the proposed work and shall so inform the applicant. Field investigation or research may be required of the applicant or conducted by the office at the applicant's cost. A bond in an amount specified by the office may be required of the applicant to ensure payment of the professional expenses incurred by the office. Advance notice of any anticipated cost shall be given to the applicant.

NEW SECTION

WAC 25-48-085 APPLICATIONS FOR EXCAVATION AND REMOVAL OF PREVIOUSLY REGISTERED SHIPWRECKS AND HISTORIC AIRCRAFT. Where the application is for the excavation and/or removal of a historic archaeological resource that is a shipwreck or historic aircraft that has been registered with the department by an entity other than the applicant the office will:

(1) Notify the entity by certified mail, return receipt requested, that registered the historic archaeological resource with the department that it shall have sixty days from receipt of notice to submit its own permit application and exercise its first refusal right, or the right shall be extinguished.

(2) Notify the applicant that its permit application will not be acted upon until the entity that has registered the historic archaeological resource has exercised its right of first refusal by submitting a permit application or has allowed its right to be extinguished.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-090 ISSUANCE OF PERMIT. The office will normally act upon a permit application within sixty days of receipt of a complete permit application except in the case of an historic archaeological resource where the applicant is not the holder of the right of first refusal. Such applications shall be subject to the provisions of WAC 25-48-085. The director may issue a temporary permit immediately where delay could cause damage to an archaeological or historic archaeological resource or site. Said permit shall be valid only for thirty days. The office may issue a permit, for a specified period of time appropriate to the work to be conducted, upon determining that:

(1) The applicant, or in the case of an amateur society, or other group or organization, the individual proposed to be responsible for conducting the work, is appropriately qualified, as evidenced by training, education, and/or experience, and possesses demonstrable competence in archaeological methods and theory, and in collecting, handling, analyzing, evaluating, and reporting archaeological data, relative to the type and scope of the work proposed, and also meets the minimum qualifications as a professional archaeologist.

(2) The proposed work is to be undertaken for the purpose of furthering archaeological knowledge in the public interest, which may include but need not be limited to, scientific or scholarly research, and preservation of archaeological data.

(3) The proposed work, including time, scope, location, and purpose, is not inconsistent with any management plan or established policy, objectives, or requirements applicable to the management of public lands concerned.

(4) Evidence is submitted to the office that any Washington university, museum, repository, or other scientific or educational institution proposed ~~((in the application))~~ as the repository possesses adequate curatorial capability for safeguarding and preserving the archaeological resources and all associated records.

(5) Where the application is for an historic archaeological resource, a contract between the applicant and the department has been executed. Such a contract shall include but not be limited to the following terms and conditions:

(a) Historic shipwrecks:

(i) The contract shall provide for fair compensation to a salvor. Fair compensation means an amount not less than ninety percent of the appraised value of the objects recovered following successful completion of the contract.

(ii) The salvor may retain objects with a value of up to ninety percent of the appraised value of the total objects recovered, or cash, or a combination of objects and cash. In no event may the total of objects and cash exceed ninety percent of the total appraised value of the objects recovered. A salvor shall not be entitled to further compensation from any state sources.

(iii) The contract shall provide that the state will be given first choice of which objects it may wish to retain for display purposes for the people of the state from among all the objects recovered. The state may retain objects with a value of up to ten percent of the appraised value of the total objects recovered. If the state chooses not to retain recovered objects with a value of up to ten percent of the appraised value, the state shall be entitled to receive its share in cash or a combination of recovered objects and cash so long as the state's total share does not exceed ten percent of the appraised value of the objects recovered.

(iv) The contract shall provide that both the state and the salvor shall have the right to select a single appraiser or joint appraisers.

(v) The contract shall provide that the applicant agrees to allow the department access to all artifacts and data recovered from the historic shipwreck for purposes of scholarly research and photographic documentation for the period specified by the department.

(vi) The contract shall also provide that title to the objects shall pass to the salvor when the permit is issued. However, should the salvor fail to fully perform under the terms of the contract, title to all objects recovered shall revert to the state. If the salvor should fail to perform the contract terms specified in (a)(v) of this subsection and has disposed of the objects to which title has passed, the salvor shall be liable to the state for liquidated damages in the amount of the appraised value of the objects disposed of.

(b) Historic aircraft:

(i) The contract shall provide that historic aircraft belonging to the state of Washington may only be recovered if the purposes of the salvage operation is to recover the aircraft for a Washington museum, historical society, nonprofit organization, or governmental entity.

(ii) Title to the aircraft may only be passed by the state to one of the entities listed in (b)(i) of this subsection.

(iii) Compensation to the salvor shall only be derived from the sale or exchange of the aircraft to one of the entities listed in (b)(i) of this subsection or such other compensation as one of the entities and the salvor may arrange. The salvor shall not have a claim to compensation from state funds.

(c) Other historic archaeological resources:

The director, in his or her discretion, may negotiate the terms of such contracts.

(6) Evidence that the applicant agrees to mitigate any archaeological damage which occurs during the excavations and recovery operations.

(7) Evidence that the applicant agrees to allow the department access to all artifacts and data recovered from historic archaeological sites for purposes of scholarly research and photographic documentation for a period to be agreed upon by the parties.

(8) Evidence that the applicant agrees to allow the department to have the right to publish scientific papers concerning the results of all research conducted as project mitigation.

(9) After the granting of a permit and, when information filed with the office becomes inaccurate in any way, or additions or deletions are necessary, the applicant or permittee shall submit full details of any such changes and/or correct any inaccuracy, together with copies of any new required documents, with the office within fifteen days following the change. The office reserves the right to suspend or revoke a permit under the terms of WAC 25-48-110.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-100 TERMS AND CONDITIONS OF PERMITS.

(1) In all permits issued, the office shall specify:

(a) The nature and extent of work allowed and required under the permit, including the time, duration, scope, location, and purpose of the work;

(b) The name of the individual(s) responsible for conducting the work and, if different, the name of the individual(s) responsible for carrying out the terms and conditions of the permit.

(c) The name of any university, museum, repository, or other scientific or educational institutions in which any collected materials and data shall be deposited.

(d) Reporting documentation requirements and site restoration and mitigation requirements.

(2) The ~~((preservation officer))~~ director may specify such terms and conditions as deemed necessary, consistent with this chapter, to protect public safety and other values and/or resources, to secure work areas, to safeguard other legitimate land uses, and to limit activities incidental to work authorized under the permit. This may include sufficient bonding to cover cost of site restoration.

(3) The office may include in permits issued for archaeological work on Indian cairns and graves or glyptic or painted records such terms and conditions as may be requested by the concerned Indian tribe.

(4) Initiation of work or other activities under the authority of a permit signifies the permittee's acceptance of the terms and conditions of the permit.

(5) The permittee shall not be released from requirements of a permit until all outstanding obligations have been satisfied, whether or not the term of the permit has expired.

(6) The permittee may request that the office extend or modify a permit. Such a request will require compliance with all the provisions of this chapter.

(7) The permittee's performance under any permit issued for a period greater than one year shall be subject to review by the office, at least annually.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-105 PERMIT DENIAL. If a permit is denied, a written statement of the reasons for the denial will accompany the notice of permit denial to the applicant. A permit may be denied for failure to meet the standards required of an application under WAC 25-48-060.

NEW SECTION

WAC 25-48-108 RIGHT OF FIRST REFUSAL—DISCOVERY OF NEW TECHNOLOGY. (1) Any agency, institution, person, firm, or corporation which has been denied a permit because the historic archaeological resource would be destroyed beyond mitigation by their method of salvage shall have the right of first refusal for a permit at a future date should technology be found which would make salvage possible without destroying the historic archaeological resource.

(2) Such rights may be assigned, but it is the responsibility of the parties to the assignment to provide written evidence of the assignment to the department, including the correct name and mailing address of the assignee.

(3) Upon receipt of a complete permit application and determination that a new technology can salvage the resource, the director shall notify by certified mail, return receipt requested, the holder of the right of first refusal of a permit application that a new technology exists and the holder has sixty days from the receipt of the director's determination to submit its own permit application and thereby exercise its first refusal right, or the right shall be extinguished.

(4) If the person, firm, corporation, institution, or agency that possesses the first refusal right for a permit does not exercise its first refusal right within the sixty-day time period, the department shall send to that entity a notice by certified mail, return receipt requested, that the entity's right of first refusal has been extinguished.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-120 APPEALS RELATING TO PERMITS. Any affected person may request a hearing to appeal a denial ~~((of a permit))~~, suspension, or revocation of a permit or extinguishment of a right of first refusal under WAC 25-48-108 to the ~~((preservation officer))~~ director. Said request must be in writing and filed with the ~~((preservation officer))~~ director within twenty days of receipt of notice of the denial, suspension, ~~((or))~~ revocation, or extinguishment.

NEW SECTION

WAC 25-48-125 LISTING OF AREAS WHERE PERMITS ARE REQUIRED TO PROTECT HISTORIC ARCHAEOLOGICAL SITES ON AQUATIC LANDS. The following is a list of those areas where permits are required to protect historic archaeological sites on aquatic lands:

Lake Washington.

Elliott Bay.
Columbia River Bar.

WSR 88-18-092

PROPOSED RULES

**DEPARTMENT OF COMMUNITY DEVELOPMENT
(Office of Archaeology and Historic Preservation)**

[Filed September 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Community Development intends to adopt, amend, or repeal rules concerning the registration of previously unknown historic shipwrecks and aircraft on state owned aquatic lands;

that the agency will at 9:00 a.m., Thursday, October 13, 1988, in the GA Conference Room, 1st Floor, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is chapter 27.53 RCW, as amended by section 11, chapter 124, Laws of 1988.

The specific statute these rules are intended to implement is RCW 27.53.030, [27.53.]060, [27.53.]080, as amended by chapter 124, Laws of 1988, and sections 1, 3, 5, 6, 7, 10, chapter 124, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1988.

Dated: September 2, 1988

By: Linda Dupont-Johnson
Deputy Director

STATEMENT OF PURPOSE

Title: Establishing chapter 25-46 WAC.

Description of Purpose: To establish registration procedures for previously unknown historic archaeological resources on state owned aquatic lands.

Statutory Authority: Chapter 27.53 RCW, as amended by section 11, chapter 124, Laws of 1988.

Specific Statute Rule is Intended to Implement: RCW 27.53.030, [27.53.]060, and sections 1, 3, 5, 6, 7, chapter 124, Laws of 1988.

Summary of Rule: The rules establish application and review procedures for the registration of previously unknown historic archaeological resources on state owned aquatic lands in order to obtain the right of first refusal for archaeological salvage rights.

Agency Personnel Responsible for Drafting, Implementation and Enforcement, Proposing the Rule: Jacob Thomas, State Historic Preservation Officer, Office of Archaeology and Historic Preservation, Department of Community Development, 111 West 21st Avenue, KL-11, Olympia, 98504.

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

The proposed rule does not impose an additional cost of compliance and therefore, no economic impact statement is required under the Regulatory Fairness Act.

Chapter 25-46 WAC
REGISTRATION OF HISTORIC ARCHAEOLOGICAL RESOURCES ON STATE-OWNED AQUATIC LANDS

WAC

25-46-010	Purpose.
25-46-020	Definitions.
25-46-040	Registration forms.
25-46-060	Summary of information required for registration.
25-46-080	Competing applications for the same resource.
25-46-100	Issuance of registration acceptance.
25-46-120	Registration denial.
25-46-140	Appeals relating to registration.
25-46-160	Right of first refusal to permit upon registration.
25-46-180	Severability.

NEW SECTION

WAC 25-46-010 PURPOSE. The purpose of this chapter is to establish registration procedures for previously unreported historic archaeological resources discovered on, in, or under state-owned aquatic lands as provided for in chapter 27.53 RCW.

NEW SECTION

WAC 25-46-020 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Historic archaeological resources" means those properties, including, but not limited to all ships, or aircraft, and any part or the contents thereof and all treasure trove which are listed or, in the professional judgment of the department, eligible for listing in the Washington state register of historic places (RCW 27.34.220) or the National Register of Historic Places as defined in the National Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

(2) "State-owned aquatic lands" means all state-owned tidelands, shorelands, harbor areas, and the beds of navigable waters.

(3) "Department" means the department of community development.

(4) "Office" means the office of archaeology and historic preservation, department of community development.

(5) "Director" means the director of the department of community development or the director's designee.

(6) "Entity" means any person, firm, corporation, institution, or agency.

(7) "Previously unreported" means the historic archaeological resource and its location are not known to the office and are not available from public records including but not limited to government records, historic records, or insurance claims.

NEW SECTION

WAC 25-46-040 REGISTRATION FORMS. (1) Any person or entity who discovers a previously unreported historic archaeological resource abandoned for thirty years or more on, in, or under state-owned aquatic lands may register it with the department.

(2) Each registration of a previously unreported historic archaeological resource shall be submitted on the Historic Archaeological Resource Registration form approved by the director. These registration forms may be obtained from the Office of Archaeology and Historic Preservation, Department of Community Development, 111 West 21st Avenue KL-11, Olympia, Washington 98504; telephone (206) 753-5010.

NEW SECTION

WAC 25-46-060 SUMMARY OF INFORMATION REQUIRED FOR REGISTRATION. (1) In order to be considered complete, each registration form shall include:

(a) A description of the historic archaeological resource sufficient to identify its historic association, identity, and integrity of its physical remains.

(b) Locational information including latitude, longitude, and depth.

(c) A copy of the relevant United States Coast and Geodetic Survey chart indicating the resource's location.

(d) A copy of a photograph or videotape documenting the existence of identifiable physical remains of the resource sufficient to establish its historic identity and integrity. If a photograph or videotape will not

establish the existence of identifiable physical remains of the resource sufficient to establish its historic identity and integrity, the applicant may apply to the office for permission to obtain a sample artifact for this purpose. In the event the applicant wishes to apply for such permission, the applicant shall be subject to WAC 25-48-030.

(2) Failure to supply this information to the satisfaction of the office may result in the application being deemed incomplete or inadequate under WAC 25-46-100 and 25-46-120.

NEW SECTION

WAC 25-46-080 COMPETING APPLICATIONS FOR THE SAME RESOURCE. (1) When registration forms are submitted for the same resource by two or more entities, the applications shall be evaluated, accepted, or denied in sequence based upon the unique log number assigned by the department.

(2) Notice will be sent by the department to each of the entities submitting the registration application for the same resource notifying them of the competing application and the sequence in which they will be evaluated. No competing application will be evaluated until such time as the first pending application has been denied and all appeal rights of that applicant have been exhausted.

(3) When an historic archaeological resource has been registered with the department all subsequent registration applications for that resource within the five-year time period for right of first refusal will be issued a notice that the resource has already been registered and the applications are denied.

NEW SECTION

WAC 25-46-100 ISSUANCE OF REGISTRATION ACCEPTANCE. (1) Each registration form shall be assigned a unique sequential log number upon date and time of receipt by the department and shall be evaluated in sequence.

(2) Upon receipt of the registration form, the office shall inform the applicant by registered mail within fourteen calendar days of any incomplete or inadequate information and afford the applicant twenty-one calendar days from the receipt of the notice to provide the missing or inadequate information.

(3) If the applicant does not supply the missing or inadequate information within the twenty-one calendar days the application shall be considered void and a notice of denial sent to the applicant.

(4) The department will act upon a complete registration application within thirty-five calendar days of receipt and shall so notify the applicant. In all notifications of registration acceptance, the department shall specify:

(a) The name, address, and telephone number of the entity submitting the registration application.

(b) A description of the historic archaeological resource sufficient to identify its historic association and identity.

(c) The location of the resource including its latitude and longitude and depth.

(d) A statement of director's opinion on the resource's eligibility to the Washington state register of historic places or the National Register of Historic Places.

(e) The date of the acceptance of the registration.

(f) The date of the expiration of the right for first refusal.

(g) That excavation or removal of any artifacts from the historic archaeological resource will require an archaeological excavation and removal permit and that granting of such a permit is not guaranteed.

NEW SECTION

WAC 25-46-120 REGISTRATION DENIAL. (1) If a registration application is denied, a written statement of the reasons for the denial will accompany the notice of registration denial to the applicant.

(2) Registration may be denied for the following reasons:

(a) The application is incomplete or inadequate and has not been completed or corrected pursuant to WAC 25-46-100;

(b) The resource does not qualify as an historic archaeological resource under WAC 25-46-020(1);

(c) The resource has already been registered;

(d) The resource and its location are already known to the office or are part of the public record.

NEW SECTION

WAC 25-46-140 APPEALS RELATING TO REGISTRATION. Any affected person may request a hearing to appeal a denial

of registration or extinguishment of a right of first refusal under WAC 25-46-160 to the director. Said request must be in writing and filed with the director within twenty-one calendar days of receipt of notice of registration denial or extinguishment.

NEW SECTION

WAC 25-46-160 RIGHT OF FIRST REFUSAL TO PERMIT UPON REGISTRATION. (1) Any person, firm, corporation, institution, or agency that discovers and registers a previously unreported historic archaeological resource abandoned on, in, or under state-owned aquatic lands with the department shall have a right of first refusal to future excavation and recovery permits granted for the recovery of that resource subject to the provisions of chapter 27.53 RCW and chapter 25-48 WAC.

(2) Such right of first refusal shall exist for five years from the date of registration by the department. Such rights may be assigned, but it is the responsibility of the parties to the assignment to provide written evidence of the assignment to the department, including the correct name and mailing address of the assignee.

(3) Should another person, firm, corporation, institution, or agency apply for a permit to excavate or remove that resource or portions thereof, the person, firm, corporation, institution, or agency that registered the resource shall have sixty days from the time of complete permit application to submit its own permit application and thereby exercise its first refusal right, or the right shall be extinguished.

(4) If the person, firm, corporation, institution, or agency that registered the resource does not exercise its first refusal right within sixty days of the complete permit application, the department shall send to that entity a notice by certified mail, return receipt requested, that that entity's right of first refusal has been extinguished.

(5) If the entity that registered the historic archaeological resource does not exercise its right of first refusal within five years of the issuance of the registration acceptance the right lapses.

NEW SECTION

WAC 25-46-180 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances shall not be affected.

WSR 88-18-093

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 88-100—Filed September 7, 1988]

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

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the commercial fishery in Grays Harbor is subject to a quota of 1,500 chinook for the month of September. Initial catch reports from the fishery indicate that the quota will be exceeded if the fishery is not closed immediately. It is in the public interest to prevent the overharvest of the chinook resource. There is insufficient time to follow the permanent rule adoption process.

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

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

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

APPROVED AND ADOPTED September 7, 1988.

By Bette M. Johnson
for Joseph R. Blum
Director

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1988.

Dated: September 1, 1988
By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amending WAC 356-05-145.

Title: Emergency appointment.

Purpose: The rule defines an emergency appointment.

Summary and Reasons: This amendment will change the length of an emergency appointment from sixty to thirty calendar days.

Amending WAC 356-30-050.

Title: Appointments—Emergency—How made—Status.

Purpose: This rule outlines the conditions and length of an emergency appointment.

Summary and Reasons: The amendment changes the length of an emergency appointment and gives the Department of Personnel the authority to monitor emergency appointments and revoke delegated authority if abuse is found.

New WAC 356-30-025.

Title: Nonpermanent appointments—Duration.

Purpose: The rule defines durations of a nonpermanent appointment.

Statutory Authority: RCW 41.06.150(4).

Summary and Reasons: To establish guidelines for the length of time in a nonpermanent appointment.

Responsibility for Drafting: Paul Peterson, Department of Personnel, 521 South Capitol Way, FE-11, Olympia, WA 98504, phone (206) 586-1769; Implementation and Enforcement: Department of Personnel.

Agency or Organization Submitting Proposal: Department of Personnel, governmental agency.

Rule Proposal a Result of Federal Law, or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-05-145 EMERGENCY APPOINTMENT. An appointment, for emergency reasons, not to exceed ((60)) thirty calendar days.

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-30-050 APPOINTMENTS—EMERGENCY—HOW MADE—STATUS. (1) When an emergency occurs requiring the immediate services of a person or persons, the appointing authority may appoint a person without following the normal procedures governing appointment. The appointment shall be based on the availability and fitness of the applicant, as well as consideration of the agency's affirmative action program.

(2) An emergency appointment of an individual shall not exceed ((60)) thirty calendar days.

(3) Service in an emergency appointment shall not constitute a part of the employee's probationary service.

(4) The director of personnel shall monitor emergency appointments made pursuant to this section and may revoke delegated authority where abuse if found.

NEW SECTION

WAC 220-36-02100W GRAYS HARBOR GILLNET SEASON. Notwithstanding the provisions of WAC 220-36-021, effective 12:00 noon September 7, 1988, until further notice, it is unlawful to fish for or possess salmon taken for commercial purposes from any Grays Harbor Salmon Management and Catch Reporting Area except as provided for in this section:

(1) Area 2C - Open 6:00 p.m. September 12 to 6:00 p.m. September 14, 1988; 7 1/2 inch minimum mesh.

Open 6:00 p.m. September 19 to 6:00 p.m. September 21, 1988; 6 1/2 inch maximum mesh.

Open 6:00 p.m. September 26 to 6:00 p.m. September 28, 1988; 6 1/2 inch maximum mesh.

(2) It is unlawful to fish for salmon in Grays Harbor using gillnet gear longer than 1,500 feet or containing mesh less than 5 inches.

REPEALER

The following Section of the Washington Administrative Code is repealed effective 12:00 noon September 7, 1988.

WAC 220-36-02100V GRAYS HARBOR GILLNET SEASON. (88-85)

WSR 88-18-094

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed September 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Rep	WAC 356-18-190	Interim employee rights.
Amd	WAC 356-05-145	Emergency appointment.
Amd	WAC 356-30-050	Appointments—Emergency—How made—Status.
New	WAC 356-30-025	Nonpermanent appointments—Duration.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 11, 1988.

The authority under which these rules are proposed is RCW 41.06.040.

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

REPEALER

The following Washington Administration Code is repealed:

WAC 356-18-190 INTERIM EMPLOYEE RIGHTS

NEW SECTION

WAC 356-30-025 NONPERMANENT APPOINTMENTS—DURATION. No consecutive nonpermanent appointment of an employee who has worked for the agency for nine months or 1560 nonovertime hours within the last twelve months may be made without a three-month break in service except as provided by WAC 356-30-065(4).

WSR 88-18-095
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed September 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning Certification—Errors—Correction, amending WAC 356-26-120;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Board Hearings Room, Department of Personnel, 521 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1988.

Dated: September 7, 1988

By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amending WAC 356-26-120.

Title: Certification—Errors—Correction.

Purpose: The rule establishes procedures for corrections of errors made in the certification process.

Statutory Authority: RCW 41.06.150.

Summary: Addition of provisions for the director of personnel to cancel certifications or revoke appointments made in error or due to falsification.

Reasons: The Personnel Appeals Board decision V88-034, July 13, 1988. The board decided that there was no provision in the merit system rules that allowed the director of personnel to cancel a certification or revoke an appointment that was made based on erroneous or false information.

Responsibility for Drafting: Paul Peterson, Department of Personnel, 521 South Capitol Way, FE-11,

Olympia, WA 98504, phone (206) 586-1769; Implementation and Enforcement: Department of Personnel.

Agency or Organization Submitting Proposal: Department of Personnel, governmental agency.

Rule Proposal a Result of Federal Law, or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 76, filed 3/31/75)

WAC 356-26-120 CERTIFICATION—ERRORS—CORRECTION. (1) The director shall ensure that the proper actions have been taken and reported.

(2) In the event that a name is certified in error and the error is discovered before one of the named applicants is notified that he or she is appointed, the erroneous certification will be withdrawn and a correct certification made. If a certification is to fill more than one position, only that portion of it pertaining to positions for which applicants have not been notified that they are appointed will be withdrawn.

(3) In the event a name is certified in error and the error is discovered after one of the named applicants is notified that he or she is appointed but prior to the effective date of the appointment, the certification and appointment will be withdrawn as in (2) above unless:

(a) Acceptance of the appointment caused the named applicant to change his or her place of residence.

(b) Acceptance of the appointment caused the named applicant to resign from a position that cannot be regained. When the named applicant is a state employee, the agency from which he or she resigned will reinstate the named applicant in his or her previous status.

(4) In the event a name is certified in error and the error is discovered after the effective date of the appointment of one of the named applicants, the director may revoke the appointment and make a proper certification of names. The error may be on the part of any party including erroneous information contained in the application.

(5) Falsification or misrepresentation of information on an application for employment will be cause to remove an applicant's name from the register. If the applicant has been appointed prior to the discovery of the falsification or misrepresentation, the director may revoke the appointment.

WSR 88-18-096

ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 308—Filed September 7, 1988—Eff. November 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, Department of Personnel, 521 South Capitol Way, Olympia, WA, that it does adopt the annexed rules relating to:

- Amd WAC 356-05-320 Project employment.
Amd WAC 356-05-415 Temporary employment.
Amd WAC 356-26-050 Certification—Requests for.
Amd WAC 356-26-080 Certification—Exhausted registers—Procedure.
Amd WAC 356-30-015 Appointments—Prohibition of multiple appointments to single position—Exceptions.
Amd WAC 356-30-065 Temporary appointments—Classified.
New WAC 356-30-067 Temporary appointments from within classified service.
Amd WAC 356-30-140 Intermittent employment—Rules—Regulations.
Amd WAC 356-30-145 Project employment.
Amd WAC 356-30-330 Reduction in force—Reasons, regulations—Procedure.
Amd WAC 356-47-030 Career executive program—General.
Amd WAC 356-47-045 Career executive program—Employee selection.
Rep WAC 356-30-020 Appointments—Provisional — Recruitment.

Rep	WAC 356-30-030	Appointments—Provisional—Limitations—Prohibited.
Rep	WAC 356-30-040	Appointments—Provisional—Employees accepting.
Rep	WAC 356-30-070	Appointments—Acting.
Rep	WAC 356-30-080	Temporary appointments—Exempt service.
Rep	WAC 356-05-005	Acting appointment.
Rep	WAC 356-05-330	Provisional appointments.

This action is taken pursuant to Notice Nos. WSR 88-04-066 and 88-14-065 filed with the code reviser on February 2, 1988, and July 1, 1988. These rules shall take effect at a later date, such date being November 1, 1988.

This rule is promulgated pursuant to RCW 41.06.150 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED August 11, 1988.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-05-320 PROJECT EMPLOYMENT. A program designated by the director of personnel as "project employment," that is separately ~~((financed))~~ funded by a grant, or by specially targeted federal ~~((funds,)) or ((by)) state funds, ((or by a combination of funds to provide training or employment opportunities or expertise or additional employees to carry out a specific project or goal and which, either because of the nature of the project, funding requirements, or potential harmful impact on employment opportunities for regular civil service employees, cannot be facilitated through the regular civil service system))~~ has a specific goal, and has an end in sight. Such a program ((may)) shall normally last ~~((upward)) up to two years ((and beyond, but has an end in sight)).~~

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-05-415 TEMPORARY EMPLOYMENT. Single or multiple periods of employment during the absence of a permanent employee or ~~((for work done at))~~ during a workload peak ((and normally lasting for less than nine months and having an end in sight)) ~~when there is a need to fill a position for not more than nine months or 1560 nonovertime hours or while recruitment is being conducted to establish a complete register.~~

AMENDATORY SECTION (Amending Order 40, filed 12/10/71)

WAC 356-26-050 CERTIFICATION—REQUESTS FOR. (1) Requests for certification will be submitted ~~((on))~~ in the prescribed ~~((form))~~ manner by

the appointing authority to the director when filling vacancies in existing or newly allocated positions. Such requests shall constitute assurance to the director that funds are available for filling vacancies for which registers are requested.

(2) ~~((Except for an emergency appointment,))~~ No permanent or probationary appointment to a classified position shall be made without prior authorization by the director or designee.

(3) No certification may be cancelled except for reasons filed with and approved by the director.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-26-080 CERTIFICATION—EXHAUSTED REGISTERS—PROCEDURE. (1) While all names need not be taken from the same register, each register must be exhausted before using the next register.

(2) When there are fewer names than constitute a complete certification for the class, the director may substitute an allied series of registers if he determines the allied registers are sufficiently similar.

(3) When there are fewer names than constitute a complete certification for the class and no allied register is determined appropriate, the remaining names on all incomplete registers will be certified. However, an appointing authority may request a ~~((provisional))~~ temporary appointment providing full and fair consideration has been given to those names certified, and the director determines that the person meets the announced qualifications and grants approval.

AMENDATORY SECTION (Amending Order 124, filed 10/2/78)

WAC 356-30-015 APPOINTMENTS—PROHIBITION OF MULTIPLE APPOINTMENTS TO SINGLE POSITION—EXCEPTIONS. Multiple appointments to single positions within the classified service shall be restricted to the following situations:

(1) Tandem or part-time employment where the total FTE's for all persons in the position(s) does not exceed one FTE per position

(2) Reasonable training periods

(3) Periods of approved leave of absence

(4) Emergency~~((;))~~ or temporary~~((; or acting))~~ appointments made in accordance with the merit system rules.

Any exceptions not permitted by this section must be approved in advance by the director of personnel, or designee.

AMENDATORY SECTION (Amending Order 210, filed 10/17/84)

WAC 356-30-065 TEMPORARY APPOINTMENTS—~~((CLASSIFIED))~~ FROM OUTSIDE STATE SERVICE. (1) Temporary appointments may be made to classified positions during the absence of a permanent employee or during a workload peak ~~((having an end in sight))~~ when there is a need to fill a position for not more than nine months or 1560 nonovertime

hours or while recruitment is being conducted to establish a complete register.

(2) Temporary appointments may be made at ((the same or lower level classes within the same or related class series as the classification of the position to which the appointment is made)) a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) Temporary appointments shall be ((reported to)) approved by the director of personnel, or designee. ((A)) Single or multiple temporary appointments shall last no more than nine months ((for single appointments, or no more than nine cumulative months for multiple appointments within a continuous twelve-month period, except when a temporary appointment is made to replace a permanent employee who has been granted a leave of absence without pay in accordance with WAC 356-18-140, 356-39-120, and 356-39-130 or when a temporary appointment is made to replace a permanent employee who was appointed pursuant to WAC 356-39-040, 356-30-040, 356-30-065, and 356-30-070. In such cases, the temporary appointment may extend to thirty days after the date the permanent employee is scheduled to return)) or 1560 nonovertime hours within a twelve-month period. Time spent in emergency appointments will be counted in the 1560 hours.

(4) ((A two-month break in service shall occur since the last temporary appointment of the same person in the same agency, except for multiple appointments as indicated in subsection (3) of this section)) No temporary appointment of an employee who has worked for the agency for nine months or 1560 nonovertime hours within the last twelve months may be made without a three-month break in service. Consecutive nonpermanent appointments of the same person in the same agency which would cause the employee to work more than 1560 nonovertime hours in a twelve-month period can only be made with the approval of the director of personnel. Extensions of temporary appointments of persons from outside classified service may be granted when a permanent employee's leave extends beyond nine months or 1560 nonovertime hours or as otherwise approved by the director of personnel. Such extensions must be approved by the director of personnel.

(5) Temporary appointees must meet the minimum qualifications of the class to which they are appointed unless the director of personnel determines that program needs demand otherwise. Established registers, certification, and referral services are available and may be used when making temporary appointments. An employee given a temporary appointment following certification from the register to fill a position in the absence of a permanent employee may enter a probationary ((or trial service)) period ((and subsequently gain permanent status)) when ((a change in)) the permanent employee does not return to the position and the agency needs ((results in the permanent availability of)) to fill the position permanently. The director must approve the change in status before it occurs. Time served in a temporary appointment will not be counted as part of the probationary period.

(6) Compensation of temporary ((appointees)) employees shall be consistent with the rules unless exempted by RCW 41.06.070 and WAC 356-06-020.

(7) ((An employee who accepts a temporary appointment to another classified position shall not achieve permanent status in the class to which the employee was temporarily appointed. Upon termination of such temporary appointment, a permanent employee shall have the right to resume a permanent position at their former status and salary including any increments and/or adjustments that may have accrued)) Merit system rules governing all forms of leave will apply to temporary employees unless exempted by RCW 41.06.070 and WAC 356-06-020.

(8) An employee's temporary appointment may be ended ((with)) by stipulating a termination date in the appointment letter or by giving one full working day's notice prior to the effective date. The employee receiving such notice shall not have the right of appeal or hearing.

(9) The appointing authority shall advise the temporary employee of the temporary status of the appointment. Temporary employees not appointed from within the classified service have no appeal rights.

(10) The director of personnel shall monitor temporary appointments made pursuant to this section and may revoke delegated authority where abuse is found.

NEW SECTION

WAC 356-30-067 TEMPORARY APPOINTMENTS FROM WITHIN CLASSIFIED SERVICE.

(1) Temporary appointments may be made to classified positions during the absence of a permanent employee or during a workload peak when there is a need to fill a position for not more than nine months or 1560 nonovertime hours or while recruitment is being conducted to establish a complete register.

(2) Temporary appointments may be made at a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) All temporary appointments to supervisory or managerial positions must be made from within state service unless the director determines that such action is not practicable.

(4) Established registers, certification, and referral services are available and may be used when making temporary appointments. An employee certified from the register to fill a position in the absence of a permanent employee may enter a probationary or trial service period and subsequently gain permanent status when the permanent employee does not return to the position and the agency needs to fill the position permanently. The director of personnel must approve the change in status before it occurs. Time served in a temporary appointment will not be counted as part of the probationary or trial service period.

(5) Permanent or probationary classified employees may accept a temporary appointment to a class for which they meet the minimum qualifications. Upon termination of such temporary appointment, permanent or probationary employees shall have the right to resume a permanent position within their permanent agency at

their former status. The employee's salary upon return will be determined as if the employee had remained in the permanent position.

(6) Temporary appointments made from within classified service will normally last no more than nine months or 1560 nonovertime hours for single appointments. An extension may be approved by the director when a temporary appointment is made to replace a permanent employee who has been granted a leave of absence or when temporarily filling a supervisory or managerial position when there is reorganization pending. In such cases, the temporary appointment may extend to thirty days after the date the permanent employee returns. Time spent in emergency appointments will be counted in the 1560 hours.

(7) Compensation for temporary appointees shall be made in accordance with the rules governing promotions, demotions, or transfers.

(8) The director of personnel shall monitor temporary appointments made pursuant to this section and may revoke delegated authority where abuse is found.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-30-140 INTERMITTENT EMPLOYMENT—RULES—REGULATIONS. (1) ~~((The director may not authorize an intermittent appointment beyond a total working time of nine months (1560 hours) during any consecutive 12-month period. Any position which is filled beyond the nine-month cumulative period shall be considered a full-time position and will be filled in accordance with WAC 356-26-010 through 356-26-130))~~ An intermittent appointment may be made when the nature of the work is intermittent in character fitting no particular pattern. An employee may not work more than 1560 nonovertime hours within any twelve-month period in an intermittent appointment. A position which is filled beyond the 1560 nonovertime hours shall be vacated for a minimum of three months. Time spent in emergency appointments will be counted in the 1560 hours.

~~((The appointing authority is not obligated to consult the register, but he may request the director to furnish the register as a service))~~ Intermittent appointees must meet the minimum qualifications for the class in which they are hired. Established registers are available and may be used when making intermittent appointments.

(3) Consecutive appointments of the same person in the same agency may be made as long as the employee does not work more than 1560 nonovertime hours in a twelve-month period.

(4) No person can become a permanent employee because of time served as an intermittent employee.

(5) Intermittent employees who accept temporary appointments may return to intermittent employment and resume intermittent status without approval of the director of personnel if they have not exceeded 1560 nonovertime hours in all nonpermanent appointments within the last twelve months. If the employee reaches 1560 nonovertime hours in the last twelve months, a

mandatory three-month break must be made, unless the director of personnel determines otherwise.

(6) Agencies must review intermittent appointments on a quarterly basis to ensure that intermittent employees are employed in accordance with these rules.

(7) The director of personnel shall monitor intermittent appointments made pursuant to this section and may revoke delegated authority where abuse is found.

AMENDATORY SECTION (Amending Order 112, filed 11/7/77)

WAC 356-30-145 PROJECT EMPLOYMENT.

(1) Project employment when designated by the director, is the grouping together of employees whose length of employment is contingent on state, federal or other grant funding of specific and ((noncontinuing projects)) of time limited duration.

(2) ((Proposals)) Requests for the designation of project employment will be initiated by the ((or one of the involved agencies)) proposing agency and made to the director. Such ((proposal)) requests will include:

(a) The nature and scope of the program.

(b) Source and conditions of funding.

(c) Explanation of why project status should be used rather than regular classified service.

(d) Explanation of why competitive service is not practical to use if noncompetitive service is requested.

(e) Relationship of project to regular operations and programs of the agencies.

~~((d))~~ (f) Number of positions.

~~((e))~~ (g) Duration.

~~((f))~~ (h) Proof of notice to the employee organization affected.

~~((g))~~ (i) Project employees benefits.

(3) The director may extend a project beyond its scheduled term.

(4) Permanent employees in regular positions may transfer, promote, or voluntarily demote into project employment positions as provided by these rules unless prohibited by the contract that established the project.

~~((4))~~ (5) Positions in project employment will be ((designated as)) in the ((noncompetitive or)) competitive service ((as the situation and)) unless the director determines otherwise. ((Positions in this grouping of employment will be so designated and the employees filling the positions will be notified, in writing, of the expected ending date of their employment)) Grounds such as special requirements of the project contract, insufficient time to recruit and unavailability of a register, or other circumstances where a competitive exam is not practicable may warrant use of the noncompetitive service.

~~((5))~~ Project employees, who have transferred into project employment without permanent status, will gain permanent status upon completion of their probation period and shall be entitled to appropriate rights within project employment. Employees filling project positions, who have entered project employment through the noncompetitive procedure, may apply for regular positions via the open competitive route; once permanent project status has been gained, project employees may have their names placed on the transfer register for regular

~~positions in the same or similar job classes for which permanent project status has been gained. In addition, permanent project employees may have their names placed on the voluntary demotion register for similar job classes for which permanent project status has been gained. Permanent project employees may not transfer or voluntarily demote directly into regular positions without first being certified from the appropriate register. Project employees who have gained permanent status within the boundaries of the project, and transfer or voluntarily demote into a regular position, will not be required to serve a probationary period. Project employees who are currently on the registers will continue to be on the registers and may be certified as provided in these rules.)~~ (6) Employees hired into project positions must be notified, in writing, of the expected ending date of their employment.

~~((6))~~ (7) Project employees who have entered into project employment without permanent status, will gain permanent project status upon completion of their probationary period and shall be entitled to appropriate rights within project employment and to those outlined below.

(a) Once permanent project status has been gained, project employees may have their names placed on the transfer or voluntary demotion register for regular positions in the same or similar job classes for which permanent project status has been gained.

(b) Permanent project employees who entered project employment via the noncompetitive process must be certified from the appropriate register in order to transfer, voluntarily demote, or promote directly into regular positions. These employees may continue to apply for regular positions via the open competitive route.

(c) Permanent project employees who entered project positions via the competitive process may transfer, voluntarily demote, or apply as promotional candidates to regular classified positions as though they were permanent employees unless permanent employees have been prohibited from competing for the project positions.

(d) Project employees who have gained permanent project status, and transfer or voluntarily demote into a regular position, will not be required to serve a probationary period.

(e) Project employees who are currently on the registers will continue to be on the registers and may be certified as provided in these rules.

(8) Employees who left a state agency with permanent status and came directly into project employment will continue to have promotional opportunities and transfer rights of their former position as though they were still employed in that agency. ~~((Also, employees with permanent status who entered project positions in the competitive service via the competitive procedure may be accepted as promotional candidates to regular positions as though they had been employees with permanent status with the sponsoring agency.~~

~~(7))~~ (9) Project employees will have reduction in force rights within their project boundaries only and will compete according to "seniority," except permanent employees who left regular classified positions to accept project employment will have the reduction in force

rights of the position they left. ~~((This))~~ Time spent in project employment will also be credited to the employees' seniority for use in competing in the regular state positions, provided there is no break in service. Names of project employees separated by reduction in force actions, who did not leave regular classified positions to accept project employment, will be placed on the reemployment register WAC 356-26-030(9) for the usual life of that register. Upon reduction in force from the project, project employees who entered the project through the competitive process and remain in project status for two years shall be eligible to have their names placed on the agency reduction in force registers for the classes in which permanent project status was attained. Bumping options will be limited to the project boundaries.

~~((8))~~ (10) The time spent in project employment will also be credited toward periodic increment dates, annual leave, sick leave and other benefits provided to employees in these rules ~~((and/or as provided in project contracts)).~~

AMENDATORY SECTION (Amending Order 271, filed 2/24/87)

WAC 356-30-330 REDUCTION IN FORCE—REASONS, REGULATIONS—PROCEDURE. (1) The reasons for reduction in force actions and the minimum period of notice are:

(a) Employees may be separated in accordance with the statutes and the agencies' approved reduction in force procedures after at least fifteen calendar days' notice in writing, without prejudice, because of lack of funds or curtailment of work, or good faith reorganization for efficiency purposes, ineligibility to continue in a position which has been reallocated, or when there are fewer positions than there are employees entitled to such positions either by statute or within other provisions of merit system rules.

(b) When employees have statutory and merit system rule rights to return to the classified service and the total number of employees exceeds the number of positions to be filled in the classification, those employees in excess will have the reduction in force rights prescribed in this section.

(2) The agencies shall develop a reduction in force procedure that is consistent with the following:

(a) For purposes of reduction in force (WAC 356-30-330), seniority shall be determined by the definition in WAC 356-05-390. Ties in seniority will be broken by first measuring the employees' last continuous time within their current classification; if the tie still exists, by measuring the employees' last continuous time in their current agency; and if the tie still exists, by lot.

(b) Clearly defined layoff units, either geographically or by administrative units or both, so as to limit the disruption of an agency's total operation; but not to unduly restrict the options available to employees with greater seniority. The definition of layoff units may be a series of progressively larger units within an agency when a valid option in lieu of separation cannot be offered to respective employees within a lesser-sized unit. Employment projects, established under the provisions of WAC 356-

30-145, Project employment, are distinct layoff units, separate and exclusive of any other defined layoff unit or employment project. Seasonal career layoff units, established under the provisions of WAC 356-30-130, Seasonal career employment, are distinct layoff units, separate and exclusive of any other defined layoff unit.

(c) Options in lieu of separation by reduction in force shall be offered by an agency only when such options are in accordance with the agency's reduction in force procedure which has been approved by the director of personnel.

(d) Agency reduction in force procedures shall specify the rights and obligations for employees to accept or reject options offered in lieu of separation due to reduction in force.

(e) "Bumping" by employees with greater seniority will be limited to:

- (i) The same layoff unit; and
- (ii) Classification in which the "bumping" employee previously held permanent status; and
- (iii) Position at the current salary range of the employee doing the bumping, or lower; and
- (iv) Employee with the least seniority within the same category of full-time or part-time employment; and
- (v) Competition at one progressively lower classification at a time.

(f) An employee may not exercise a bumping option in lieu of separation due to a reduction in force if there is within the agency a vacant position which satisfies all of the criteria set forth below.

The position is one which:

- (i) The agency intends to fill;
- (ii) Is in the current classification of the employee being offered the option, or in a classification within which the employee being offered the option previously held permanent status;
- (iii) Is at a salary range no lower than the range that would have otherwise been a bumping option;
- (iv) Is located within a reasonable commuting distance of the employee's permanent work location; and
- (v) Is on the same or similar workshift as the one which the employee currently holds.

(g) When an employee has previously held permanent status in more than one classification at the same salary range and is eligible to bump, then the employee shall be offered the option to bump into the position occupied by the employee with the least seniority.

(h) The right to actually "bump" shall be exercised only after the employee to be "bumped" has received at least fifteen calendar days' notice of the scheduled action.

(i) Options of full-time positions will be offered first to full-time employees before part-time positions are offered. For the purpose of these offers, employees who previously accepted part-time positions due to a reduction in force action or to lessen the impact of a reduction in force shall be considered full-time employees.

(j) Seniority for part-time employees will be computed on a basic payroll hour basis within the same provision and restrictions of the general definition of seniority. When part-time employees become full-time employees,

their payroll hours will be integrated on a comparable time basis as full-time employees.

(k) Permanent employees who have been scheduled for reduction in force shall have the right to take a transfer or a voluntary demotion to a vacancy that is to be filled in their own layoff unit for which they qualify, as determined by the director of personnel. This right is to be exercised according to the seniority of those desiring the same vacancy.

(l) Options of other than permanent positions as named in (m) of this subsection are to be made if no permanent position to be filled is available within a reasonable commuting distance.

(m) The reduction in force procedure shall contain the statement that, "No permanent employee shall be separated from state service through reduction in force without being offered within fifteen calendar days prior to what would be the permanent employee's effective separation those positions at the same or lesser salary range within the layoff unit for which he/she qualifies, currently being held by emergency, temporary, ((provisionat;)) probationary, or intermittent employees."

(n) The salary of an employee who has accepted a lower position will be reduced to the top of the range of the lower class unless the previous salary is within the range of the new class, in which case it will remain unchanged.

(3) The agency shall submit the procedure to the director of personnel for approval.

(4) Vacancies will not be filled either by local list procedures or on a ((provisionat;)) temporary, intermittent, or seasonal basis without contacting the department of personnel in an effort to fill the positions by qualified employees who have been or are scheduled for separation due to reduction in force.

(5) When a majority of the positions in a layoff unit other than in project employment is to be eliminated because of a lack of funds and/or work, permanent employees in such positions shall be offered, according to their seniority, those positions in classes in which they have held permanent status which are currently being held by emergency, temporary, ((provisionat;)) or probationary employees; provided they have not rejected offers of vacant positions made by certifications from the registers. Such options shall be offered in accordance with the following requirements:

(a) Positions in the employee's own agency and within a reasonable commuting distance shall be offered first; second, in the classified service within a reasonable commuting distance; third, anywhere within the employee's own agency; and fourth, throughout the classified service.

(b) A permanent employee's right to fill a position may be exercised only within fifteen calendar days prior to the effective date of separation.

(c) Offers will be made in accordance with a procedure established by the director of personnel.

(6) In order to exercise an option to a position which may require selective criteria, the following applies. The option may be exercised only by an employee who possesses the required specialized qualifications when:

(a) The criteria were approved when the position was established, reallocated or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) When, at a subsequent time, it was determined that the position requires the performance of specialized duties that would warrant future selective certification.

(d) In the case of (c) of this subsection, the selective criteria shall not be applied for the purposes of determining reduction in force options until six months after the notification of the new duties has been made to the department of personnel.

(e) In the case of (a), (b) and (c) of this subsection, the director of personnel or designee must have determined that the specialized qualifications are still essential for the successful job performance and the qualifications could not be learned within a reasonable length of time.

(7) Options to positions which are covered by WAC 356-26-140 may be exercised only by employees who, at the time they are notified they are scheduled for reduction in force:

(a) Are exempt from a background inquiry by WAC 356-26-140(4); or

(b) Authorize a background inquiry as provided for in WAC 356-26-140 and are cleared for the option as a result of the inquiry.

AMENDATORY SECTION (Amending Order 250, filed 5/30/86, effective 7/1/86)

WAC 356-47-030 CAREER EXECUTIVE PROGRAM—GENERAL PROVISIONS. (1) No more than one percent of employees covered by chapter 41.06 RCW, the state civil service law, may be placed in the career executive program at one time.

(2) Employees shall not be placed in positions in the career executive program without their prior agreement.

(3) Employees holding temporary, ~~((acting;))~~ emergency, ~~((provisional;))~~ or intermittent appointments to classified career executive positions are not considered to be participants in the career executive program.

(4) Employees shall not be offered reduction-in-force options or trial service reversion right to positions within the career executive program.

AMENDATORY SECTION (Amending Order 250, filed 5/30/86, effective 7/1/86)

WAC 356-47-045 CAREER EXECUTIVE PROGRAM—EMPLOYEE SELECTION. (1) The following general provisions apply to placing persons in the career executive program:

(a) Appointments shall be the responsibility of the agency director.

(b) Appointments shall be made in accordance with agency affirmative action plans.

(c) Appointments may be made without regard to established minimum qualifications.

(d) The registers and procedures described in chapter 356-26 WAC shall not apply to the career executive program.

(2) A permanent employee of a classified position that is nominated for inclusion in the career executive program shall, with the employees' consent, automatically move with the position into the program when the position is approved by the personnel board. This provision does not apply to persons holding temporary, ~~((acting;))~~ emergency, ~~((provisional;))~~ or intermittent appointments to such positions.

(3) Vacant classified career executive positions shall be filled as follows:

(a) Recruitment may be conducted to fill vacancies. The recruitment plan shall be developed by the appointing agency in consultation with the department of personnel; provided that:

(i) Recruitment shall be conducted if the agency director intends to consider persons who are not permanent state employees.

(ii) The names of applicants who have successfully undergone an eligibility evaluation of managerial qualifications developed and administered by the department of personnel shall be transmitted to the appointing agency. The agency director may consider all eligible names transmitted; or

(b) The agency director may appoint a permanent employee to a vacant position without conducting recruitment: PROVIDED, The candidate has passed the evaluation administered by the department of personnel. Such appointments shall be made in accordance with procedures established by the department of personnel.

(c) Agencies shall notify the director of personnel, or designee, of appointments to career executive positions within fifteen calendar days after the appointment. Such notice shall identify the appointee, the position, and the effective date of appointment.

REPEALER

The following Washington Administrative Codes are repealed:

WAC 356-30-020 APPOINTMENTS—PROVISIONAL—RECRUITMENT

WAC 356-30-030 APPOINTMENTS—PROVISIONAL—LIMITATIONS—PROHIBITED

WAC 356-30-040 APPOINTMENTS—PROVISIONAL—EMPLOYEES ACCEPTING

WAC 356-30-070 APPOINTMENTS—ACTING.

WAC 356-30-080 TEMPORARY APPOINTMENTS—EXEMPT SERVICE

WAC 356-05-005 ACTING APPOINTMENT

WAC 356-05-330 PROVISIONAL APPOINTMENT

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

WSR 88-18-097

PROCLAMATION NO. 88-05

OFFICE OF THE GOVERNOR

Beginning on August 29, 1988, forest fires in Ferry County have caused tremendous damage to the state's

natural resources, and continues to have the potential of endangering homes and communities.

The Department of Community Development has been coordinating resources to support Ferry County officials, the Washington State Department of Natural Resources, and federal agencies in their efforts to suppress the fire threat and to protect the citizens of Ferry County. As of Monday, September 5, all available resources, with the exception of those of the Washington State National Guard, have been exhausted. Without National Guard assistance, the fire fighting agencies' efforts will be hampered.

Due to the extremely dry conditions throughout Washington, and the fact that resources are being exhausted, it is possible that similar circumstances will arise elsewhere in the state.

NOW, THEREFORE, I, BOOTH GARDNER, Governor of the state of Washington, as a result of the aforementioned forest fires and under the provisions of Chapters 43.06 RCW, 76.04 RCW and 38.52 RCW, do hereby proclaim that a state of emergency exists and have directed the Department of Community Development to implement the state Comprehensive Emergency Management Plan and to employ the available resources of the state of Washington. These resources may include those of the Military Department, under the provision of Chapter 38.08.040 RCW.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of September, A.D., nineteen hundred and eighty-eight.

Booth Gardner

Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting

Assistant Secretary of State

WSR 88-18-098
ADOPTED RULES
DEPARTMENT OF ECOLOGY
 [Order 88-27—Filed September 7, 1988]

I, Atsushi Kiuchi, Public Information Officer on behalf of the director of the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Commercial low-level radioactive waste disposal—Site use permits, amending chapter 173-326 WAC.

This action is taken pursuant to Notice No. WSR 88-15-071 filed with the code reviser on July 20, 1988.

These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.200-.080 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED September 6, 1988.

By Atsushi Kiuchi
 P.I.O.

AMENDATORY SECTION (Amending Order 87-11, filed 7/1/87)

WAC 173-326-010 PURPOSE. The purpose of this chapter is to implement RCW 43.200.080, Each original generator and each broker of low-level radioactive waste (LLRW) shall have a valid and unencumbered site use permit prior to shipment of such waste to, or disposal of such waste at, a commercial LLRW disposal site located in the state of Washington. All low-level radioactive waste received for disposal at a commercial LLRW disposal site in the state of Washington shall be traceable to the original generators and states, regardless of whether the waste is shipped directly from the point of generation to the disposal facility, or shipped through a licensed service facility such as a facility for recycling, processing, compacting, incinerating, collecting, or brokering waste.

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 87-11, filed 7/1/87)

WAC 173-326-040 SITE USE PERMIT FEE. (1) The permit fee must be submitted at the time of filing an application. The permit fee is not refundable. The fees for a site use permit are:

(a) One-time use permit - (~~(\$50.00 or)~~) \$ 60.00
 (b) Multiple use permit - (~~(\$150.00)~~) \$175.00
 per year

(2) One-time use permit: A generator having radioactive waste for disposal for one time only can obtain a nonrenewable site use permit for such a shipment. This permit terminates upon receipt of the shipment for disposal or one year after it was issued, whichever is earlier, and cannot be reissued to a generator. If the same generator has a subsequent need to ship waste for disposal a multiple use permit must be obtained.

(3) Multiple-use permit: A generator having radioactive waste for disposal more than once can obtain a renewable multiple use permit. A multiple-use permit can be renewed annually. A generator who holds a multiple use permit cannot change the permit to a one-time use permit.

WSR 88-18-099
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed September 7, 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 site use permits for use of the Washington commercial low-level radioactive waste disposal site.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 11, 1988.

The authority under which these rules are proposed is RCW 43.200.070.

The specific statute these rules are intended to implement is RCW 43.200.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1988.

Dated: September 6, 1988

By: Atsushi Kiuchi
P.I.O.

STATEMENT OF PURPOSE

Title: Site use permits for low-level radioactive waste disposal.

Description of Purpose: To institute a site use permit system and issue site use permits as authorized by the legislature.

Statutory Authority: RCW 43.200.070.

Summary of Rule: Rule requires possession of a site use permit prior to disposal of low-level radioactive waste. Permit fee for one-time use permit is \$60.00 and for multiple use permit is \$175.00 per year.

Reasons Supporting Proposed Action: Rule is necessary to implement RCW 43.200.080.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Elaine Carlin, 5826 Pacific Avenue, 459-6244.

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

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

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Chapter 43.200 RCW.

Small Business Economic Impact Statement: N/A.

AMENDATORY SECTION (Amending Order 87-11, filed 7/1/87)

WAC 173-326-030 REQUIREMENTS FOR USERS OF THE WASHINGTON COMMERCIAL LOW-LEVEL RADIOACTIVE WASTE DISPOSAL SITE. (1) A site use permit must be obtained prior to:

- (a) The shipment of LLRW to a LLRW disposal site.
- (b) The disposal of LLRW at a LLRW disposal site.
- (2) An application for a site use permit must be filed.
 - (a) An application for a site use permit shall be filed on department form ECY 010-75.
 - (b) Each application shall be signed by the applicant.
- (3) Number of permits required:
 - (a) Generators who own multiple facilities within the same state may apply for one permit, provided the same contact person within the

generator's company will be responsible for handling the waste shipments. Otherwise separate permits will be required.

(b) Facilities which are owned by the same generator and located in different states will require separate permits.

(4) A broker must ensure that a generator has a current, unencumbered site use permit prior to shipment of that generator's waste to a commercial LLRW disposal site located in the state of Washington, and that the waste will arrive at the disposal site prior to the expiration date of the generator's permit.

(5) Permittees must provide additional information when requested by the department of ecology as necessary for the safe management of low-level radioactive waste in the state of Washington.

WSR 88-18-100
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
 [Filed September 7, 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 rules applicable to the administration of retrospective rating plans and group insurance plans (chapter 296-17 WAC) for workers' compensation insurance underwritten by the Department of Labor and Industries and offered to employers on an optional basis. The proposed rule change revises the basic premium ratios, loss conversion factors and size group tables to reflect the most current insurance charges, administrative expense and investment earnings to be used in adjusting premium payments for possible refunds or penalties. These changes also revise rules applicable to the administration of retrospective rating plans and group insurance plans to incorporate experience rating of medical aid premiums;

that the agency will at 1:00, Monday, October 31, 1988, in the 1st Floor Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1988.

The authority under which these rules are proposed is RCW 51.04.020(1) and 51.16.035.

The specific statute these rules are intended to implement is RCW 51.16.035.

The agency reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearing.

The agency may need to change the date for hearing or adoption on short notice. To ascertain that the hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

Kathy Lanzo, Manager
 Group Insurance
 905 Plum Street
 Mailstop HC-212
 Olympia, WA 98504
 (206) 586-3726

Dated: September 7, 1988
By: Joseph A. Dear
Director

STATEMENT OF PURPOSE

Title and Number of Rule(s) or Chapter: The proposal for rule change which follow amend chapter 296-17 WAC, which is the administrative code comprising the "Manual of rules, classifications, rates, and rating system for Washington state workers' compensation insurance." The proposed rules govern the retrospective rating plans and group insurance plans underwritten by the department, offered to Washington employers on an optional basis.

Statutory Authority: RCW 51.04.020(1) and 51.16.035.

Implementation of Specific Statute: RCW 51.16.035.

Description of the Proposed Rule(s): Revises the basic premium ratios, loss conversion factors and size group tables to reflect the most current insurance charges, administrative expense and investment earnings to be used in adjusting premium payments for possible refunds or penalties. Revises several administrative codes to incorporate experience rating of medical aid premiums.

Reasons Supporting Proposed Rule: The retrospective rating plan parameters must be updated due to the inclusion of medical aid experience rating. Otherwise, the retrospective rating plan becomes inequitable by virtue of being either unduly favorable or unfavorable to retrospectively rated employers compared with other employers not retrospectively rated. Administrative codes governing the retrospective rating plans and group insurance plans must be revised to incorporate experience rating of medical aid premiums effective January 1, 1989.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s): Robert McCallister, Assistant Director for Industrial Insurance, 753-5173; Doug Connell, Assistant Director for Employer Services, 753-5371; and Kathy Lanzo, Group Insurance Manager 586-3726, General Administration Building, Olympia, Washington 98504.

Name of Person or Organization, Whether Private, Public or Governmental, that is Proposing the Rule(s): The Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule(s): The proposed rule revisions represent an adjustment to the retrospective rating plans and group insurance plans to include experience rating of medical aid premiums.

These rules are not proposed to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Effect of Proposed Revisions: RCW 19.85.030, proposed change will not have an impact on 20% of all industries or 10% of one industry.

AMENDATORY SECTION (Amending Order 86-18, filed 2/25/86)

WAC 296-17-904 DEFINITIONS. The definitions in this section shall apply throughout WAC 296-17-905 through 296-17-91902.

(1) "Coverage period" means a one-year period beginning the first day of either January, April, July, or October.

(2) "Group" means those members of an association who have elected to have a group dividend and/or retrospective premium calculated based on the combined premium and incurred loss data of the participants, and have satisfactorily complied with eligibility requirements for doing so.

(3) "Premium" means only that portion of the money collected from an employer for worker's compensation (not to include any money paid in penalties or security deposits), which is deposited in the accident fund and the medical aid fund.

(4) "Standard premium" for a particular coverage period means premium collected or due for insurance coverage provided during the period, prior to any adjustments under a dividend or retrospective rating plan.

(5) "Incurred losses" for a coverage period means the estimated ultimate cost to the accident fund and medical aid fund of claims arising from incidents occurring during the coverage period, subject to the special evaluation methods prescribed in WAC 296-17-915.

(6) "Loss development factor" means an actuarially determined factor which is multiplied times individual case basis estimates of claim costs to produce incurred losses for a firm or group of firms during a coverage period. Loss development factors allow for reopenings, aggravations, and any other individually unpredictable contingencies which may affect claim costs based on past experience of the accident fund and medical aid fund as a whole.

(7) "Loss ratio" means incurred losses divided by standard premium.

(8) "Dividend" is a partial refund of standard premium based on a firm's standard premium and loss ratio.

(9) "Retrospective premium" is a premium determined after a coverage period has ended, based on a firm's standard premium, incurred losses, and other preselected parameters for the coverage period.

(10) "Retrospective premium adjustment" is an additional assessment or refund of premium owing to an employer's retrospective premium as of a given evaluation date being more or less than the premium previously paid for the coverage period.

(11) "Performance adjustment factor" means an actuarially determined factor which is multiplied times incurred losses prior to application of the retrospective rating formula, to produce "adjusted incurred losses." This adjustment will produce net retrospective premium credits for employers and employer groups participating (~~(risks in the aggregate)~~) in the retrospective rating program when they have combined experience which is more favorable than other state fund experience (~~(for the same coverage period)~~). Conversely, this adjustment will produce net retrospective premium penalties for employers and employer groups participating (~~(risks)~~) in the retrospective rating program when their combined experience is more adverse than other state fund experience (~~(for the same coverage period)~~). The purpose of the performance adjustment factor is to retain a consistent economic incentive for those employers to improve their accident cost experience while participating in these plans.

AMENDATORY SECTION (Amending Order 86-18, filed 2/25/86)

WAC 296-17-914 RETROSPECTIVE RATING FORMULA. Employers who elect to have their premium adjusted under a retrospective rating plan must submit an application on a form provided by the department. This application must be received by the department no later than the 15th day of the month preceding the start of the coverage period. The employer must preselect a "maximum premium ratio" and either Plan A, A1, A2, A3, or B.

The employer's retrospective premium shall be calculated from the formula:

$$\begin{aligned} \text{Retrospective Premium} = & \\ & (\text{Basic Premium Ratio} \times \text{Standard Premium}) \\ & + \\ & (\text{Loss Conversion Factor} \times \text{Adjusted Incurred Losses}) \end{aligned}$$

In the above formula, the basic premium ratio and loss conversion factor are taken from Plan A (WAC 296-17-91901) or Plan B (WAC 296-17-91902) or Plan A1 (WAC 296-17-91903) or Plan A2 (WAC 296-17-91904) or Plan A3 (WAC 296-17-91905) based on the employer's standard premium and preselected maximum premium ratio. Adjusted incurred losses equal incurred losses times the performance adjustment factor applicable to the coverage period. When the aggregate experience of retrospectively rated accounts is superior to other

state fund experience, the performance adjustment factor will not exceed 1.00. The performance adjustment factor for each coverage period shall be calculated independently of results for previous coverage periods. Evaluation of incurred losses will be done according to the methods prescribed in WAC 296-17-915.

The maximum retrospective premium is the product of the maximum premium ratio times the employer's standard premium. In the event that the retrospective premium formula produces a value greater than the maximum premium, the retrospective premium shall be reduced to the maximum premium.

Under Plans A1, A2, and A3, the minimum retrospective premium is the product of the minimum premium ratio times the employer's standard premium. If the retrospective premium formula produces a value less than the minimum premium, the retrospective premium shall be increased to the minimum premium.

Under Plan A, a firm may elect to forego the protection of a maximum premium ratio if its financial condition is sufficiently strong and stable so that it could qualify as a self-insurer under the department's guidelines for certification of self-insurers. The basic premium ratio effective January 1, ((1986)) 1989, will be ((.052)) .058 if the firm selects and qualifies for an unlimited maximum premium.

AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-915 EVALUATION OF INCURRED LOSSES DIVIDEND AND RETROSPECTIVE RATING PLANS. The initial evaluation date for each claim arising from incidents occurring during the coverage period shall be approximately twelve months following the end of the coverage period. Each subsequent annual incurred loss evaluation under the retrospective rating plan shall be approximately twelve months following the preceding evaluation date.

The estimated cost of each claim shall include all payments made as of the valuation date and may also include a reserve for future payments consistent with the following evaluation methods applicable to experience rating:

(1) Retroactive adjustments - revision of losses between valuation dates

No claim value shall be revised between valuation dates and no retroactive adjustment of a retrospective premium adjustment shall be made because of disputation concerning the judgment of the claims examiner or because of subsequent developments except as specifically provided in the following cases:

- (a) In cases where incurred loss values are included or excluded through mistake other than error of judgment;
- (b) In cases where a third party recovery is made;
- (c) In cases where the claim qualifies as a second injury claim under the provisions of RCW 51.16.120((;));
- (d) ~~In cases where a claim is officially closed and is determined to be noncompensable).~~

(2) Third party recovery

In the event of a third party recovery on a claim, the employer shall be charged for a portion of the actual loss amount, gross of such recovery, established on the claim. This portion shall be calculated at the time the recovery is made, and shall be determined by taking the ratio of the total cost of the claim, including attorneys' fees, after recovery, to the total cost of the claim before recovery. If the claim is open at the time the recovery is made, then costs before and after recovery may include an allowance for future claim payments.

(3) Second injury claims

The value of any claim which becomes eligible for second injury relief under the provisions of RCW 51.16.120, as now or hereafter amended, shall be reduced by the percentage of relief granted.

The incurred losses for each employer shall be determined by multiplying the individual claim cost estimates by loss development factors, and adding the resulting developed losses for all the employer's claims. The following special procedures will be used for making individual claim cost estimates:

Fatal claims - retrospective rating plan

Each fatal claim shall include all payments made as of the valuation date and a pension reserve, if any, based on the annuity value at the time the pension is awarded. Pension costs will not be reevaluated based on events after the pension has been awarded.

Fatal claims - dividend plan

Each fatal claim shall be assigned the "average death value," said value to be the average incurred cost for all fatal claims occurring during the coverage period.

Permanent total claims

Pension costs for permanent total injuries will be based on the annuity value at the time that the pension is awarded. Pension costs will not be reevaluated based on events after the pension has been awarded. Occupational disease claims

The cost of any occupational disease claim paid ((from the accident fund)) and arising from exposure to the disease hazard under two or more employers, shall be prorated to each period of employment. Each employer's share of the claim cost shall be assigned to the coverage period during which the employer last employed the claimant under conditions of injurious exposure, provided the employer's share is at least ten percent of the total claim cost.

AMENDATORY SECTION (Amending Order 87-30, filed 5/31/88)

WAC 296-17-916 RETROSPECTIVE PREMIUM ADJUSTMENTS—DUE AND PAYABLE. The initial retrospective premium adjustment will be calculated approximately twelve months from the close of the coverage period and annually thereafter for a period of two years. Provided a request is made within ninety days following promulgation of the third and final required retrospective premium adjustment by ((either)) the employer or ((department)) employer group up to two subsequent annual retrospective premium adjustments on the coverage period will be made. The additional adjustments will be identified as the fourth and fifth adjustments and must be requested and made in succession.

Retrospective premium adjustments become due or payable within sixty days of notification of amount. Reevaluation of incurred losses or premium audits will not delay retrospective premium adjustment payments. For employers participating on an individual retrospective rating plan, no retrospective premium adjustment refund check will be written for less than ten dollars. In lieu of refund checks, retrospective premium adjustments of less than ten dollars will be credited to the employer's industrial insurance account. Retrospective premium adjustments of less than five dollars will be disregarded and not considered due or payable.

The department may withhold any member's pro rata share from the group's retrospective premium adjustment refund and credit the employer's industrial insurance account when premiums, penalties, or assessments are owing the department. For employers participating in an individual retrospective rating plan, retrospective premium adjustment refunds may be credited to the employer's industrial insurance account when premiums, penalties, or assessments are owing the department.

AMENDATORY SECTION (Amending Order 86-18, filed 2/25/86)

WAC 296-17-919 TABLE I.

RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective January 1, ((1986)) 1989

((Size Group Number	Standard Premium Range
84	\$ 4,296 - \$ 4,840
83	4,841 - 5,465
82	5,466 - 6,170
81	6,171 - 6,968
80	6,969 - 7,873
79	7,874 - 8,817
78	8,818 - 9,655
77	9,656 - 10,479
76	10,480 - 11,371
75	11,372 - 12,315
74	12,316 - 13,206
73	13,207 - 14,097
72	14,098 - 15,161
71	15,162 - 16,225
70	16,226 - 17,422
69	17,423 - 18,619
68	18,620 - 20,082
67	20,083 - 21,545
66	21,546 - 23,141
65	23,142 - 24,737
64	24,738 - 26,599

Size Group Number	Standard Premium Range
63	26,600 - 28,461
62	28,462 - 30,589
61	30,590 - 32,717
60	32,718 - 35,111
59	35,112 - 37,771
58	37,772 - 40,431
57	40,432 - 43,357
56	43,358 - 46,549
55	46,550 - 49,874
54	49,875 - 53,465
53	53,466 - 57,322
52	57,323 - 61,445
51	61,446 - 65,967
50	65,968 - 70,622
49	70,623 - 75,809
48	75,810 - 81,262
47	81,263 - 87,247
46	87,248 - 93,498
45	93,499 - 100,281
44	100,282 - 107,729
43	107,730 - 116,108
42	116,109 - 125,019
41	125,020 - 134,329
40	134,330 - 144,969
39	144,970 - 156,939
38	156,940 - 168,909
37	168,910 - 182,209
36	182,210 - 196,839
35	196,840 - 215,459
34	215,460 - 232,749
33	232,750 - 252,699
32	252,700 - 275,309
31	275,310 - 299,249
30	299,250 - 324,519
29	324,520 - 352,449
28	352,450 - 384,369
27	384,370 - 417,619
26	417,620 - 454,859
25	454,860 - 494,759
24	494,760 - 538,649
23	538,650 - 586,529
22	586,530 - 638,399
21	638,400 - 694,259
20	694,260 - 756,769
19	756,770 - 823,269
18	823,270 - 897,749
17	897,750 - 977,549
16	977,550 - 1,066,659
15	1,066,660 - 1,210,299
14	1,210,300 - 1,373,889
13	1,373,890 - 1,557,429
12	1,557,430 - 2,080,119
11	2,080,120 - 2,629,409
10	2,629,410 - 3,213,279
9	3,213,280 - 4,016,599
8	4,016,600 - 5,164,389
7	5,164,390 - 6,856,149
6	6,856,150 - 9,581,319
5	9,581,320 & over))
Size Group Number	Standard Premium Range
84	\$ 3,090 - \$ 3,564
83	3,565 - 4,092
82	4,093 - 4,677
81	4,678 - 5,326
80	5,327 - 6,042
79	6,043 - 6,833

Size Group Number	Standard Premium Range
78	6,834 - 7,702
77	7,703 - 8,657
76	8,658 - 9,705
75	9,706 - 10,853
74	10,854 - 12,108
73	12,109 - 13,479
72	13,480 - 14,973
71	14,974 - 16,601
70	16,602 - 18,372
69	18,373 - 20,296
68	20,297 - 20,855
67	20,856 - 22,027
66	22,028 - 23,284
65	23,285 - 24,634
64	24,635 - 26,085
63	26,086 - 27,647
62	27,648 - 29,330
61	29,331 - 31,145
60	31,146 - 33,106
59	33,107 - 35,227
58	35,228 - 37,524
57	37,525 - 40,015
56	40,016 - 42,720
55	42,721 - 45,662
54	45,663 - 48,867
53	48,868 - 52,364
52	52,365 - 56,187
51	56,188 - 60,371
50	60,372 - 64,960
49	64,961 - 70,003
48	70,004 - 75,555
47	75,556 - 81,679
46	81,680 - 88,450
45	88,451 - 95,952
44	95,953 - 101,375
43	101,376 - 108,043
42	108,044 - 115,324
41	115,325 - 123,292
40	123,293 - 132,030
39	132,031 - 141,636
38	141,637 - 152,223
37	152,224 - 163,920
36	163,921 - 176,879
35	176,880 - 191,278
34	191,279 - 207,326
33	207,327 - 225,269
32	225,270 - 245,402
31	245,403 - 268,072
30	268,073 - 293,702
29	293,703 - 322,796
28	322,797 - 355,972
27	355,973 - 393,983
26	393,984 - 437,757
25	437,758 - 488,450
24	488,451 - 547,509
23	547,510 - 616,761
22	616,762 - 698,547
21	698,548 - 795,884
20	795,885 - 912,721
19	912,722 - 1,054,287
18	1,054,288 - 1,227,609
17	1,227,610 - 1,442,287
16	1,442,288 - 1,605,217
15	1,605,218 - 1,791,116
14	1,791,117 - 1,998,872
13	1,998,873 - 2,331,328
12	2,331,329 - 2,741,317
11	2,741,318 - 3,596,498
10	3,596,499 - 4,908,374
9	4,908,375 - 6,392,344
8	6,392,345 - 8,635,786

<u>Size</u>	<u>Standard</u>
<u>Group</u>	<u>Premium</u>
<u>Number</u>	<u>Range</u>
7	8,635,787 - 12,168,325
6	12,168,326 - 18,231,896
5	18,231,897 & over

AMENDATORY SECTION (Amending Order 88-10, filed 7/6/88)

WAC 296-17-91901 TABLE II.

RETROSPECTIVE RATING PLAN A
BASIC PREMIUM RATIOS
LOSS CONVERSION FACTOR = ((-630)) .729
Effective ((July 1, 1988)) January 1, 1989

((Maximum Premium Ratio:

1.05 1.10 1.15 1.20 1.25 1.30 1.35 1.40 1.45 1.50 1.60 1.70 1.80 2.00

Size Group

Table with 14 columns representing premium ratios and multiple rows representing size groups (e.g., 84, 83, 82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, 70, 69, 68, 67, 66, 65, 64, 63, 62, 61, 60, 59, 58, 57, 56, 55, 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16).

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
24	.482	.394	.339	.300	.269	.245	.225	.208	.194	.181	.161	.145	.132	.113
23	.460	.374	.321	.283	.254	.231	.213	.197	.184	.172	.153	.138	.127	.109
22	.437	.355	.304	.268	.241	.219	.201	.187	.174	.163	.146	.132	.121	.105
21	.414	.336	.288	.254	.228	.208	.191	.177	.166	.156	.139	.127	.117	.102
20	.394	.318	.272	.239	.214	.194	.179	.166	.155	.145	.130	.119	.110	.096
19	.377	.301	.254	.222	.198	.179	.164	.152	.142	.133	.120	.109	.101	.089
18	.358	.283	.238	.207	.184	.166	.152	.140	.131	.123	.110	.101	.094	.083
17	.339	.266	.222	.192	.171	.154	.140	.130	.121	.114	.103	.094	.088	.079
16	.320	.249	.208	.179	.159	.143	.131	.121	.113	.106	.096	.088	.083	.075
15	.303	.234	.194	.168	.148	.134	.122	.113	.106	.100	.091	.084	.079	.072
14	.293	.220	.180	.157	.141	.128	.117	.109	.103	.097	.089	.082	.078	.071
13	.281	.204	.167	.148	.133	.122	.112	.105	.099	.094	.086	.081	.076	.070
12	.269	.187	.156	.139	.126	.116	.108	.101	.096	.091	.084	.079	.075	.069
11	.254	.167	.145	.130	.119	.110	.103	.097	.092	.088	.082	.077	.073	.068
10	.238	.150	.135	.122	.113	.105	.098	.093	.089	.085	.079	.075	.072	.067
9	.219	.138	.125	.115	.106	.100	.094	.089	.085	.082	.077	.073	.071	.066
8	.197	.127	.116	.107	.100	.094	.090	.086	.082	.079	.075	.072	.069	.065
7	.170	.117	.108	.100	.094	.089	.085	.082	.079	.077	.073	.070	.068	.064
6	.137	.107	.100	.094	.089	.085	.081	.078	.076	.074	.071	.068	.066	.064
5	.105	.098	.092	.087	.083	.080	.077	.075	.073	.071	.068	.066	.065	.063

AMENDATORY SECTION (Amending Order 88-10, filed 7/6/88)

WAC 296-17-91902 TABLE III.

RETROSPECTIVE RATING PLAN B
BASIC PREMIUM RATIOS
AND LOSS CONVERSION FACTORS
Effective ((July 1, 1988)) January 1, 1989

(Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
64	Basic Premium Ratio	.998	.996	.994	.992	.991	.989	.987	.985	.983	.981	.977	.973	.970	.962
	Loss Conversion Factor	.002	.004	.006	.008	.009	.011	.013	.015	.017	.019	.023	.027	.030	.038
63	Basic Premium Ratio	.998	.996	.994	.992	.990	.987	.985	.983	.981	.979	.975	.971	.967	.958
	Loss Conversion Factor	.002	.004	.006	.008	.010	.013	.015	.017	.019	.021	.025	.029	.033	.042
62	Basic Premium Ratio	.998	.995	.993	.991	.989	.986	.984	.982	.980	.977	.973	.968	.964	.955
	Loss Conversion Factor	.002	.005	.007	.009	.011	.014	.016	.018	.020	.023	.027	.032	.036	.045
61	Basic Premium Ratio	.998	.995	.993	.990	.988	.985	.983	.980	.978	.975	.970	.965	.960	.951
	Loss Conversion Factor	.002	.005	.007	.010	.012	.015	.017	.020	.022	.025	.030	.035	.040	.049
60	Basic Premium Ratio	.997	.995	.992	.989	.987	.984	.981	.979	.976	.973	.968	.963	.957	.947
	Loss Conversion Factor	.003	.005	.008	.011	.013	.016	.019	.021	.024	.027	.032	.037	.043	.053
79	Basic Premium Ratio	.997	.994	.991	.989	.986	.983	.980	.977	.974	.972	.966	.960	.954	.943
	Loss Conversion Factor	.003	.006	.009	.011	.014	.017	.020	.023	.026	.028	.034	.040	.046	.057
78	Basic Premium Ratio	.997	.994	.991	.987	.984	.981	.978	.975	.972	.969	.962	.956	.950	.937
	Loss Conversion Factor	.003	.006	.009	.013	.016	.019	.022	.025	.028	.031	.038	.044	.050	.063
77	Basic Premium Ratio	.996	.993	.989	.986	.982	.979	.975	.972	.968	.965	.957	.950	.943	.929
	Loss Conversion Factor	.004	.007	.011	.014	.018	.021	.025	.028	.032	.035	.043	.050	.057	.071
76	Basic Premium Ratio	.996	.993	.989	.985	.981	.978	.974	.970	.966	.963	.955	.948	.940	.925
	Loss Conversion Factor	.004	.007	.011	.015	.019	.022	.026	.030	.034	.037	.045	.052	.060	.075
75	Basic Premium Ratio	.996	.992	.988	.984	.980	.977	.973	.969	.965	.961	.953	.945	.937	.922
	Loss Conversion Factor	.004	.008	.012	.016	.020	.023	.027	.031	.035	.039	.047	.055	.063	.078
74	Basic Premium Ratio	.996	.991	.987	.983	.978	.974	.970	.965	.961	.957	.948	.940	.931	.914
	Loss Conversion Factor	.004	.009	.013	.017	.022	.026	.030	.035	.039	.043	.052	.060	.069	.086
73	Basic Premium Ratio	.995	.991	.986	.981	.976	.972	.967	.962	.957	.953	.943	.934	.924	.905
	Loss Conversion Factor	.005	.009	.014	.019	.024	.028	.033	.038	.043	.047	.057	.066	.076	.095
72	Basic Premium Ratio	.995	.989	.984	.979	.973	.968	.963	.958	.952	.947	.936	.926	.915	.894
	Loss Conversion Factor	.005	.011	.016	.021	.027	.032	.037	.042	.048	.053	.064	.074	.085	.106
71	Basic Premium Ratio	.994	.988	.982	.976	.970	.964	.958	.952	.946	.940	.928	.916	.904	.881
	Loss Conversion Factor	.006	.012	.018	.024	.030	.036	.042	.048	.054	.060	.072	.084	.096	.119
70	Basic Premium Ratio	.993	.987	.980	.973	.967	.960	.953	.947	.940	.933	.920	.906	.893	.866
	Loss Conversion Factor	.007	.013	.020	.027	.033	.040	.047	.053	.060	.067	.080	.094	.107	.134
69	Basic Premium Ratio	.993	.986	.978	.971	.964	.957	.949	.942	.935	.928	.913	.899	.884	.855
	Loss Conversion Factor	.007	.014	.022	.029	.036	.043	.051	.058	.065	.072	.087	.101	.116	.145

((Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
68	Basic Premium Ratio	.992	.985	.977	.969	.961	.954	.946	.938	.931	.923	.907	.892	.876	.846
	Loss Conversion Factor	.008	.015	.023	.031	.039	.046	.054	.062	.069	.077	.093	.108	.124	.154
67	Basic Premium Ratio	.992	.984	.975	.967	.959	.951	.942	.934	.926	.918	.901	.885	.869	.836
	Loss Conversion Factor	.008	.016	.025	.033	.041	.049	.058	.066	.074	.082	.099	.115	.131	.164
66	Basic Premium Ratio	.991	.982	.973	.964	.956	.947	.938	.929	.920	.911	.893	.876	.858	.822
	Loss Conversion Factor	.009	.018	.027	.036	.044	.053	.062	.071	.080	.089	.107	.124	.142	.178
65	Basic Premium Ratio	.990	.981	.971	.962	.952	.942	.933	.923	.913	.904	.885	.865	.846	.808
	Loss Conversion Factor	.010	.019	.029	.038	.048	.058	.067	.077	.087	.096	.115	.135	.154	.192
64	Basic Premium Ratio	.990	.979	.969	.958	.948	.938	.927	.917	.907	.896	.875	.855	.834	.792
	Loss Conversion Factor	.010	.021	.031	.042	.052	.062	.073	.083	.093	.104	.125	.145	.166	.208
63	Basic Premium Ratio	.989	.978	.966	.955	.944	.933	.922	.910	.899	.888	.866	.843	.821	.776
	Loss Conversion Factor	.011	.022	.034	.045	.056	.067	.078	.090	.101	.112	.134	.157	.179	.224
62	Basic Premium Ratio	.988	.976	.964	.952	.940	.928	.916	.904	.892	.880	.856	.832	.808	.759
	Loss Conversion Factor	.012	.024	.036	.048	.060	.072	.084	.096	.108	.120	.144	.168	.192	.241
61	Basic Premium Ratio	.987	.974	.961	.948	.935	.922	.909	.896	.883	.870	.844	.818	.792	.740
	Loss Conversion Factor	.013	.026	.039	.052	.065	.078	.091	.104	.117	.130	.156	.182	.208	.260
60	Basic Premium Ratio	.986	.972	.958	.944	.929	.915	.901	.887	.873	.859	.831	.803	.774	.718
	Loss Conversion Factor	.014	.028	.042	.056	.071	.085	.099	.113	.127	.141	.169	.197	.226	.282
59	Basic Premium Ratio	.985	.970	.954	.939	.924	.909	.893	.878	.863	.848	.817	.787	.757	.696
	Loss Conversion Factor	.015	.030	.046	.061	.076	.091	.107	.122	.137	.152	.183	.213	.243	.304
58	Basic Premium Ratio	.984	.967	.951	.934	.918	.901	.885	.869	.852	.836	.803	.770	.737	.672
	Loss Conversion Factor	.016	.033	.049	.066	.082	.099	.115	.131	.148	.164	.197	.230	.263	.328
57	Basic Premium Ratio	.982	.965	.947	.929	.911	.894	.876	.858	.840	.823	.787	.752	.716	.645
	Loss Conversion Factor	.018	.035	.053	.071	.089	.106	.124	.142	.160	.177	.213	.248	.284	.355
56	Basic Premium Ratio	.981	.962	.943	.924	.905	.886	.867	.848	.829	.809	.771	.733	.695	.619
	Loss Conversion Factor	.019	.038	.057	.076	.095	.114	.133	.152	.171	.191	.229	.267	.305	.381
55	Basic Premium Ratio	.980	.960	.939	.919	.899	.879	.859	.838	.818	.798	.757	.717	.677	.596
	Loss Conversion Factor	.020	.040	.061	.081	.101	.121	.141	.162	.182	.202	.243	.283	.323	.404
54	Basic Premium Ratio	.978	.957	.935	.914	.892	.871	.849	.828	.806	.785	.742	.699	.656	.570
	Loss Conversion Factor	.022	.043	.065	.086	.108	.129	.151	.172	.194	.215	.258	.301	.344	.430
53	Basic Premium Ratio	.977	.954	.931	.908	.885	.862	.839	.816	.793	.770	.724	.678	.632	.540
	Loss Conversion Factor	.023	.046	.069	.092	.115	.138	.161	.184	.207	.230	.276	.322	.368	.460
52	Basic Premium Ratio	.975	.951	.926	.902	.877	.853	.828	.804	.779	.755	.706	.656	.607	.509
	Loss Conversion Factor	.025	.049	.074	.098	.123	.147	.172	.196	.221	.245	.294	.344	.393	.491
51	Basic Premium Ratio	.974	.947	.921	.895	.869	.842	.816	.790	.763	.737	.685	.632	.579	.474
	Loss Conversion Factor	.026	.053	.079	.105	.131	.158	.184	.210	.237	.263	.315	.368	.421	.526
50	Basic Premium Ratio	.972	.944	.915	.887	.859	.831	.803	.775	.746	.718	.662	.606	.549	.436
	Loss Conversion Factor	.028	.056	.085	.113	.141	.169	.197	.225	.254	.282	.338	.394	.451	.564
49	Basic Premium Ratio	.970	.939	.909	.879	.848	.818	.787	.757	.727	.696	.636	.575	.514	.393
	Loss Conversion Factor	.030	.061	.091	.121	.152	.182	.213	.243	.273	.304	.364	.425	.486	.607
48	Basic Premium Ratio	.968	.935	.903	.870	.838	.805	.773	.740	.708	.676	.611	.546	.481	.351
	Loss Conversion Factor	.032	.065	.097	.130	.162	.195	.227	.260	.292	.324	.389	.454	.519	.649
47	Basic Premium Ratio	.965	.930	.896	.861	.826	.791	.756	.721	.687	.652	.582	.513	.443	.304
	Loss Conversion Factor	.035	.070	.104	.139	.174	.209	.244	.279	.313	.348	.418	.487	.557	.696
46	Basic Premium Ratio	.963	.926	.889	.851	.814	.777	.740	.703	.666	.628	.554	.480	.406	.257
	Loss Conversion Factor	.037	.074	.111	.149	.186	.223	.260	.297	.334	.372	.446	.520	.594	.743
45	Basic Premium Ratio	.960	.921	.881	.842	.802	.762	.723	.683	.644	.604	.525	.446	.367	.208
	Loss Conversion Factor	.040	.079	.119	.158	.198	.238	.277	.317	.356	.396	.475	.554	.633	.792
44	Basic Premium Ratio	.958	.915	.873	.831	.788	.746	.704	.661	.619	.576	.492	.407	.322	.153
	Loss Conversion Factor	.042	.085	.127	.169	.212	.254	.296	.339	.381	.424	.508	.593	.678	.847
43	Basic Premium Ratio	.954	.909	.863	.818	.772	.727	.681	.636	.590	.545	.453	.362	.271	.089
	Loss Conversion Factor	.046	.091	.137	.182	.228	.273	.319	.364	.410	.455	.547	.638	.729	.911
42	Basic Premium Ratio	.951	.901	.852	.803	.754	.704	.655	.606	.557	.507	.409	.310	.212	.015
	Loss Conversion Factor	.049	.099	.148	.197	.246	.296	.345	.394	.443	.493	.591	.690	.788	.985
41	Basic Premium Ratio	.946	.893	.839	.785	.732	.678	.625	.571	.517	.464	.356	.249	.142	.000
	Loss Conversion Factor	.054	.107	.161	.215	.268	.322	.375	.429	.483	.536	.644	.751	.858	.974
40	Basic Premium Ratio	.942	.884	.827	.769	.711	.653	.595	.537	.480	.422	.306	.190	.075	.000
	Loss Conversion Factor	.058	.116	.173	.231	.289	.347	.405	.463	.520	.578	.694	.810	.925	.948
39	Basic Premium Ratio	.937	.875	.812	.749	.686	.624	.561	.498	.435	.373	.247	.122	.000	.000
	Loss Conversion Factor	.063	.125	.188	.251	.314	.376	.439	.502	.565	.627	.753	.878	.995	.924
38	Basic Premium Ratio	.932	.865	.797	.729	.662	.594	.527	.459	.391	.324	.188	.053	.000	.000
	Loss Conversion Factor	.068	.135	.203	.271	.338	.406	.473	.541	.609	.676	.812	.947	.968	.903

((Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
37	Basic Premium Ratio	.926	.853	.779	.706	.632	.558	.485	.411	.337	.264	.117	.000	.000	.000
	Loss Conversion Factor	.074	.147	.221	.294	.368	.442	.515	.589	.663	.736	.883	.988	.944	.884
36	Basic Premium Ratio	.920	.840	.760	.680	.599	.519	.439	.359	.279	.199	.039	.000	.000	.000
	Loss Conversion Factor	.080	.160	.240	.320	.401	.481	.561	.641	.721	.801	.961	.961	.921	.866
35	Basic Premium Ratio	.913	.826	.739	.652	.564	.477	.390	.303	.216	.129	.000	.000	.000	.000
	Loss Conversion Factor	.087	.174	.261	.348	.436	.523	.610	.697	.784	.871	.983	.935	.899	.848
34	Basic Premium Ratio	.905	.809	.714	.618	.523	.427	.332	.236	.141	.045	.000	.000	.000	.000
	Loss Conversion Factor	.095	.191	.286	.382	.477	.573	.668	.764	.859	.955	.955	.911	.879	.833
33	Basic Premium Ratio	.896	.791	.687	.582	.478	.373	.269	.164	.060	.000	.000	.000	.000	.000
	Loss Conversion Factor	.104	.209	.313	.418	.522	.627	.731	.836	.940	.985	.930	.891	.861	.819
32	Basic Premium Ratio	.886	.772	.658	.544	.430	.316	.202	.088	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.114	.228	.342	.456	.570	.684	.798	.912	.991	.958	.908	.872	.844	.806
31	Basic Premium Ratio	.875	.749	.624	.498	.373	.247	.122	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.125	.251	.376	.502	.627	.753	.878	.997	.961	.931	.886	.854	.829	.794
30	Basic Premium Ratio	.861	.723	.584	.446	.307	.169	.030	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.139	.277	.416	.554	.693	.831	.970	.967	.935	.908	.867	.838	.815	.784
29	Basic Premium Ratio	.847	.694	.541	.389	.236	.083	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.153	.306	.459	.611	.764	.917	.978	.941	.911	.887	.850	.823	.803	.775
28	Basic Premium Ratio	.831	.662	.494	.325	.156	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.169	.338	.506	.675	.844	.993	.950	.916	.889	.866	.832	.807	.789	.762
27	Basic Premium Ratio	.812	.624	.436	.249	.061	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.188	.376	.564	.751	.939	.963	.922	.891	.865	.844	.812	.789	.771	.745
26	Basic Premium Ratio	.791	.582	.373	.164	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.209	.418	.627	.836	.985	.935	.898	.868	.844	.825	.794	.772	.755	.731
25	Basic Premium Ratio	.764	.528	.293	.057	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.236	.472	.707	.943	.955	.910	.875	.847	.825	.807	.779	.758	.742	.720
24	Basic Premium Ratio	.730	.461	.191	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.270	.539	.809	.978	.923	.883	.852	.828	.808	.792	.767	.749	.735	.715
23	Basic Premium Ratio	.689	.379	.068	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.311	.621	.932	.944	.895	.859	.832	.811	.793	.779	.757	.741	.728	.711
22	Basic Premium Ratio	.637	.275	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.363	.725	.977	.914	.871	.839	.815	.796	.780	.768	.748	.734	.722	.707
21	Basic Premium Ratio	.566	.133	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.434	.867	.943	.888	.850	.822	.800	.783	.769	.758	.740	.727	.717	.703
20	Basic Premium Ratio	.488	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.512	.992	.913	.864	.829	.804	.784	.769	.756	.746	.730	.719	.710	.698
19	Basic Premium Ratio	.411	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.589	.960	.887	.840	.809	.785	.768	.754	.743	.734	.720	.710	.702	.691
18	Basic Premium Ratio	.305	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.695	.930	.862	.819	.790	.769	.753	.741	.731	.723	.711	.702	.695	.686
17	Basic Premium Ratio	.154	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.846	.901	.839	.801	.775	.756	.741	.730	.721	.714	.703	.696	.690	.682
16	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.984	.875	.819	.784	.761	.744	.731	.721	.713	.707	.697	.691	.686	.679
15	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.952	.852	.801	.770	.749	.734	.722	.714	.707	.701	.693	.687	.683	.677
14	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.938	.836	.783	.757	.740	.727	.717	.709	.703	.698	.691	.685	.681	.676
13	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.922	.819	.764	.745	.731	.720	.712	.705	.700	.695	.688	.684	.680	.675
12	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.905	.800	.751	.735	.724	.714	.707	.701	.696	.692	.686	.682	.679	.674
11	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.887	.779	.739	.727	.717	.709	.703	.697	.693	.690	.684	.680	.678	.673
10	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.866	.755	.729	.719	.710	.704	.698	.694	.690	.687	.682	.679	.676	.673
9	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.844	.731	.720	.711	.704	.699	.694	.690	.687	.685	.680	.677	.675	.672
8	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.818	.720	.712	.705	.699	.694	.690	.687	.684	.682	.679	.676	.674	.671
7	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.788	.711	.704	.699	.694	.690	.687	.684	.682	.680	.677	.674	.673	.670

((Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
6	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.753	.703	.697	.693	.689	.686	.683	.681	.679	.677	.675	.673	.672	.669
5	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.710	.695	.691	.687	.684	.682	.680	.678	.677	.675	.673	.672	.670	.669))
Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
84	Basic Premium Ratio	.999	.997	.996	.994	.993	.991	.990	.988	.987	.985	.982	.979	.976	.970
	Loss Conversion Factor	.001	.003	.004	.006	.007	.009	.010	.012	.013	.015	.018	.021	.024	.030
83	Basic Premium Ratio	.998	.997	.995	.993	.992	.990	.989	.987	.985	.984	.980	.977	.974	.967
	Loss Conversion Factor	.002	.003	.005	.007	.008	.010	.011	.013	.015	.016	.020	.023	.026	.033
82	Basic Premium Ratio	.998	.996	.995	.993	.991	.989	.988	.986	.984	.982	.979	.975	.972	.965
	Loss Conversion Factor	.002	.004	.005	.007	.009	.011	.012	.014	.016	.018	.021	.025	.028	.035
81	Basic Premium Ratio	.998	.996	.994	.992	.990	.989	.987	.985	.983	.981	.977	.973	.969	.962
	Loss Conversion Factor	.002	.004	.006	.008	.010	.011	.013	.015	.017	.019	.023	.027	.031	.038
80	Basic Premium Ratio	.998	.996	.994	.992	.990	.988	.986	.984	.982	.980	.976	.972	.967	.959
	Loss Conversion Factor	.002	.004	.006	.008	.010	.012	.014	.016	.018	.020	.024	.028	.033	.041
79	Basic Premium Ratio	.998	.996	.994	.991	.989	.987	.985	.983	.981	.979	.974	.970	.966	.957
	Loss Conversion Factor	.002	.004	.006	.009	.011	.013	.015	.017	.019	.021	.026	.030	.034	.043
78	Basic Premium Ratio	.998	.995	.993	.991	.988	.986	.984	.981	.979	.977	.972	.967	.963	.953
	Loss Conversion Factor	.002	.005	.007	.009	.012	.014	.016	.019	.021	.023	.028	.033	.037	.047
77	Basic Premium Ratio	.997	.995	.992	.990	.987	.984	.982	.979	.977	.974	.969	.964	.958	.948
	Loss Conversion Factor	.003	.005	.008	.010	.013	.016	.018	.021	.023	.026	.031	.036	.042	.052
76	Basic Premium Ratio	.997	.995	.992	.989	.987	.984	.981	.978	.976	.973	.968	.962	.957	.946
	Loss Conversion Factor	.003	.005	.008	.011	.013	.016	.019	.022	.024	.027	.032	.038	.043	.054
75	Basic Premium Ratio	.997	.994	.992	.989	.986	.983	.981	.978	.975	.972	.967	.961	.956	.945
	Loss Conversion Factor	.003	.006	.008	.011	.014	.017	.019	.022	.025	.028	.033	.039	.044	.055
74	Basic Premium Ratio	.997	.994	.991	.988	.985	.982	.979	.976	.973	.970	.964	.958	.952	.940
	Loss Conversion Factor	.003	.006	.009	.012	.015	.018	.021	.024	.027	.030	.036	.042	.048	.060
73	Basic Premium Ratio	.997	.994	.990	.987	.984	.981	.977	.974	.971	.968	.961	.955	.948	.936
	Loss Conversion Factor	.003	.006	.010	.013	.016	.019	.023	.026	.029	.032	.039	.045	.052	.064
72	Basic Premium Ratio	.996	.993	.989	.986	.982	.979	.975	.972	.968	.965	.957	.950	.943	.929
	Loss Conversion Factor	.004	.007	.011	.014	.018	.021	.025	.028	.032	.035	.043	.050	.057	.071
71	Basic Premium Ratio	.996	.992	.988	.984	.980	.976	.972	.969	.965	.961	.953	.945	.937	.921
	Loss Conversion Factor	.004	.008	.012	.016	.020	.024	.028	.031	.035	.039	.047	.055	.063	.079
70	Basic Premium Ratio	.996	.991	.987	.983	.978	.974	.970	.965	.961	.957	.948	.939	.931	.913
	Loss Conversion Factor	.004	.009	.013	.017	.022	.026	.030	.035	.039	.043	.052	.061	.069	.087
69	Basic Premium Ratio	.995	.991	.986	.981	.977	.972	.967	.963	.958	.953	.944	.935	.925	.907
	Loss Conversion Factor	.005	.009	.014	.019	.023	.028	.033	.037	.042	.047	.056	.065	.075	.093
68	Basic Premium Ratio	.995	.990	.985	.981	.976	.971	.966	.961	.956	.952	.942	.932	.923	.903
	Loss Conversion Factor	.005	.010	.015	.019	.024	.029	.034	.039	.044	.048	.058	.068	.077	.097
67	Basic Premium Ratio	.995	.990	.985	.980	.975	.970	.965	.959	.954	.949	.939	.929	.919	.899
	Loss Conversion Factor	.005	.010	.015	.020	.025	.030	.035	.041	.046	.051	.061	.071	.081	.101
66	Basic Premium Ratio	.995	.989	.984	.978	.973	.967	.962	.956	.951	.946	.935	.924	.913	.891
	Loss Conversion Factor	.005	.011	.016	.022	.027	.033	.038	.044	.049	.054	.065	.076	.087	.109
65	Basic Premium Ratio	.994	.988	.982	.976	.971	.965	.959	.953	.947	.941	.929	.917	.906	.882
	Loss Conversion Factor	.006	.012	.018	.024	.029	.035	.041	.047	.053	.059	.071	.083	.094	.118
64	Basic Premium Ratio	.994	.987	.981	.974	.968	.962	.955	.949	.942	.936	.923	.910	.898	.872
	Loss Conversion Factor	.006	.013	.019	.026	.032	.038	.045	.051	.058	.064	.077	.090	.102	.128
63	Basic Premium Ratio	.993	.986	.979	.972	.965	.958	.951	.944	.938	.931	.917	.903	.889	.861
	Loss Conversion Factor	.007	.014	.021	.028	.035	.042	.049	.056	.062	.069	.083	.097	.111	.139
62	Basic Premium Ratio	.992	.985	.977	.970	.962	.954	.947	.939	.931	.924	.909	.893	.878	.848
	Loss Conversion Factor	.008	.015	.023	.030	.038	.046	.053	.061	.069	.076	.091	.107	.122	.152
61	Basic Premium Ratio	.992	.983	.975	.967	.959	.950	.942	.934	.926	.917	.901	.884	.868	.835
	Loss Conversion Factor	.008	.017	.025	.033	.041	.050	.058	.066	.074	.083	.099	.116	.132	.165
60	Basic Premium Ratio	.991	.982	.973	.964	.955	.946	.937	.928	.919	.910	.892	.874	.856	.819
	Loss Conversion Factor	.009	.018	.027	.036	.045	.054	.063	.072	.081	.090	.108	.126	.144	.181
59	Basic Premium Ratio	.990	.980	.971	.961	.951	.941	.931	.921	.912	.902	.882	.862	.843	.803
	Loss Conversion Factor	.010	.020	.029	.039	.049	.059	.069	.079	.088	.098	.118	.138	.157	.197
58	Basic Premium Ratio	.989	.979	.968	.957	.947	.936	.926	.915	.904	.894	.872	.851	.830	.787
	Loss Conversion Factor	.011	.021	.032	.043	.053	.064	.074	.085	.096	.106	.128	.149	.170	.213

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
57	Basic Premium Ratio	.989	.977	.966	.954	.943	.931	.920	.908	.897	.886	.863	.840	.817	.771
	Loss Conversion Factor	.011	.023	.034	.046	.057	.069	.080	.092	.103	.114	.137	.160	.183	.229
56	Basic Premium Ratio	.988	.976	.963	.951	.939	.927	.914	.902	.890	.878	.853	.829	.805	.756
	Loss Conversion Factor	.012	.024	.037	.049	.061	.073	.086	.098	.110	.122	.147	.171	.195	.244
55	Basic Premium Ratio	.987	.974	.961	.948	.935	.922	.909	.896	.883	.870	.844	.818	.792	.741
	Loss Conversion Factor	.013	.026	.039	.052	.065	.078	.091	.104	.117	.130	.156	.182	.208	.259
54	Basic Premium Ratio	.986	.972	.959	.945	.931	.917	.904	.890	.876	.862	.835	.807	.780	.724
	Loss Conversion Factor	.014	.028	.041	.055	.069	.083	.096	.110	.124	.138	.165	.193	.220	.276
53	Basic Premium Ratio	.985	.971	.956	.941	.927	.912	.898	.883	.868	.854	.824	.795	.766	.707
	Loss Conversion Factor	.015	.029	.044	.059	.073	.088	.102	.117	.132	.146	.176	.205	.234	.293
52	Basic Premium Ratio	.984	.969	.953	.938	.922	.907	.891	.876	.860	.845	.814	.783	.752	.690
	Loss Conversion Factor	.016	.031	.047	.062	.078	.093	.109	.124	.140	.155	.186	.217	.248	.310
51	Basic Premium Ratio	.983	.967	.950	.934	.917	.901	.884	.868	.851	.835	.802	.769	.735	.669
	Loss Conversion Factor	.017	.033	.050	.066	.083	.099	.116	.132	.149	.165	.198	.231	.265	.331
50	Basic Premium Ratio	.982	.965	.947	.929	.911	.894	.876	.858	.841	.823	.787	.752	.717	.646
	Loss Conversion Factor	.018	.035	.053	.071	.089	.106	.124	.142	.159	.177	.213	.248	.283	.354
49	Basic Premium Ratio	.981	.962	.943	.924	.905	.886	.867	.848	.829	.810	.772	.734	.696	.621
	Loss Conversion Factor	.019	.038	.057	.076	.095	.114	.133	.152	.171	.190	.228	.266	.304	.379
48	Basic Premium Ratio	.980	.959	.939	.919	.898	.878	.858	.837	.817	.797	.756	.716	.675	.594
	Loss Conversion Factor	.020	.041	.061	.081	.102	.122	.142	.163	.183	.203	.244	.284	.325	.406
47	Basic Premium Ratio	.978	.957	.935	.913	.891	.870	.848	.826	.805	.783	.740	.696	.653	.566
	Loss Conversion Factor	.022	.043	.065	.087	.109	.130	.152	.174	.195	.217	.260	.304	.347	.434
46	Basic Premium Ratio	.977	.954	.931	.908	.885	.862	.839	.816	.793	.770	.724	.677	.631	.539
	Loss Conversion Factor	.023	.046	.069	.092	.115	.138	.161	.184	.207	.230	.276	.323	.369	.461
45	Basic Premium Ratio	.976	.951	.927	.902	.878	.854	.829	.805	.780	.756	.707	.658	.609	.512
	Loss Conversion Factor	.024	.049	.073	.098	.122	.146	.171	.195	.220	.244	.293	.342	.391	.488
44	Basic Premium Ratio	.974	.948	.922	.897	.871	.845	.819	.793	.767	.742	.690	.638	.587	.483
	Loss Conversion Factor	.026	.052	.078	.103	.129	.155	.181	.207	.233	.258	.310	.362	.413	.517
43	Basic Premium Ratio	.973	.945	.918	.891	.863	.836	.809	.781	.754	.727	.672	.617	.562	.453
	Loss Conversion Factor	.027	.055	.082	.109	.137	.164	.191	.219	.246	.273	.328	.383	.438	.547
42	Basic Premium Ratio	.970	.941	.911	.881	.852	.822	.792	.763	.733	.703	.644	.585	.525	.406
	Loss Conversion Factor	.030	.059	.089	.119	.148	.178	.208	.237	.267	.297	.356	.415	.475	.594
41	Basic Premium Ratio	.968	.935	.903	.870	.838	.806	.773	.741	.708	.676	.611	.546	.481	.352
	Loss Conversion Factor	.032	.065	.097	.130	.162	.194	.227	.259	.292	.324	.389	.454	.519	.648
40	Basic Premium Ratio	.965	.929	.894	.859	.823	.788	.753	.718	.682	.647	.576	.506	.435	.294
	Loss Conversion Factor	.035	.071	.106	.141	.177	.212	.247	.282	.318	.353	.424	.494	.565	.706
39	Basic Premium Ratio	.962	.923	.885	.847	.808	.770	.732	.693	.655	.616	.540	.463	.386	.233
	Loss Conversion Factor	.038	.077	.115	.153	.192	.230	.268	.307	.345	.384	.460	.537	.614	.767
38	Basic Premium Ratio	.958	.917	.875	.834	.792	.751	.709	.668	.626	.585	.502	.419	.336	.170
	Loss Conversion Factor	.042	.083	.125	.166	.208	.249	.291	.332	.374	.415	.498	.581	.664	.830
37	Basic Premium Ratio	.955	.910	.865	.820	.776	.731	.686	.641	.596	.551	.461	.371	.282	.102
	Loss Conversion Factor	.045	.090	.135	.180	.224	.269	.314	.359	.404	.449	.539	.629	.718	.898
36	Basic Premium Ratio	.951	.903	.854	.806	.757	.709	.660	.612	.563	.514	.417	.320	.223	.029
	Loss Conversion Factor	.049	.097	.146	.194	.243	.291	.340	.388	.437	.486	.583	.680	.777	.971
35	Basic Premium Ratio	.947	.895	.842	.789	.736	.684	.631	.578	.525	.473	.367	.262	.156	.000
	Loss Conversion Factor	.053	.105	.158	.211	.264	.316	.369	.422	.475	.527	.633	.738	.844	.987
34	Basic Premium Ratio	.943	.886	.829	.771	.714	.657	.600	.543	.486	.428	.314	.200	.085	.000
	Loss Conversion Factor	.057	.114	.171	.229	.286	.343	.400	.457	.514	.572	.686	.800	.915	.969
33	Basic Premium Ratio	.938	.876	.814	.752	.690	.628	.567	.505	.443	.381	.257	.133	.009	.000
	Loss Conversion Factor	.062	.124	.186	.248	.310	.372	.433	.495	.557	.619	.743	.867	.991	.953
32	Basic Premium Ratio	.933	.866	.799	.732	.665	.598	.531	.463	.396	.329	.195	.061	.000	.000
	Loss Conversion Factor	.067	.134	.201	.268	.335	.402	.469	.537	.604	.671	.805	.939	.984	.939
31	Basic Premium Ratio	.927	.854	.781	.707	.634	.561	.488	.415	.342	.268	.122	.000	.000	.000
	Loss Conversion Factor	.073	.146	.219	.293	.366	.439	.512	.585	.658	.732	.878	.994	.965	.925
30	Basic Premium Ratio	.920	.840	.760	.680	.600	.520	.440	.360	.280	.200	.040	.000	.000	.000
	Loss Conversion Factor	.080	.160	.240	.320	.400	.480	.560	.640	.720	.800	.960	.975	.949	.913
29	Basic Premium Ratio	.913	.826	.739	.651	.564	.477	.390	.303	.216	.128	.000	.000	.000	.000
	Loss Conversion Factor	.087	.174	.261	.349	.436	.523	.610	.697	.784	.872	.990	.958	.935	.902
28	Basic Premium Ratio	.904	.807	.711	.615	.519	.422	.326	.230	.134	.037	.000	.000	.000	.000
	Loss Conversion Factor	.096	.193	.289	.385	.481	.578	.674	.770	.866	.963	.969	.940	.918	.887
27	Basic Premium Ratio	.892	.785	.677	.570	.462	.355	.247	.140	.032	.000	.000	.000	.000	.000
	Loss Conversion Factor	.108	.215	.323	.430	.538	.645	.753	.860	.968	.983	.946	.918	.897	.868

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
26	Basic Premium Ratio	.881	.761	.642	.522	.403	.283	.164	.044	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.119	.239	.358	.478	.597	.717	.836	.956	.983	.960	.925	.899	.879	.851
25	Basic Premium Ratio	.868	.736	.604	.472	.340	.208	.075	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.132	.264	.396	.528	.660	.792	.925	.987	.961	.940	.907	.883	.864	.838
24	Basic Premium Ratio	.852	.705	.557	.409	.261	.114	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.148	.295	.443	.591	.739	.886	.992	.964	.941	.922	.893	.872	.855	.832
23	Basic Premium Ratio	.835	.669	.504	.338	.173	.008	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.165	.331	.496	.662	.827	.992	.969	.944	.924	.907	.881	.862	.848	.827
22	Basic Premium Ratio	.814	.628	.442	.256	.070	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.186	.372	.558	.744	.930	.978	.949	.927	.909	.894	.871	.854	.841	.823
21	Basic Premium Ratio	.790	.579	.369	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.210	.421	.631	.841	.990	.957	.932	.912	.896	.882	.862	.847	.835	.818
20	Basic Premium Ratio	.758	.516	.274	.032	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.242	.484	.726	.968	.966	.936	.913	.895	.881	.869	.851	.837	.827	.812
19	Basic Premium Ratio	.720	.439	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.280	.561	.841	.979	.942	.915	.894	.878	.865	.854	.838	.826	.817	.805
18	Basic Premium Ratio	.672	.344	.016	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.328	.656	.984	.954	.920	.896	.877	.863	.851	.842	.827	.817	.810	.799
17	Basic Premium Ratio	.617	.234	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.383	.766	.977	.932	.902	.879	.863	.850	.839	.831	.819	.810	.803	.794
16	Basic Premium Ratio	.550	.100	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.450	.900	.953	.913	.885	.865	.851	.839	.830	.823	.812	.804	.798	.790
15	Basic Premium Ratio	.477	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.523	.992	.932	.896	.872	.854	.841	.831	.822	.816	.806	.799	.794	.788
14	Basic Premium Ratio	.414	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.586	.973	.912	.881	.861	.846	.834	.825	.818	.812	.804	.797	.793	.787
13	Basic Premium Ratio	.344	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.656	.953	.889	.867	.851	.838	.828	.821	.814	.809	.801	.796	.791	.786
12	Basic Premium Ratio	.256	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.744	.931	.874	.856	.842	.831	.823	.816	.810	.806	.799	.794	.790	.785
11	Basic Premium Ratio	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.841	.906	.860	.846	.834	.825	.818	.812	.807	.803	.796	.792	.788	.784
10	Basic Premium Ratio	.032	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.968	.879	.848	.836	.827	.819	.813	.807	.803	.800	.794	.790	.787	.783
9	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.982	.850	.838	.828	.820	.813	.808	.803	.800	.797	.792	.788	.786	.782
8	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.952	.838	.828	.820	.813	.808	.803	.800	.796	.794	.790	.787	.784	.781
7	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.917	.828	.820	.813	.807	.803	.799	.796	.793	.791	.788	.785	.783	.780
6	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.876	.818	.812	.806	.802	.798	.795	.792	.790	.788	.785	.783	.782	.779
5	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.826	.809	.804	.800	.797	.794	.791	.789	.787	.786	.783	.782	.780	.778

AMENDATORY SECTION (Amending Order 88-10, filed 7/6/88)

WAC 296-17-91903 TABLE IV.

RETROSPECTIVE RATING PLAN A1
 MINIMUM PREMIUM RATIOS
 BASIC PREMIUM RATIO = ((.052)) .058
 LOSS CONVERSION FACTOR = ((.630)) .729
 Effective ((July 1, 1988)) January 1, 1989

(Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
84	.996	.990	.986	.982	.978	.973	.969	.966	.961	.957	.949	.941	.933	.919
83	.996	.989	.985	.981	.976	.971	.967	.963	.958	.954	.945	.936	.928	.913
82	.995	.989	.984	.979	.974	.969	.964	.960	.955	.950	.941	.932	.924	.908
81	.995	.988	.983	.978	.973	.966	.962	.957	.952	.947	.937	.927	.919	.902
80	.995	.987	.981	.976	.971	.964	.959	.955	.949	.944	.934	.923	.914	.896
79	.994	.986	.980	.975	.969	.962	.957	.952	.946	.940	.930	.919	.909	.891
78	.994	.985	.979	.973	.967	.960	.954	.949	.943	.937	.926	.914	.904	.885
77	.993	.984	.978	.972	.965	.958	.952	.946	.940	.933	.922	.910	.900	.880
76	.993	.984	.977	.970	.964	.956	.949	.943	.937	.930	.918	.905	.895	.874
75	.993	.983	.976	.969	.962	.953	.947	.941	.934	.927	.914	.901	.890	.868
74	.992	.982	.975	.967	.960	.951	.944	.938	.931	.923	.910	.896	.885	.863
73	.992	.981	.973	.966	.958	.949	.942	.935	.928	.920	.906	.892	.880	.857
72	.991	.980	.972	.965	.956	.947	.939	.932	.925	.916	.902	.888	.876	.851
71	.991	.980	.971	.963	.955	.945	.937	.929	.922	.913	.899	.883	.871	.846
70	.991	.979	.970	.962	.953	.942	.934	.927	.919	.910	.895	.879	.866	.840
69	.990	.978	.969	.960	.951	.940	.932	.924	.916	.906	.891	.874	.861	.834
68	.990	.977	.968	.959	.949	.938	.929	.921	.913	.903	.887	.870	.856	.829
67	.989	.976	.967	.957	.948	.936	.927	.918	.910	.899	.883	.866	.851	.823
66	.989	.976	.966	.956	.946	.934	.924	.915	.907	.896	.879	.861	.847	.817
65	.989	.975	.964	.954	.944	.932	.921	.913	.903	.893	.875	.857	.842	.812
64	.988	.974	.963	.953	.942	.929	.919	.910	.900	.889	.871	.852	.837	.806
63	.988	.973	.962	.951	.940	.927	.916	.907	.897	.886	.867	.848	.832	.801
62	.987	.972	.961	.950	.939	.925	.914	.904	.894	.882	.864	.844	.827	.795
61	.987	.971	.960	.948	.937	.923	.911	.901	.891	.879	.860	.839	.823	.789
60	.987	.971	.959	.947	.935	.921	.909	.899	.888	.875	.856	.835	.818	.784
59	.986	.970	.958	.945	.933	.918	.906	.896	.885	.872	.852	.830	.813	.778
58	.986	.969	.957	.944	.931	.916	.904	.893	.882	.869	.848	.826	.808	.772
57	.985	.968	.955	.942	.930	.914	.901	.890	.879	.865	.844	.821	.803	.767
56	.985	.967	.954	.941	.928	.912	.899	.887	.876	.862	.840	.817	.798	.761
55	.985	.967	.953	.940	.926	.910	.896	.885	.873	.859	.836	.813	.794	.757
54	.984	.966	.952	.938	.924	.908	.894	.882	.870	.856	.834	.810	.791	.753
53	.984	.965	.951	.937	.922	.905	.892	.880	.867	.853	.831	.807	.787	.750
52	.983	.964	.950	.935	.921	.903	.890	.878	.864	.851	.828	.804	.784	.746
51	.983	.963	.949	.934	.919	.901	.888	.875	.862	.848	.825	.801	.781	.742
50	.983	.963	.948	.932	.917	.899	.886	.873	.859	.845	.822	.798	.778	.739
49	.982	.962	.946	.931	.915	.897	.883	.871	.857	.843	.819	.795	.774	.735
48	.982	.961	.945	.929	.913	.895	.881	.868	.855	.840	.816	.792	.771	.732
47	.981	.960	.944	.928	.912	.894	.879	.866	.852	.837	.813	.789	.768	.728
46	.981	.959	.943	.926	.910	.892	.877	.863	.850	.835	.810	.786	.765	.725
45	.981	.958	.942	.925	.909	.890	.875	.861	.847	.832	.807	.783	.761	.721
44	.980	.958	.941	.923	.907	.888	.873	.859	.845	.829	.804	.780	.758	.718
43	.980	.957	.940	.922	.905	.886	.871	.856	.843	.827	.801	.777	.755	.714
42	.980	.956	.939	.921	.904	.884	.869	.854	.840	.824	.798	.774	.752	.710
41	.979	.956	.937	.919	.902	.882	.867	.852	.838	.821	.796	.771	.748	.707
40	.979	.955	.936	.918	.901	.881	.865	.849	.835	.819	.793	.768	.745	.703
39	.979	.954	.935	.916	.899	.879	.863	.847	.833	.816	.790	.765	.742	.700
38	.978	.954	.934	.915	.897	.877	.860	.845	.831	.813	.787	.762	.739	.696
37	.978	.953	.933	.914	.896	.875	.858	.842	.828	.811	.784	.759	.735	.693
36	.978	.952	.932	.912	.894	.873	.856	.840	.826	.808	.781	.756	.732	.689
35	.978	.951	.930	.911	.892	.871	.854	.838	.824	.806	.779	.754	.730	.687
34	.977	.950	.929	.909	.891	.870	.852	.836	.822	.804	.777	.752	.728	.686
33	.977	.950	.928	.908	.889	.868	.850	.834	.820	.802	.775	.750	.726	.684
32	.976	.949	.927	.906	.887	.866	.848	.832	.818	.799	.772	.748	.724	.682
31	.976	.948	.926	.905	.886	.865	.847	.830	.816	.797	.770	.746	.722	.681
30	.975	.947	.925	.904	.884	.863	.845	.828	.814	.795	.768	.744	.719	.679
29	.975	.946	.924	.902	.882	.861	.843	.826	.812	.793	.766	.742	.717	.677
28	.974	.946	.923	.901	.881	.859	.841	.824	.810	.791	.764	.740	.715	.675
27	.974	.945	.922	.899	.879	.858	.839	.822	.808	.789	.762	.738	.713	.674
26	.974	.944	.921	.898	.878	.856	.837	.821	.806	.787	.760	.736	.711	.672
25	.973	.943	.919	.897	.876	.854	.835	.819	.803	.784	.757	.733	.709	.670
24	.973	.942	.918	.895	.874	.853	.833	.817	.801	.782	.755	.731	.707	.669
23	.972	.942	.917	.894	.873	.851	.831	.815	.799	.780	.753	.729	.705	.667
22	.972	.941	.916	.892	.871	.849	.829	.813	.797	.778	.751	.727	.703	.665
21	.971	.940	.915	.891	.869	.848	.828	.811	.795	.776	.749	.725	.701	.664
20	.971	.939	.914	.890	.868	.846	.826	.809	.793	.774	.747	.723	.698	.662
19	.970	.938	.913	.888	.866	.844	.824	.807	.791	.771	.744	.721	.696	.660
18	.970	.938	.912	.887	.864	.842	.822	.805	.789	.769	.742	.719	.694	.658
17	.969	.937	.911	.885	.863	.841	.820	.803	.787	.767	.740	.717	.692	.657

(Maximum Premium Ratio:

1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
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Size Group	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
16	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
15	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
14	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
13	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
12	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
11	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
10	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
9	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
8	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
7	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
6	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
5	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655

Maximum Premium Ratio:

1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
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Size Group	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
84	.995	.990	.986	.981	.977	.972	.968	.963	.959	.955	.947	.939	.931	.917
83	.995	.990	.985	.980	.975	.970	.966	.961	.957	.952	.944	.935	.927	.912
82	.995	.989	.984	.979	.974	.969	.964	.959	.954	.950	.940	.932	.923	.907
81	.994	.989	.983	.978	.972	.967	.962	.957	.952	.947	.937	.928	.919	.903
80	.994	.988	.982	.977	.971	.965	.960	.955	.949	.944	.934	.924	.915	.898
79	.994	.987	.981	.975	.969	.963	.958	.952	.946	.941	.930	.920	.910	.892
78	.993	.987	.980	.974	.967	.961	.955	.949	.943	.938	.927	.916	.905	.886
77	.993	.986	.979	.972	.966	.959	.953	.946	.940	.934	.922	.911	.900	.880
76	.992	.985	.978	.971	.964	.957	.951	.944	.938	.931	.919	.907	.896	.875
75	.992	.985	.977	.970	.962	.955	.949	.942	.935	.929	.916	.904	.892	.870
74	.992	.984	.976	.968	.960	.953	.946	.939	.932	.925	.911	.898	.886	.863
73	.991	.983	.974	.966	.958	.951	.943	.935	.928	.921	.907	.893	.881	.856
72	.991	.982	.973	.965	.956	.948	.940	.932	.925	.917	.902	.888	.875	.850
71	.990	.981	.972	.963	.954	.946	.937	.929	.921	.913	.898	.883	.869	.843
70	.990	.980	.971	.961	.952	.943	.934	.926	.917	.909	.893	.878	.863	.836
69	.990	.979	.969	.960	.950	.941	.932	.923	.914	.906	.889	.874	.859	.831
68	.989	.979	.969	.959	.949	.939	.930	.921	.912	.904	.887	.871	.856	.827
67	.989	.978	.968	.958	.948	.938	.928	.919	.910	.901	.884	.868	.852	.824
66	.989	.977	.967	.956	.946	.936	.926	.916	.907	.898	.880	.864	.848	.818
65	.988	.976	.965	.954	.944	.933	.923	.913	.903	.894	.876	.859	.842	.812
64	.988	.976	.964	.953	.942	.931	.920	.910	.900	.890	.872	.854	.837	.806
63	.987	.975	.963	.951	.940	.928	.918	.907	.897	.887	.868	.850	.833	.801
62	.987	.974	.961	.949	.938	.926	.915	.904	.894	.884	.864	.845	.828	.795
61	.986	.973	.960	.948	.936	.924	.912	.901	.890	.880	.860	.841	.823	.789
60	.986	.972	.959	.946	.933	.921	.909	.898	.887	.876	.855	.836	.817	.783
59	.985	.971	.958	.944	.931	.919	.907	.895	.883	.872	.851	.831	.812	.777
58	.985	.970	.956	.943	.929	.917	.904	.892	.880	.869	.847	.826	.807	.771
57	.985	.970	.955	.941	.927	.914	.901	.889	.877	.865	.843	.822	.802	.765
56	.984	.969	.954	.939	.925	.912	.899	.886	.874	.862	.839	.818	.797	.760
55	.984	.968	.953	.938	.924	.910	.896	.884	.871	.859	.836	.814	.793	.756
54	.983	.967	.951	.936	.922	.908	.894	.881	.868	.856	.832	.810	.790	.752
53	.983	.966	.950	.935	.920	.906	.892	.878	.866	.853	.829	.807	.786	.748
52	.982	.965	.949	.933	.918	.904	.890	.876	.863	.850	.826	.804	.783	.744
51	.982	.965	.948	.932	.917	.902	.887	.874	.860	.847	.823	.800	.779	.740
50	.982	.964	.947	.930	.915	.899	.885	.871	.857	.844	.819	.796	.775	.735
49	.981	.963	.946	.929	.913	.897	.882	.868	.854	.841	.816	.792	.770	.731
48	.981	.962	.945	.927	.911	.895	.880	.866	.852	.838	.812	.789	.767	.727
47	.980	.962	.944	.926	.910	.894	.878	.864	.849	.836	.810	.786	.764	.723
46	.980	.961	.943	.925	.909	.893	.877	.863	.848	.835	.809	.785	.763	.723
45	.980	.961	.942	.925	.908	.892	.877	.862	.848	.834	.808	.784	.762	.722
44	.980	.960	.942	.924	.907	.891	.876	.861	.847	.833	.808	.784	.762	.722
43	.980	.960	.941	.924	.907	.891	.875	.861	.846	.833	.807	.784	.762	.722
42	.979	.959	.940	.922	.905	.888	.872	.857	.843	.829	.803	.779	.757	.717
41	.978	.958	.938	.920	.902	.885	.869	.853	.839	.825	.798	.774	.751	.710
40	.978	.957	.937	.918	.899	.882	.866	.850	.835	.820	.793	.768	.745	.704
39	.977	.956	.935	.916	.897	.879	.863	.846	.831	.816	.789	.764	.741	.699
38	.977	.955	.934	.914	.895	.877	.860	.843	.828	.813	.785	.760	.736	.694
37	.976	.954	.933	.912	.893	.875	.857	.841	.825	.810	.782	.756	.732	.690
36	.976	.953	.932	.911	.891	.873	.855	.838	.822	.807	.779	.753	.729	.686
35	.976	.953	.931	.910	.890	.871	.854	.837	.821	.805	.777	.751	.727	.684
34	.975	.952	.930	.909	.889	.870	.852	.835	.819	.804	.775	.749	.725	.683
33	.975	.951	.929	.908	.888	.869	.851	.834	.818	.802	.774	.748	.724	.682
32	.975	.951	.929	.907	.887	.868	.850	.833	.817	.802	.773	.747	.724	.682
31	.975	.951	.928	.907	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
30	.974	.950	.927	.906	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
29	.974	.950	.927	.906	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
28	.974	.949	.926	.904	.883	.864	.846	.828	.812	.797	.769	.744	.721	.682
27	.973	.947	.922	.899	.877	.857	.837	.819	.802	.785	.754	.727	.701	.657
26	.972	.945	.919	.895	.872	.851	.830	.811	.792	.775	.742	.712	.685	.636

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
25	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
24	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
23	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
22	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
21	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
20	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
19	.970	.941	.915	.891	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
18	.969	.940	.912	.887	.864	.843	.823	.804	.785	.766	.732	.701	.672	.620
17	.968	.938	.911	.885	.862	.840	.820	.801	.784	.766	.732	.701	.672	.620
16	.968	.937	.910	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
15	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
14	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
13	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
12	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
11	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
10	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
9	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
8	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
7	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
6	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
5	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620

AMENDATORY SECTION (Amending Order 88-10, filed 7/6/88)

WAC 296-17-91904 TABLE V.

RETROSPECTIVE RATING PLAN A2
 MINIMUM PREMIUM RATIOS
 AND BASIC PREMIUM RATIOS
 LOSS CONVERSION FACTOR = ((-630)) .729
 Effective ((July 1, 1988)) January 1, 1989

((Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
84	Basic Premium Ratio	.514	.504	.497	.491	.485	.481	.477	.474	.470	.467	.461	.455	.450	.441
	Minimum Premium Ratio	.994	.986	.981	.975	.969	.964	.960	.955	.951	.944	.936	.927	.918	.902
83	Basic Premium Ratio	.513	.503	.495	.488	.482	.477	.473	.469	.466	.462	.456	.450	.445	.435
	Minimum Premium Ratio	.993	.985	.979	.973	.967	.962	.957	.951	.947	.940	.931	.921	.912	.894
82	Basic Premium Ratio	.512	.501	.492	.485	.479	.474	.469	.466	.461	.458	.451	.445	.440	.429
	Minimum Premium Ratio	.993	.984	.978	.971	.964	.959	.953	.947	.943	.936	.926	.916	.906	.887
81	Basic Premium Ratio	.510	.499	.489	.483	.476	.471	.465	.461	.457	.453	.446	.440	.434	.424
	Minimum Premium Ratio	.992	.983	.976	.969	.962	.956	.950	.944	.939	.931	.921	.910	.899	.880
80	Basic Premium Ratio	.509	.496	.487	.479	.472	.467	.461	.457	.453	.449	.441	.435	.429	.417
	Minimum Premium Ratio	.991	.982	.975	.967	.959	.953	.947	.940	.935	.927	.916	.904	.893	.873
79	Basic Premium Ratio	.508	.495	.484	.476	.468	.463	.458	.453	.448	.444	.437	.430	.423	.411
	Minimum Premium Ratio	.990	.981	.973	.965	.957	.950	.943	.936	.930	.923	.911	.898	.887	.865
78	Basic Premium Ratio	.505	.492	.482	.474	.466	.459	.454	.449	.444	.440	.432	.425	.418	.405
	Minimum Premium Ratio	.990	.980	.972	.963	.955	.947	.940	.933	.926	.919	.906	.893	.881	.858
77	Basic Premium Ratio	.505	.491	.479	.470	.463	.457	.450	.446	.440	.436	.427	.420	.412	.399
	Minimum Premium Ratio	.989	.979	.970	.960	.952	.944	.936	.929	.922	.914	.901	.887	.875	.851
76	Basic Premium Ratio	.504	.490	.477	.468	.459	.453	.446	.441	.435	.431	.422	.413	.406	.393
	Minimum Premium Ratio	.988	.978	.969	.958	.950	.941	.933	.926	.918	.910	.896	.881	.869	.844
75	Basic Premium Ratio	.503	.486	.474	.465	.456	.449	.441	.436	.431	.426	.417	.408	.401	.386
	Minimum Premium Ratio	.988	.977	.967	.956	.947	.938	.929	.922	.914	.906	.891	.876	.865	.836
74	Basic Premium Ratio	.500	.485	.472	.461	.452	.445	.438	.432	.426	.421	.411	.403	.395	.380
	Minimum Premium Ratio	.987	.976	.966	.954	.945	.935	.926	.918	.910	.901	.886	.870	.856	.829
73	Basic Premium Ratio	.499	.482	.469	.458	.449	.441	.434	.428	.421	.417	.406	.398	.389	.374
	Minimum Premium Ratio	.986	.975	.964	.952	.942	.933	.923	.915	.906	.897	.881	.864	.850	.822
72	Basic Premium Ratio	.498	.480	.465	.455	.446	.438	.431	.423	.418	.412	.401	.392	.383	.367
	Minimum Premium Ratio	.985	.974	.963	.950	.940	.930	.919	.911	.901	.893	.875	.858	.844	.814
71	Basic Premium Ratio	.495	.477	.463	.451	.442	.433	.426	.419	.412	.407	.396	.387	.377	.360
	Minimum Premium Ratio	.985	.972	.961	.948	.937	.927	.915	.907	.896	.888	.869	.852	.837	.806
70	Basic Premium Ratio	.494	.476	.460	.448	.438	.430	.421	.414	.407	.402	.391	.380	.371	.353
	Minimum Premium Ratio	.984	.971	.959	.945	.934	.923	.911	.903	.891	.882	.863	.845	.830	.799

((Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
69	Basic Premium Ratio	.494	.472	.456	.445	.434	.425	.417	.410	.403	.396	.385	.375	.365	.347
	Minimum Premium Ratio	.983	.969	.956	.943	.931	.919	.907	.898	.886	.877	.857	.839	.823	.791
68	Basic Premium Ratio	.490	.468	.454	.441	.430	.421	.412	.404	.397	.392	.380	.368	.358	.340
	Minimum Premium Ratio	.983	.968	.954	.940	.928	.916	.903	.893	.881	.872	.851	.833	.816	.783
67	Basic Premium Ratio	.489	.467	.450	.437	.425	.416	.408	.400	.392	.386	.373	.363	.352	.334
	Minimum Premium Ratio	.982	.966	.952	.937	.924	.912	.899	.889	.876	.866	.845	.826	.809	.775
66	Basic Premium Ratio	.485	.463	.446	.433	.421	.412	.403	.395	.387	.381	.367	.357	.346	.327
	Minimum Premium Ratio	.981	.965	.950	.934	.921	.908	.895	.884	.871	.861	.840	.820	.802	.767
65	Basic Premium Ratio	.485	.461	.444	.429	.418	.407	.398	.390	.382	.375	.362	.350	.340	.321
	Minimum Premium Ratio	.980	.963	.948	.931	.918	.904	.891	.879	.866	.856	.834	.814	.795	.759
64	Basic Premium Ratio	.481	.458	.440	.426	.414	.403	.394	.385	.377	.369	.357	.344	.333	.314
	Minimum Premium Ratio	.979	.961	.946	.928	.915	.900	.887	.874	.861	.850	.828	.807	.788	.751
63	Basic Premium Ratio	.480	.454	.436	.421	.409	.398	.388	.380	.372	.364	.351	.338	.328	.307
	Minimum Premium Ratio	.979	.960	.943	.926	.912	.896	.883	.870	.856	.845	.822	.801	.781	.744
62	Basic Premium Ratio	.476	.452	.431	.418	.404	.393	.384	.375	.367	.359	.344	.331	.321	.301
	Minimum Premium Ratio	.978	.958	.941	.923	.908	.893	.879	.865	.851	.840	.816	.795	.774	.736
61	Basic Premium Ratio	.475	.448	.430	.413	.400	.388	.378	.370	.361	.353	.339	.326	.314	.294
	Minimum Premium Ratio	.977	.957	.939	.920	.905	.889	.875	.860	.846	.834	.810	.788	.767	.728
60	Basic Premium Ratio	.471	.444	.425	.409	.395	.383	.374	.363	.355	.347	.332	.319	.307	.286
	Minimum Premium Ratio	.976	.955	.937	.917	.902	.885	.871	.856	.841	.829	.804	.782	.760	.720
59	Basic Premium Ratio	.470	.443	.421	.404	.391	.379	.368	.358	.349	.341	.325	.312	.301	.279
	Minimum Premium Ratio	.975	.954	.935	.914	.899	.881	.867	.851	.836	.823	.798	.775	.753	.712
58	Basic Premium Ratio	.467	.439	.417	.400	.386	.374	.363	.352	.344	.335	.320	.306	.294	.273
	Minimum Premium Ratio	.974	.952	.933	.911	.895	.877	.863	.846	.831	.818	.793	.769	.746	.704
57	Basic Premium Ratio	.466	.435	.412	.395	.381	.368	.357	.347	.338	.330	.313	.299	.287	.266
	Minimum Premium Ratio	.973	.951	.930	.908	.892	.873	.859	.842	.826	.813	.787	.763	.739	.696
56	Basic Premium Ratio	.462	.433	.408	.391	.376	.363	.351	.342	.331	.322	.307	.293	.281	.259
	Minimum Premium Ratio	.972	.949	.928	.905	.888	.869	.855	.837	.821	.807	.781	.756	.732	.689
55	Basic Premium Ratio	.458	.429	.403	.385	.371	.358	.346	.336	.325	.316	.300	.287	.274	.253
	Minimum Premium Ratio	.972	.947	.925	.903	.885	.866	.851	.832	.816	.802	.775	.750	.725	.681
54	Basic Premium Ratio	.456	.424	.399	.381	.366	.353	.340	.329	.320	.311	.294	.280	.267	.246
	Minimum Premium Ratio	.971	.946	.923	.900	.881	.862	.847	.827	.811	.797	.769	.744	.718	.676
53	Basic Premium Ratio	.452	.419	.394	.376	.359	.346	.335	.323	.312	.303	.287	.274	.261	.240
	Minimum Premium Ratio	.969	.944	.920	.897	.878	.858	.843	.823	.807	.792	.764	.739	.713	.671
52	Basic Premium Ratio	.447	.415	.389	.370	.354	.340	.328	.318	.307	.298	.281	.266	.255	.234
	Minimum Premium Ratio	.968	.942	.918	.894	.874	.855	.839	.818	.803	.787	.759	.734	.708	.666
51	Basic Premium Ratio	.443	.410	.384	.365	.349	.335	.322	.310	.301	.292	.275	.260	.248	.227
	Minimum Premium Ratio	.966	.940	.915	.891	.871	.851	.834	.814	.798	.783	.755	.729	.704	.662
50	Basic Premium Ratio	.439	.405	.379	.360	.343	.329	.316	.304	.293	.285	.268	.254	.241	.221
	Minimum Premium Ratio	.965	.938	.913	.888	.867	.847	.830	.810	.794	.778	.750	.724	.699	.657
49	Basic Premium Ratio	.437	.401	.374	.355	.338	.322	.309	.298	.287	.278	.261	.247	.235	.215
	Minimum Premium Ratio	.964	.935	.910	.885	.863	.844	.826	.805	.790	.774	.745	.719	.694	.652
48	Basic Premium Ratio	.433	.396	.369	.348	.330	.316	.303	.291	.281	.271	.255	.241	.229	.208
	Minimum Premium Ratio	.962	.933	.908	.883	.860	.840	.822	.801	.786	.770	.741	.714	.689	.647
47	Basic Premium Ratio	.428	.391	.364	.342	.324	.310	.297	.285	.274	.265	.248	.235	.221	.202
	Minimum Premium Ratio	.961	.931	.905	.880	.856	.837	.818	.797	.781	.765	.736	.710	.684	.642
46	Basic Premium Ratio	.424	.386	.358	.336	.319	.303	.289	.277	.267	.258	.242	.228	.216	.197
	Minimum Premium Ratio	.959	.929	.903	.877	.853	.833	.814	.793	.777	.761	.732	.705	.680	.637
45	Basic Premium Ratio	.419	.381	.350	.329	.311	.296	.283	.271	.260	.251	.235	.222	.211	.192
	Minimum Premium Ratio	.958	.927	.900	.874	.849	.829	.810	.789	.773	.756	.727	.700	.675	.632
44	Basic Premium Ratio	.414	.373	.345	.323	.304	.288	.276	.265	.254	.245	.229	.216	.205	.186
	Minimum Premium Ratio	.957	.925	.898	.871	.846	.826	.806	.785	.768	.752	.723	.695	.670	.627
43	Basic Premium Ratio	.409	.367	.337	.315	.297	.282	.269	.257	.248	.239	.223	.210	.200	.182
	Minimum Premium Ratio	.955	.923	.896	.868	.842	.822	.802	.780	.764	.748	.718	.690	.665	.622
42	Basic Premium Ratio	.405	.362	.331	.309	.291	.275	.262	.251	.240	.232	.216	.203	.193	.175
	Minimum Premium Ratio	.954	.921	.893	.865	.839	.819	.798	.776	.760	.743	.714	.685	.661	.617
41	Basic Premium Ratio	.400	.357	.326	.303	.283	.269	.256	.244	.234	.225	.210	.197	.186	.169
	Minimum Premium Ratio	.952	.919	.891	.863	.835	.815	.794	.772	.756	.739	.709	.680	.656	.612
40	Basic Premium Ratio	.395	.349	.321	.295	.277	.263	.249	.238	.227	.219	.203	.190	.179	.163
	Minimum Premium Ratio	.951	.916	.888	.860	.832	.812	.790	.768	.751	.734	.705	.676	.651	.607
39	Basic Premium Ratio	.390	.344	.312	.290	.271	.255	.242	.230	.221	.212	.196	.184	.174	.157
	Minimum Premium Ratio	.950	.914	.886	.857	.828	.808	.786	.764	.747	.730	.700	.671	.646	.603

((Maximum Premium Ratio. 1.05 1.10 1.15 1.20 1.25 1.30 1.35 1.40 1.45 1.50 1.60 1.70 1.80 2.00

Size Group

Table with 15 columns (premium ratios) and 15 rows (size groups 8-38). Each row contains two entries: 'Basic Premium Ratio' and 'Minimum Premium Ratio'. Values range from 0.052 to 0.929.

(Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
Size Group															
7	Basic Premium Ratio	.106	.082	.077	.074	.070	.068	.066	.064	.063	.062	.060	.058	.057	.056
	Minimum Premium Ratio	.859	.834	.812	.792	.773	.755	.739	.722	.707	.703	.671	.649	.630	.596
6	Basic Premium Ratio	.092	.077	.074	.070	.068	.066	.064	.063	.061	.060	.058	.057	.057	.055
	Minimum Premium Ratio	.853	.830	.808	.788	.770	.753	.737	.721	.706	.695	.670	.648	.629	.595
5	Basic Premium Ratio	.092	.073	.070	.067	.065	.064	.062	.061	.060	.059	.057	.057	.056	.055
	Minimum Premium Ratio	.848	.825	.804	.785	.767	.750	.734	.720	.705	.693	.669	.648	.629	.595
Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00

Size Group															
84	Basic Premium Ratio	.517	.508	.500	.494	.488	.483	.479	.475	.472	.469	.463	.458	.453	.443
	Minimum Premium Ratio	.993	.986	.980	.974	.968	.963	.958	.953	.948	.943	.934	.924	.916	.899
83	Basic Premium Ratio	.516	.506	.498	.491	.485	.480	.476	.472	.468	.465	.458	.453	.447	.438
	Minimum Premium Ratio	.992	.985	.979	.972	.966	.961	.955	.950	.945	.939	.930	.920	.911	.893
82	Basic Premium Ratio	.515	.504	.495	.488	.482	.477	.472	.468	.464	.460	.454	.448	.442	.432
	Minimum Premium Ratio	.992	.984	.977	.971	.965	.959	.953	.947	.941	.936	.925	.915	.905	.887
81	Basic Premium Ratio	.513	.502	.493	.485	.479	.473	.468	.464	.460	.456	.449	.443	.437	.427
	Minimum Premium Ratio	.991	.983	.976	.969	.963	.956	.950	.944	.938	.933	.922	.911	.900	.881
80	Basic Premium Ratio	.512	.500	.490	.482	.476	.470	.465	.460	.456	.452	.445	.438	.432	.421
	Minimum Premium Ratio	.991	.983	.975	.968	.961	.954	.948	.941	.935	.929	.917	.906	.895	.875
79	Basic Premium Ratio	.511	.498	.487	.479	.472	.466	.461	.456	.452	.448	.440	.433	.427	.415
	Minimum Premium Ratio	.990	.981	.973	.966	.958	.951	.944	.938	.931	.925	.913	.901	.889	.868
78	Basic Premium Ratio	.509	.496	.485	.476	.469	.463	.457	.452	.447	.443	.435	.428	.421	.409
	Minimum Premium Ratio	.990	.980	.972	.964	.956	.948	.941	.934	.927	.920	.907	.895	.883	.860
77	Basic Premium Ratio	.508	.494	.483	.474	.466	.459	.454	.448	.443	.439	.430	.423	.416	.402
	Minimum Premium Ratio	.989	.979	.970	.961	.953	.945	.937	.930	.923	.915	.902	.888	.876	.852
76	Basic Premium Ratio	.507	.492	.480	.471	.463	.456	.450	.444	.439	.434	.425	.417	.410	.396
	Minimum Premium Ratio	.988	.978	.968	.959	.950	.942	.934	.926	.919	.911	.897	.883	.870	.845
75	Basic Premium Ratio	.506	.490	.477	.467	.459	.452	.445	.440	.434	.429	.420	.412	.404	.390
	Minimum Premium Ratio	.988	.977	.967	.957	.948	.939	.931	.923	.915	.907	.892	.878	.864	.838
74	Basic Premium Ratio	.504	.487	.475	.464	.456	.448	.442	.435	.430	.425	.415	.406	.398	.384
	Minimum Premium Ratio	.987	.976	.965	.955	.945	.936	.927	.918	.910	.902	.886	.871	.857	.830
73	Basic Premium Ratio	.503	.485	.472	.461	.452	.444	.437	.431	.425	.420	.410	.401	.393	.377
	Minimum Premium Ratio	.986	.974	.963	.952	.942	.933	.923	.914	.905	.897	.880	.865	.849	.821
72	Basic Premium Ratio	.501	.483	.469	.458	.449	.441	.433	.427	.421	.415	.405	.395	.387	.370
	Minimum Premium Ratio	.986	.973	.961	.950	.939	.929	.919	.910	.901	.892	.874	.858	.842	.813
71	Basic Premium Ratio	.499	.480	.466	.455	.445	.437	.429	.422	.416	.410	.399	.390	.380	.364
	Minimum Premium Ratio	.985	.972	.959	.948	.936	.926	.916	.906	.896	.886	.868	.851	.835	.804
70	Basic Premium Ratio	.498	.478	.463	.451	.441	.433	.425	.418	.411	.405	.394	.384	.374	.357
	Minimum Premium Ratio	.984	.970	.957	.945	.934	.922	.912	.901	.891	.881	.862	.844	.827	.796
69	Basic Premium Ratio	.496	.475	.460	.448	.438	.429	.421	.413	.406	.400	.389	.378	.368	.351
	Minimum Premium Ratio	.984	.969	.956	.943	.931	.919	.908	.897	.887	.876	.857	.838	.821	.788
68	Basic Premium Ratio	.494	.472	.457	.444	.433	.424	.416	.408	.401	.395	.383	.372	.362	.344
	Minimum Premium Ratio	.983	.968	.954	.940	.928	.916	.904	.893	.883	.872	.852	.833	.815	.782
67	Basic Premium Ratio	.492	.469	.453	.440	.429	.420	.411	.403	.396	.390	.377	.366	.356	.338
	Minimum Premium Ratio	.982	.966	.952	.938	.925	.913	.901	.890	.879	.868	.848	.828	.810	.776
66	Basic Premium Ratio	.489	.467	.450	.436	.425	.415	.406	.398	.391	.384	.372	.360	.350	.331
	Minimum Premium Ratio	.981	.965	.950	.936	.922	.909	.897	.885	.874	.863	.841	.822	.803	.769
65	Basic Premium Ratio	.487	.464	.446	.433	.421	.411	.402	.393	.386	.379	.366	.354	.343	.324
	Minimum Premium Ratio	.981	.963	.948	.933	.919	.905	.893	.880	.868	.857	.835	.815	.796	.761
64	Basic Premium Ratio	.485	.461	.443	.429	.417	.406	.397	.388	.380	.373	.360	.348	.337	.317
	Minimum Premium Ratio	.980	.962	.945	.930	.916	.902	.888	.876	.864	.852	.829	.808	.788	.753
63	Basic Premium Ratio	.483	.457	.439	.425	.412	.402	.392	.383	.375	.368	.354	.342	.330	.311
	Minimum Premium Ratio	.979	.960	.943	.927	.912	.898	.884	.871	.859	.846	.823	.802	.782	.745
62	Basic Premium Ratio	.480	.454	.436	.421	.408	.397	.387	.378	.370	.362	.348	.335	.324	.304
	Minimum Premium Ratio	.978	.959	.941	.925	.909	.894	.880	.867	.854	.841	.818	.796	.775	.738
61	Basic Premium Ratio	.478	.451	.432	.416	.403	.392	.382	.373	.364	.356	.342	.329	.318	.297
	Minimum Premium Ratio	.977	.957	.939	.922	.906	.891	.876	.862	.849	.836	.811	.789	.768	.730
60	Basic Premium Ratio	.475	.448	.428	.412	.399	.387	.377	.367	.358	.350	.336	.323	.311	.290
	Minimum Premium Ratio	.976	.955	.936	.919	.902	.886	.871	.857	.843	.830	.805	.781	.760	.721
59	Basic Premium Ratio	.473	.445	.424	.408	.394	.382	.371	.362	.353	.344	.329	.316	.304	.283
	Minimum Premium Ratio	.975	.954	.934	.916	.898	.882	.867	.852	.837	.824	.798	.774	.752	.713

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
58	Basic Premium Ratio	.471	.442	.421	.404	.389	.377	.366	.356	.347	.338	.323	.310	.298	.277
	Minimum Premium Ratio	.974	.952	.931	.912	.895	.878	.862	.847	.832	.818	.792	.767	.745	.704
57	Basic Premium Ratio	.468	.438	.417	.399	.385	.372	.361	.351	.341	.333	.317	.303	.291	.270
	Minimum Premium Ratio	.973	.950	.929	.909	.891	.874	.857	.842	.827	.813	.786	.761	.738	.697
56	Basic Premium Ratio	.465	.434	.412	.395	.380	.367	.355	.345	.335	.326	.311	.297	.285	.263
	Minimum Premium Ratio	.972	.948	.926	.906	.887	.870	.853	.837	.822	.807	.780	.755	.731	.690
55	Basic Premium Ratio	.462	.430	.408	.390	.374	.361	.349	.339	.329	.320	.304	.290	.278	.257
	Minimum Premium Ratio	.971	.946	.924	.903	.884	.866	.849	.832	.817	.802	.774	.749	.725	.683
54	Basic Premium Ratio	.458	.426	.403	.384	.369	.355	.343	.333	.323	.314	.298	.284	.271	.250
	Minimum Premium Ratio	.970	.945	.922	.900	.880	.862	.844	.827	.812	.797	.768	.743	.719	.677
53	Basic Premium Ratio	.455	.422	.398	.379	.363	.350	.337	.327	.317	.307	.291	.277	.265	.244
	Minimum Premium Ratio	.969	.943	.919	.897	.877	.858	.840	.823	.807	.792	.763	.737	.713	.671
52	Basic Premium Ratio	.451	.417	.393	.374	.358	.344	.332	.320	.310	.301	.285	.271	.258	.238
	Minimum Premium Ratio	.968	.941	.917	.895	.874	.854	.836	.819	.803	.787	.758	.732	.709	.666
51	Basic Premium Ratio	.447	.413	.388	.369	.352	.338	.325	.314	.304	.295	.278	.264	.252	.232
	Minimum Premium Ratio	.967	.939	.914	.891	.870	.851	.832	.815	.798	.782	.753	.727	.703	.660
50	Basic Premium Ratio	.443	.408	.383	.363	.346	.332	.319	.308	.298	.288	.272	.258	.245	.225
	Minimum Premium Ratio	.966	.937	.912	.888	.867	.846	.828	.810	.793	.777	.747	.721	.697	.654
49	Basic Premium Ratio	.440	.403	.378	.357	.340	.326	.313	.301	.291	.282	.265	.251	.239	.219
	Minimum Premium Ratio	.965	.935	.909	.885	.863	.842	.823	.805	.788	.772	.742	.715	.690	.647
48	Basic Premium Ratio	.436	.399	.372	.352	.334	.320	.307	.295	.285	.275	.259	.245	.232	.213
	Minimum Premium Ratio	.964	.933	.907	.882	.860	.839	.819	.801	.783	.767	.737	.710	.685	.641
47	Basic Premium Ratio	.431	.394	.367	.346	.328	.313	.300	.289	.278	.269	.252	.238	.226	.207
	Minimum Premium Ratio	.962	.931	.904	.879	.856	.835	.816	.797	.780	.763	.733	.706	.681	.637
46	Basic Premium Ratio	.427	.388	.361	.339	.321	.306	.293	.282	.271	.262	.246	.232	.220	.201
	Minimum Premium Ratio	.961	.929	.901	.876	.853	.832	.812	.793	.776	.760	.729	.702	.678	.635
45	Basic Premium Ratio	.423	.383	.354	.333	.315	.300	.286	.275	.265	.255	.239	.226	.215	.196
	Minimum Premium Ratio	.960	.927	.899	.873	.850	.829	.809	.790	.773	.757	.727	.700	.675	.633
44	Basic Premium Ratio	.418	.377	.348	.326	.308	.293	.280	.268	.258	.249	.233	.220	.209	.191
	Minimum Premium Ratio	.958	.925	.897	.871	.848	.826	.806	.788	.771	.754	.725	.698	.674	.631
43	Basic Premium Ratio	.413	.371	.342	.319	.301	.286	.273	.262	.252	.243	.227	.215	.204	.186
	Minimum Premium Ratio	.957	.924	.895	.869	.846	.824	.804	.786	.768	.752	.723	.696	.672	.630
42	Basic Premium Ratio	.408	.365	.335	.313	.294	.279	.266	.255	.245	.236	.221	.208	.197	.180
	Minimum Premium Ratio	.956	.921	.892	.865	.842	.820	.799	.781	.763	.747	.716	.690	.666	.623
41	Basic Premium Ratio	.403	.359	.329	.306	.288	.272	.259	.248	.238	.229	.213	.201	.190	.173
	Minimum Premium Ratio	.954	.919	.889	.862	.837	.815	.794	.775	.757	.740	.710	.683	.659	.616
40	Basic Premium Ratio	.398	.353	.322	.299	.281	.265	.252	.241	.231	.222	.207	.194	.184	.167
	Minimum Premium Ratio	.953	.917	.886	.858	.833	.810	.789	.770	.752	.735	.704	.677	.651	.609
39	Basic Premium Ratio	.392	.347	.316	.292	.274	.258	.245	.234	.224	.215	.200	.188	.177	.161
	Minimum Premium Ratio	.951	.914	.883	.855	.829	.806	.785	.765	.747	.730	.699	.671	.646	.603
38	Basic Premium Ratio	.386	.340	.309	.286	.267	.252	.238	.227	.217	.209	.194	.182	.171	.155
	Minimum Premium Ratio	.950	.913	.880	.852	.826	.802	.781	.761	.743	.725	.694	.666	.641	.598
37	Basic Premium Ratio	.380	.333	.302	.279	.260	.245	.232	.221	.211	.202	.188	.176	.166	.150
	Minimum Premium Ratio	.949	.911	.878	.849	.823	.800	.778	.757	.739	.722	.690	.661	.636	.593
36	Basic Premium Ratio	.373	.326	.295	.272	.253	.238	.225	.214	.204	.196	.181	.170	.160	.145
	Minimum Premium Ratio	.948	.909	.876	.847	.821	.797	.775	.755	.736	.718	.687	.658	.634	.590
35	Basic Premium Ratio	.366	.318	.287	.264	.246	.230	.218	.207	.197	.189	.175	.164	.154	.140
	Minimum Premium Ratio	.947	.908	.874	.845	.818	.795	.773	.752	.734	.716	.685	.656	.632	.588
34	Basic Premium Ratio	.358	.310	.279	.256	.238	.223	.211	.200	.191	.183	.169	.158	.149	.135
	Minimum Premium Ratio	.946	.906	.873	.844	.817	.793	.771	.751	.732	.714	.683	.655	.630	.587
33	Basic Premium Ratio	.349	.302	.271	.249	.231	.216	.204	.194	.184	.177	.163	.153	.144	.130
	Minimum Premium Ratio	.945	.906	.872	.842	.816	.792	.770	.750	.732	.714	.683	.655	.630	.588
32	Basic Premium Ratio	.341	.294	.263	.241	.224	.209	.197	.187	.178	.171	.158	.148	.139	.126
	Minimum Premium Ratio	.945	.905	.872	.842	.816	.792	.770	.750	.732	.714	.683	.655	.631	.589
31	Basic Premium Ratio	.333	.285	.255	.233	.216	.202	.190	.180	.172	.164	.152	.142	.134	.122
	Minimum Premium Ratio	.944	.904	.870	.841	.814	.790	.769	.749	.730	.714	.683	.656	.633	.591
30	Basic Premium Ratio	.324	.277	.247	.225	.208	.195	.183	.174	.166	.159	.147	.137	.130	.118
	Minimum Premium Ratio	.943	.902	.869	.840	.814	.790	.769	.748	.730	.713	.683	.658	.634	.595
29	Basic Premium Ratio	.315	.268	.239	.218	.201	.188	.177	.168	.160	.153	.142	.133	.126	.115
	Minimum Premium Ratio	.942	.902	.868	.839	.813	.790	.769	.749	.731	.715	.685	.659	.637	.599
28	Basic Premium Ratio	.306	.260	.231	.210	.194	.181	.170	.161	.153	.147	.136	.127	.120	.109
	Minimum Premium Ratio	.942	.901	.867	.838	.811	.788	.766	.747	.729	.711	.681	.655	.632	.593

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
27	Basic Premium Ratio	.298	.252	.223	.202	.186	.173	.163	.153	.146	.139	.128	.119	.112	.101
	Minimum Premium Ratio	.940	.898	.864	.833	.806	.781	.758	.738	.718	.700	.668	.640	.614	.571
26	Basic Premium Ratio	.290	.244	.216	.195	.179	.166	.155	.146	.138	.132	.121	.112	.105	.094
	Minimum Premium Ratio	.939	.896	.860	.829	.801	.775	.752	.731	.711	.691	.657	.627	.599	.553
25	Basic Premium Ratio	.281	.236	.208	.188	.172	.159	.148	.139	.132	.125	.114	.105	.098	.088
	Minimum Premium Ratio	.938	.895	.858	.826	.797	.771	.747	.725	.704	.685	.650	.619	.592	.542
24	Basic Premium Ratio	.270	.226	.199	.179	.164	.152	.142	.133	.126	.120	.110	.102	.095	.086
	Minimum Premium Ratio	.938	.894	.858	.827	.798	.773	.749	.729	.708	.689	.655	.625	.600	.551
23	Basic Premium Ratio	.259	.216	.190	.171	.156	.145	.136	.128	.121	.115	.106	.098	.093	.084
	Minimum Premium Ratio	.938	.895	.860	.829	.802	.777	.753	.733	.714	.697	.663	.636	.608	.564
22	Basic Premium Ratio	.248	.207	.181	.163	.150	.139	.130	.123	.116	.111	.102	.095	.090	.082
	Minimum Premium Ratio	.938	.896	.862	.832	.805	.781	.760	.739	.722	.704	.674	.648	.622	.580
21	Basic Premium Ratio	.236	.197	.173	.156	.143	.133	.125	.118	.112	.107	.099	.093	.088	.080
	Minimum Premium Ratio	.940	.899	.865	.836	.811	.787	.766	.747	.730	.714	.685	.659	.636	.599
20	Basic Premium Ratio	.226	.188	.165	.149	.136	.126	.119	.112	.107	.102	.094	.089	.084	.077
	Minimum Premium Ratio	.939	.898	.865	.835	.810	.788	.766	.748	.730	.715	.689	.662	.642	.607
19	Basic Premium Ratio	.218	.180	.156	.140	.128	.119	.111	.105	.100	.096	.089	.084	.080	.074
	Minimum Premium Ratio	.937	.894	.860	.830	.804	.781	.761	.742	.724	.708	.680	.655	.633	.597
18	Basic Premium Ratio	.208	.171	.148	.133	.121	.112	.105	.099	.095	.091	.084	.080	.076	.071
	Minimum Premium Ratio	.935	.892	.857	.826	.800	.777	.756	.737	.718	.703	.677	.651	.631	.594
17	Basic Premium Ratio	.199	.162	.140	.125	.115	.106	.099	.094	.090	.086	.081	.076	.073	.069
	Minimum Premium Ratio	.934	.891	.856	.826	.798	.775	.755	.736	.717	.703	.673	.653	.631	.592
16	Basic Premium Ratio	.189	.154	.133	.119	.109	.101	.095	.090	.086	.082	.077	.073	.071	.067
	Minimum Premium Ratio	.934	.890	.855	.825	.798	.775	.754	.736	.719	.706	.679	.658	.633	.598
15	Basic Premium Ratio	.181	.146	.126	.113	.103	.096	.090	.086	.082	.079	.075	.071	.069	.065
	Minimum Premium Ratio	.933	.889	.855	.826	.801	.778	.759	.739	.724	.710	.682	.663	.641	.613
14	Basic Premium Ratio	.176	.139	.119	.108	.100	.093	.088	.084	.081	.078	.074	.070	.068	.065
	Minimum Premium Ratio	.924	.878	.850	.821	.796	.775	.755	.737	.720	.706	.679	.663	.642	.608
13	Basic Premium Ratio	.170	.131	.113	.103	.096	.090	.085	.082	.079	.076	.072	.070	.067	.064
	Minimum Premium Ratio	.915	.868	.844	.818	.793	.772	.754	.735	.719	.706	.682	.656	.643	.612
12	Basic Premium Ratio	.164	.123	.107	.099	.092	.087	.083	.080	.077	.075	.071	.069	.067	.064
	Minimum Premium Ratio	.904	.860	.839	.812	.791	.770	.751	.732	.718	.702	.680	.655	.637	.606
11	Basic Premium Ratio	.156	.113	.102	.094	.089	.084	.081	.078	.075	.073	.070	.068	.066	.063
	Minimum Premium Ratio	.892	.859	.834	.811	.786	.768	.747	.730	.718	.704	.678	.655	.638	.612
10	Basic Premium Ratio	.148	.104	.097	.090	.086	.082	.078	.076	.074	.072	.069	.067	.065	.063
	Minimum Premium Ratio	.876	.858	.829	.807	.782	.762	.748	.728	.712	.699	.676	.654	.640	.605
9	Basic Premium Ratio	.139	.098	.092	.087	.082	.079	.076	.074	.072	.070	.068	.066	.065	.062
	Minimum Premium Ratio	.856	.853	.825	.800	.782	.761	.744	.727	.712	.702	.674	.654	.631	.612
8	Basic Premium Ratio	.106	.093	.087	.083	.079	.076	.074	.072	.070	.069	.067	.065	.064	.062
	Minimum Premium Ratio	.855	.846	.823	.798	.779	.761	.741	.725	.713	.697	.671	.654	.633	.604
7	Basic Premium Ratio	.097	.088	.083	.079	.076	.074	.072	.070	.069	.068	.066	.064	.063	.061
	Minimum Premium Ratio	.855	.840	.818	.797	.777	.756	.738	.725	.707	.691	.668	.655	.636	.613
6	Basic Premium Ratio	.089	.083	.079	.076	.074	.072	.070	.068	.067	.066	.065	.063	.062	.061
	Minimum Premium Ratio	.855	.836	.814	.792	.768	.749	.735	.725	.709	.696	.664	.656	.640	.602
5	Basic Premium Ratio	.082	.078	.075	.073	.071	.069	.068	.067	.066	.065	.063	.062	.062	.061
	Minimum Premium Ratio	.855	.833	.811	.787	.767	.752	.732	.714	.700	.689	.677	.658	.624	.586

AMENDATORY SECTION (Amending Order 88-10, filed 7/6/88)

WAC 296-17-91905 TABLE VI.

RETROSPECTIVE RATING PLAN A3
MINIMUM PREMIUM RATIOS
AND BASIC PREMIUM RATIOS
LOSS CONVERSION FACTOR = ((.630)) .729
Effective ((July 1, 1988)) January 1, 1989

((Maximum Premium Ratio:))		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
84	Basic Premium Ratio	.820	.813	.793	.783	.777	.766	.759	.732	.736	.727	.722	.706	.694	.673
	Minimum Premium Ratio	.986	.973	.964	.956	.948	.942	.935	.931	.924	.919	.909	.900	.891	.874
83	Basic Premium Ratio	.820	.812	.790	.780	.772	.760	.753	.728	.730	.721	.715	.698	.685	.663
	Minimum Premium Ratio	.985	.972	.962	.953	.944	.937	.931	.925	.919	.913	.903	.892	.883	.865
82	Basic Premium Ratio	.820	.810	.788	.776	.767	.755	.747	.724	.724	.715	.707	.690	.677	.653
	Minimum Premium Ratio	.984	.970	.958	.949	.940	.932	.925	.920	.913	.907	.896	.885	.876	.857
81	Basic Premium Ratio	.820	.808	.786	.772	.763	.750	.742	.720	.718	.709	.699	.683	.668	.643
	Minimum Premium Ratio	.981	.967	.954	.946	.936	.928	.920	.913	.907	.901	.889	.878	.868	.849
80	Basic Premium Ratio	.820	.806	.783	.768	.758	.745	.736	.716	.712	.703	.692	.675	.659	.633
	Minimum Premium Ratio	.981	.964	.951	.941	.931	.923	.915	.909	.901	.895	.882	.871	.860	.839
79	Basic Premium Ratio	.820	.804	.781	.765	.753	.739	.730	.712	.706	.697	.684	.667	.651	.622
	Minimum Premium Ratio	.979	.962	.948	.938	.927	.918	.910	.903	.895	.888	.876	.864	.852	.831
78	Basic Premium Ratio	.820	.803	.779	.761	.749	.734	.725	.708	.700	.691	.677	.659	.642	.612
	Minimum Premium Ratio	.976	.959	.945	.934	.924	.913	.905	.897	.890	.882	.869	.856	.844	.821
77	Basic Premium Ratio	.820	.801	.776	.757	.744	.729	.719	.704	.694	.684	.669	.651	.633	.602
	Minimum Premium Ratio	.975	.957	.942	.930	.919	.910	.900	.893	.884	.876	.862	.849	.836	.813
76	Basic Premium Ratio	.820	.799	.774	.754	.740	.724	.713	.700	.688	.678	.661	.644	.625	.592
	Minimum Premium Ratio	.974	.956	.940	.927	.915	.905	.895	.886	.878	.870	.855	.840	.828	.804
75	Basic Premium Ratio	.820	.797	.772	.750	.735	.718	.707	.696	.682	.672	.654	.636	.616	.582
	Minimum Premium Ratio	.974	.952	.936	.923	.911	.899	.889	.881	.872	.863	.848	.833	.820	.794
74	Basic Premium Ratio	.820	.795	.769	.746	.730	.713	.702	.692	.676	.666	.646	.628	.607	.572
	Minimum Premium Ratio	.970	.950	.934	.918	.906	.894	.884	.875	.866	.857	.840	.825	.811	.786
73	Basic Premium Ratio	.820	.794	.767	.743	.726	.708	.696	.688	.670	.660	.638	.620	.599	.562
	Minimum Premium Ratio	.969	.946	.929	.915	.902	.889	.879	.869	.859	.851	.833	.818	.803	.776
72	Basic Premium Ratio	.820	.792	.765	.739	.721	.703	.690	.684	.664	.654	.631	.613	.590	.552
	Minimum Premium Ratio	.968	.944	.925	.912	.898	.886	.874	.863	.854	.844	.826	.810	.795	.767
71	Basic Premium Ratio	.820	.790	.759	.734	.715	.697	.682	.674	.655	.645	.620	.602	.578	.540
	Minimum Premium Ratio	.965	.941	.923	.907	.893	.880	.868	.857	.847	.837	.819	.802	.786	.757
70	Basic Premium Ratio	.820	.788	.752	.729	.709	.690	.674	.665	.647	.636	.609	.591	.567	.529
	Minimum Premium Ratio	.964	.939	.919	.903	.889	.875	.862	.852	.841	.831	.812	.793	.778	.747
69	Basic Premium Ratio	.820	.785	.746	.723	.703	.684	.666	.655	.638	.626	.598	.579	.555	.517
	Minimum Premium Ratio	.963	.935	.914	.899	.883	.869	.857	.846	.835	.823	.804	.786	.770	.738
68	Basic Premium Ratio	.820	.783	.739	.718	.697	.677	.658	.645	.629	.617	.587	.568	.543	.505
	Minimum Premium Ratio	.959	.931	.912	.894	.878	.864	.851	.839	.828	.817	.797	.777	.760	.729
67	Basic Premium Ratio	.820	.779	.736	.712	.690	.670	.651	.636	.621	.608	.577	.558	.533	.495
	Minimum Premium Ratio	.957	.929	.907	.889	.873	.858	.845	.833	.821	.810	.789	.770	.752	.719
66	Basic Premium Ratio	.820	.776	.732	.707	.682	.663	.643	.628	.613	.599	.568	.548	.523	.485
	Minimum Premium Ratio	.954	.925	.903	.885	.868	.853	.839	.826	.814	.803	.781	.761	.744	.709
65	Basic Premium Ratio	.820	.772	.729	.701	.675	.655	.636	.619	.604	.590	.558	.537	.513	.475
	Minimum Premium Ratio	.953	.923	.900	.880	.864	.847	.833	.821	.808	.796	.773	.753	.735	.701
64	Basic Premium Ratio	.820	.768	.725	.695	.667	.648	.628	.610	.596	.581	.548	.527	.503	.465
	Minimum Premium Ratio	.949	.919	.895	.877	.859	.841	.827	.814	.801	.788	.766	.744	.726	.691
63	Basic Premium Ratio	.820	.764	.719	.690	.661	.641	.620	.601	.586	.571	.538	.517	.492	.454
	Minimum Premium Ratio	.948	.914	.891	.871	.853	.835	.820	.807	.794	.781	.758	.736	.718	.682
62	Basic Premium Ratio	.820	.759	.714	.684	.656	.634	.612	.592	.576	.562	.529	.507	.482	.444
	Minimum Premium Ratio	.944	.912	.886	.867	.848	.830	.815	.801	.788	.774	.750	.727	.708	.672
61	Basic Premium Ratio	.820	.755	.708	.679	.650	.627	.603	.582	.566	.552	.519	.496	.471	.433
	Minimum Premium Ratio	.943	.908	.884	.861	.843	.824	.808	.794	.781	.767	.743	.719	.699	.662
60	Basic Premium Ratio	.820	.750	.702	.673	.644	.620	.595	.573	.556	.542	.509	.486	.460	.422
	Minimum Premium Ratio	.939	.904	.879	.856	.837	.818	.802	.787	.773	.758	.734	.710	.690	.652
59	Basic Premium Ratio	.813	.743	.696	.664	.635	.611	.586	.564	.546	.532	.499	.475	.449	.411
	Minimum Premium Ratio	.937	.902	.874	.851	.832	.812	.795	.780	.766	.751	.725	.701	.681	.642
58	Basic Premium Ratio	.806	.737	.690	.655	.626	.602	.577	.555	.537	.522	.489	.464	.439	.401
	Minimum Premium Ratio	.934	.898	.869	.846	.825	.806	.789	.773	.759	.743	.718	.693	.672	.633

		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
((Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size															
Group															
57	Basic Premium Ratio	.798	.730	.684	.645	.617	.593	.568	.545	.527	.511	.479	.452	.428	.390
	Minimum Premium Ratio	.932	.893	.864	.840	.820	.799	.781	.766	.752	.736	.709	.684	.663	.624
56	Basic Premium Ratio	.791	.723	.678	.636	.608	.584	.559	.536	.517	.501	.469	.441	.417	.379
	Minimum Premium Ratio	.928	.890	.859	.835	.814	.793	.775	.759	.743	.727	.701	.676	.654	.614
55	Basic Premium Ratio	.788	.717	.672	.629	.600	.575	.550	.526	.507	.491	.459	.432	.408	.370
	Minimum Premium Ratio	.924	.886	.854	.829	.808	.787	.768	.753	.736	.720	.692	.667	.645	.606
54	Basic Premium Ratio	.785	.710	.665	.623	.592	.566	.541	.517	.498	.481	.449	.423	.398	.361
	Minimum Premium Ratio	.922	.881	.849	.824	.802	.781	.761	.744	.729	.713	.685	.659	.637	.597
53	Basic Premium Ratio	.782	.704	.659	.616	.584	.556	.532	.507	.488	.470	.439	.413	.389	.352
	Minimum Premium Ratio	.918	.876	.844	.818	.794	.772	.755	.737	.720	.704	.677	.651	.629	.589
52	Basic Premium Ratio	.779	.697	.652	.609	.576	.547	.523	.497	.478	.460	.429	.404	.379	.343
	Minimum Premium Ratio	.913	.871	.838	.812	.789	.766	.747	.731	.713	.697	.669	.642	.621	.581
51	Basic Premium Ratio	.774	.691	.644	.600	.566	.537	.513	.487	.467	.450	.419	.394	.369	.333
	Minimum Premium Ratio	.908	.865	.833	.806	.782	.759	.740	.722	.706	.690	.662	.635	.613	.572
50	Basic Premium Ratio	.769	.685	.636	.591	.556	.527	.502	.477	.457	.440	.408	.383	.359	.323
	Minimum Premium Ratio	.904	.861	.827	.800	.775	.753	.733	.715	.697	.681	.653	.627	.604	.564
49	Basic Premium Ratio	.763	.678	.627	.582	.546	.517	.492	.466	.446	.429	.398	.373	.349	.312
	Minimum Premium Ratio	.902	.856	.821	.795	.769	.744	.724	.708	.690	.673	.645	.619	.596	.556
48	Basic Premium Ratio	.758	.672	.619	.573	.536	.507	.481	.456	.435	.419	.387	.362	.339	.302
	Minimum Premium Ratio	.898	.850	.815	.786	.761	.737	.717	.699	.683	.665	.637	.611	.588	.548
47	Basic Premium Ratio	.749	.663	.607	.562	.525	.496	.470	.445	.424	.408	.377	.353	.330	.295
	Minimum Premium Ratio	.892	.845	.810	.780	.754	.731	.710	.692	.674	.657	.629	.603	.579	.540
46	Basic Premium Ratio	.740	.654	.595	.550	.513	.485	.459	.434	.414	.398	.367	.343	.321	.287
	Minimum Premium Ratio	.888	.839	.804	.773	.748	.723	.702	.683	.666	.650	.621	.595	.572	.533
45	Basic Premium Ratio	.731	.645	.583	.539	.502	.474	.448	.422	.403	.387	.357	.334	.312	.280
	Minimum Premium Ratio	.884	.834	.795	.765	.739	.715	.695	.676	.657	.641	.612	.587	.565	.526
44	Basic Premium Ratio	.722	.636	.571	.527	.490	.463	.437	.411	.392	.376	.347	.324	.303	.272
	Minimum Premium Ratio	.878	.826	.790	.758	.732	.706	.686	.669	.650	.633	.605	.580	.558	.519
43	Basic Premium Ratio	.714	.626	.561	.517	.479	.451	.426	.401	.382	.365	.337	.314	.293	.263
	Minimum Premium Ratio	.873	.820	.781	.750	.723	.699	.679	.659	.643	.627	.598	.572	.551	.513
42	Basic Premium Ratio	.705	.615	.551	.507	.467	.440	.414	.390	.371	.355	.327	.304	.284	.253
	Minimum Premium Ratio	.869	.814	.775	.743	.717	.691	.670	.652	.634	.618	.589	.564	.543	.504
41	Basic Premium Ratio	.697	.605	.540	.496	.456	.428	.403	.380	.361	.344	.316	.294	.274	.244
	Minimum Premium Ratio	.863	.809	.769	.737	.708	.684	.663	.644	.627	.610	.582	.557	.534	.496
40	Basic Premium Ratio	.688	.594	.530	.486	.444	.416	.391	.369	.350	.333	.306	.284	.264	.234
	Minimum Premium Ratio	.858	.800	.763	.728	.702	.677	.656	.636	.618	.603	.574	.548	.526	.489
39	Basic Premium Ratio	.677	.583	.519	.475	.434	.406	.380	.359	.340	.323	.296	.274	.255	.226
	Minimum Premium Ratio	.853	.795	.754	.722	.695	.668	.647	.628	.611	.594	.565	.541	.519	.481
38	Basic Premium Ratio	.666	.573	.508	.464	.424	.395	.370	.348	.329	.313	.286	.264	.246	.218
	Minimum Premium Ratio	.848	.790	.748	.713	.686	.661	.640	.620	.604	.585	.558	.533	.511	.473
37	Basic Premium Ratio	.654	.562	.497	.453	.413	.385	.359	.338	.319	.302	.276	.254	.237	.209
	Minimum Premium Ratio	.839	.781	.739	.707	.679	.652	.631	.611	.595	.577	.549	.525	.503	.466
36	Basic Premium Ratio	.643	.551	.486	.442	.403	.374	.348	.327	.308	.292	.266	.244	.228	.201
	Minimum Premium Ratio	.834	.774	.733	.697	.670	.645	.623	.604	.588	.570	.541	.518	.495	.458
35	Basic Premium Ratio	.631	.538	.473	.429	.392	.363	.338	.317	.299	.283	.257	.236	.220	.194
	Minimum Premium Ratio	.825	.765	.723	.690	.660	.636	.615	.596	.579	.561	.534	.510	.489	.452
34	Basic Premium Ratio	.618	.525	.461	.417	.380	.352	.328	.307	.289	.274	.249	.228	.212	.187
	Minimum Premium Ratio	.815	.755	.713	.681	.654	.629	.607	.588	.572	.555	.527	.504	.482	.447
33	Basic Premium Ratio	.606	.511	.448	.404	.369	.341	.317	.297	.280	.264	.240	.220	.203	.179
	Minimum Premium Ratio	.810	.746	.706	.671	.644	.620	.598	.580	.563	.546	.520	.497	.476	.441
32	Basic Premium Ratio	.593	.498	.435	.391	.357	.330	.307	.287	.270	.255	.231	.212	.195	.172
	Minimum Premium Ratio	.800	.736	.697	.664	.637	.611	.591	.572	.556	.539	.513	.490	.470	.436
31	Basic Premium Ratio	.578	.484	.422	.379	.345	.319	.296	.277	.260	.246	.222	.204	.188	.166
	Minimum Premium Ratio	.791	.730	.688	.655	.628	.604	.583	.565	.549	.532	.507	.484	.465	.431
30	Basic Premium Ratio	.563	.470	.409	.367	.333	.308	.285	.266	.251	.237	.214	.196	.181	.159
	Minimum Premium Ratio	.781	.720	.678	.646	.621	.597	.576	.557	.541	.525	.499	.478	.458	.427
29	Basic Premium Ratio	.548	.455	.396	.354	.321	.296	.274	.256	.241	.227	.205	.187	.174	.153
	Minimum Premium Ratio	.772	.711	.671	.638	.611	.588	.567	.550	.535	.518	.493	.473	.453	.422
28	Basic Premium Ratio	.533	.441	.383	.342	.309	.285	.263	.245	.231	.218	.196	.179	.167	.146
	Minimum Premium Ratio	.762	.702	.662	.629	.603	.580	.560	.543	.527	.511	.486	.466	.446	.415
27	Basic Premium Ratio	.519	.427	.369	.329	.297	.273	.251	.233	.219	.206	.185	.168	.156	.136
	Minimum Premium Ratio	.756	.695	.653	.622	.595	.572	.551	.533	.519	.503	.478	.457	.437	.406

		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
26	Basic Premium Ratio	.504	.413	.355	.315	.284	.260	.239	.222	.208	.195	.174	.158	.145	.124
	Minimum Premium Ratio	.747	.686	.646	.614	.587	.563	.543	.525	.511	.494	.469	.449	.428	.398
25	Basic Premium Ratio	.490	.398	.341	.302	.272	.248	.227	.210	.196	.183	.162	.147	.133	.113
	Minimum Premium Ratio	.736	.676	.636	.604	.579	.555	.534	.517	.502	.485	.461	.440	.421	.392
24	Basic Premium Ratio	.475	.384	.327	.288	.259	.235	.215	.198	.184	.171	.151	.136	.123	.104
	Minimum Premium Ratio	.727	.666	.627	.597	.570	.547	.528	.511	.495	.479	.456	.436	.418	.389
23	Basic Premium Ratio	.454	.367	.312	.275	.247	.224	.205	.189	.176	.164	.145	.130	.119	.101
	Minimum Premium Ratio	.713	.657	.617	.587	.563	.540	.521	.505	.489	.474	.451	.432	.414	.386
22	Basic Premium Ratio	.434	.349	.298	.262	.235	.213	.195	.180	.167	.156	.138	.125	.114	.097
	Minimum Premium Ratio	.704	.647	.608	.578	.554	.533	.513	.499	.484	.469	.446	.427	.410	.383
21	Basic Premium Ratio	.408	.332	.283	.248	.222	.201	.184	.171	.159	.149	.132	.119	.110	.094
	Minimum Premium Ratio	.690	.637	.600	.571	.547	.526	.507	.491	.478	.464	.442	.424	.407	.381
20	Basic Premium Ratio	.388	.314	.268	.234	.209	.190	.174	.161	.150	.141	.125	.113	.105	.090
	Minimum Premium Ratio	.680	.627	.591	.562	.539	.518	.500	.485	.472	.458	.436	.419	.402	.377
19	Basic Premium Ratio	.374	.298	.251	.220	.196	.177	.162	.149	.139	.131	.116	.105	.097	.084
	Minimum Premium Ratio	.674	.620	.582	.555	.531	.511	.493	.478	.465	.451	.430	.413	.397	.372
18	Basic Premium Ratio	.355	.281	.237	.205	.181	.163	.148	.137	.127	.119	.106	.098	.090	.079
	Minimum Premium Ratio	.664	.611	.575	.546	.523	.503	.485	.471	.458	.444	.424	.409	.392	.369
17	Basic Premium Ratio	.337	.265	.221	.189	.169	.151	.137	.127	.117	.110	.098	.090	.083	.074
	Minimum Premium Ratio	.654	.601	.566	.537	.516	.497	.479	.465	.452	.439	.419	.404	.388	.366
16	Basic Premium Ratio	.318	.247	.204	.176	.154	.137	.127	.117	.108	.102	.091	.083	.078	.069
	Minimum Premium Ratio	.644	.592	.557	.530	.508	.488	.473	.459	.447	.434	.415	.399	.384	.362
15	Basic Premium Ratio	.300	.229	.190	.164	.143	.128	.117	.108	.101	.095	.086	.079	.074	.066
	Minimum Premium Ratio	.635	.583	.550	.524	.502	.484	.468	.455	.443	.430	.412	.397	.382	.361
14	Basic Premium Ratio	.291	.216	.174	.154	.134	.123	.112	.103	.097	.091	.083	.078	.072	.065
	Minimum Premium Ratio	.630	.577	.542	.519	.498	.481	.465	.452	.441	.428	.411	.397	.381	.360
13	Basic Premium Ratio	.275	.199	.163	.142	.129	.116	.107	.099	.094	.088	.081	.076	.071	.064
	Minimum Premium Ratio	.622	.568	.537	.513	.495	.478	.463	.450	.440	.427	.410	.396	.381	.360
12	Basic Premium Ratio	.263	.182	.151	.134	.121	.110	.102	.096	.089	.086	.078	.073	.069	.063
	Minimum Premium Ratio	.616	.559	.531	.510	.491	.475	.460	.449	.437	.426	.409	.394	.380	.359
11	Basic Premium Ratio	.246	.162	.138	.126	.114	.105	.098	.092	.086	.083	.076	.071	.068	.062
	Minimum Premium Ratio	.608	.549	.524	.505	.488	.472	.458	.447	.436	.424	.407	.393	.379	.359
10	Basic Premium Ratio	.229	.147	.129	.117	.107	.098	.093	.088	.083	.079	.074	.069	.066	.061
	Minimum Premium Ratio	.602	.542	.520	.501	.484	.469	.456	.445	.434	.422	.406	.392	.378	.358
9	Basic Premium Ratio	.211	.133	.119	.109	.101	.094	.088	.083	.079	.077	.071	.068	.065	.061
	Minimum Premium Ratio	.593	.535	.515	.497	.481	.467	.453	.442	.432	.421	.405	.392	.378	.358
8	Basic Premium Ratio	.189	.122	.111	.102	.095	.088	.083	.079	.077	.074	.069	.066	.063	.060
	Minimum Premium Ratio	.579	.529	.511	.493	.478	.464	.451	.440	.431	.420	.404	.391	.377	.358
7	Basic Premium Ratio	.160	.112	.101	.095	.088	.083	.079	.076	.074	.071	.067	.063	.062	.059
	Minimum Premium Ratio	.565	.524	.506	.490	.475	.462	.449	.439	.430	.418	.403	.389	.376	.357
6	Basic Premium Ratio	.130	.101	.095	.088	.083	.079	.075	.072	.070	.068	.064	.062	.060	.058
	Minimum Premium Ratio	.550	.519	.503	.486	.472	.459	.447	.437	.428	.417	.401	.389	.376	.357
5	Basic Premium Ratio	.099	.092	.087	.081	.078	.074	.071	.069	.067	.065	.062	.060	.059	.057
	Minimum Premium Ratio	.550	.515	.499	.483	.470	.457	.445	.435	.426	.415	.400	.388	.375	.356
Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
84	Basic Premium Ratio	.832	.812	.793	.783	.767	.765	.754	.747	.736	.733	.720	.705	.694	.667
	Minimum Premium Ratio	.986	.974	.964	.955	.948	.940	.934	.928	.923	.917	.907	.898	.889	.873
83	Basic Premium Ratio	.832	.811	.793	.782	.767	.761	.748	.744	.731	.726	.714	.702	.687	.660
	Minimum Premium Ratio	.984	.972	.961	.952	.944	.936	.930	.923	.918	.912	.901	.891	.882	.865
82	Basic Premium Ratio	.832	.810	.793	.781	.766	.757	.747	.740	.731	.724	.709	.693	.680	.653
	Minimum Premium Ratio	.983	.969	.958	.948	.940	.932	.925	.918	.912	.906	.895	.885	.875	.857
81	Basic Premium Ratio	.832	.810	.793	.777	.764	.753	.746	.732	.726	.717	.703	.689	.674	.646
	Minimum Premium Ratio	.981	.967	.955	.945	.936	.928	.920	.914	.907	.901	.889	.878	.868	.849
80	Basic Premium Ratio	.832	.810	.791	.771	.761	.752	.738	.727	.724	.713	.697	.684	.666	.638
	Minimum Premium Ratio	.980	.965	.952	.942	.932	.923	.916	.909	.901	.895	.883	.871	.861	.841
79	Basic Premium Ratio	.831	.810	.788	.770	.757	.745	.733	.725	.715	.706	.691	.675	.658	.629
	Minimum Premium Ratio	.979	.962	.949	.938	.928	.919	.911	.903	.896	.889	.876	.864	.853	.832
78	Basic Premium Ratio	.830	.805	.785	.768	.751	.741	.727	.716	.708	.698	.679	.664	.648	.618
	Minimum Premium Ratio	.977	.960	.946	.934	.924	.914	.906	.898	.890	.883	.870	.857	.845	.823

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
77	Basic Premium Ratio	.829	.803	.781	.760	.745	.732	.719	.710	.700	.688	.672	.654	.636	.607
	Minimum Premium Ratio	.976	.958	.943	.931	.920	.910	.901	.892	.884	.877	.862	.849	.837	.813
76	Basic Premium Ratio	.829	.802	.776	.757	.739	.727	.712	.701	.689	.679	.661	.644	.627	.595
	Minimum Premium Ratio	.974	.955	.940	.927	.916	.905	.896	.887	.879	.871	.856	.842	.829	.805
75	Basic Premium Ratio	.828	.796	.771	.753	.736	.722	.705	.693	.682	.671	.653	.634	.618	.586
	Minimum Premium Ratio	.973	.953	.937	.923	.911	.900	.891	.882	.873	.865	.849	.835	.821	.796
74	Basic Premium Ratio	.828	.796	.767	.750	.730	.713	.698	.687	.675	.665	.644	.627	.609	.575
	Minimum Premium Ratio	.971	.950	.934	.919	.907	.896	.886	.876	.867	.858	.842	.826	.812	.786
73	Basic Premium Ratio	.827	.791	.767	.746	.727	.708	.694	.681	.670	.658	.634	.618	.597	.565
	Minimum Premium Ratio	.969	.948	.930	.915	.902	.891	.880	.870	.860	.851	.835	.818	.804	.776
72	Basic Premium Ratio	.827	.790	.762	.738	.720	.703	.690	.674	.662	.649	.627	.608	.588	.554
	Minimum Premium Ratio	.967	.945	.927	.912	.898	.886	.874	.864	.854	.845	.827	.810	.795	.766
71	Basic Premium Ratio	.826	.789	.760	.736	.716	.696	.681	.667	.653	.641	.619	.598	.577	.543
	Minimum Premium Ratio	.965	.942	.923	.907	.893	.881	.869	.858	.848	.838	.819	.802	.786	.756
70	Basic Premium Ratio	.825	.787	.754	.731	.712	.693	.676	.660	.647	.634	.609	.588	.568	.532
	Minimum Premium Ratio	.964	.939	.920	.903	.888	.875	.863	.852	.841	.831	.812	.794	.777	.746
69	Basic Premium Ratio	.824	.784	.751	.725	.704	.686	.667	.653	.641	.626	.602	.578	.557	.521
	Minimum Premium Ratio	.962	.936	.916	.899	.884	.870	.858	.846	.834	.824	.804	.786	.769	.737
68	Basic Premium Ratio	.824	.779	.746	.718	.697	.677	.660	.644	.631	.615	.592	.567	.547	.510
	Minimum Premium Ratio	.959	.933	.912	.895	.879	.865	.852	.840	.828	.818	.797	.779	.761	.729
67	Basic Premium Ratio	.824	.778	.742	.713	.690	.669	.653	.636	.621	.607	.582	.559	.538	.500
	Minimum Premium Ratio	.957	.929	.908	.890	.874	.860	.846	.834	.822	.811	.790	.771	.753	.721
66	Basic Premium Ratio	.821	.774	.737	.709	.684	.663	.645	.629	.613	.598	.571	.548	.526	.490
	Minimum Premium Ratio	.955	.926	.904	.885	.869	.854	.840	.827	.815	.804	.783	.763	.745	.711
65	Basic Premium Ratio	.821	.769	.732	.702	.677	.657	.637	.619	.604	.588	.561	.538	.517	.479
	Minimum Premium Ratio	.952	.923	.900	.881	.864	.848	.834	.821	.808	.797	.775	.754	.735	.701
64	Basic Premium Ratio	.818	.764	.727	.697	.670	.648	.629	.612	.596	.580	.552	.528	.507	.469
	Minimum Premium Ratio	.950	.920	.896	.876	.859	.843	.828	.814	.801	.789	.767	.746	.726	.691
63	Basic Premium Ratio	.818	.762	.722	.692	.666	.642	.622	.603	.586	.571	.543	.517	.495	.458
	Minimum Premium Ratio	.947	.916	.892	.871	.853	.837	.822	.808	.795	.782	.759	.738	.718	.682
62	Basic Premium Ratio	.814	.760	.719	.687	.659	.636	.616	.596	.578	.562	.534	.509	.486	.448
	Minimum Premium Ratio	.945	.912	.887	.866	.848	.831	.815	.801	.788	.775	.751	.729	.709	.673
61	Basic Premium Ratio	.813	.754	.713	.680	.652	.628	.606	.587	.570	.553	.524	.497	.475	.437
	Minimum Premium Ratio	.942	.909	.883	.861	.842	.825	.809	.794	.780	.767	.743	.721	.700	.663
60	Basic Premium Ratio	.811	.749	.705	.672	.644	.618	.597	.577	.558	.543	.513	.486	.464	.425
	Minimum Premium Ratio	.939	.905	.879	.856	.836	.819	.802	.787	.773	.759	.734	.712	.690	.653
59	Basic Premium Ratio	.805	.744	.699	.664	.634	.608	.586	.567	.549	.532	.501	.475	.452	.413
	Minimum Premium Ratio	.937	.901	.874	.851	.831	.813	.796	.780	.765	.751	.726	.703	.681	.643
58	Basic Premium Ratio	.802	.737	.691	.655	.626	.599	.577	.557	.538	.521	.490	.464	.441	.403
	Minimum Premium Ratio	.934	.898	.870	.846	.825	.807	.789	.773	.758	.744	.718	.694	.672	.633
57	Basic Premium Ratio	.796	.731	.685	.647	.618	.591	.568	.547	.528	.511	.480	.454	.431	.392
	Minimum Premium Ratio	.932	.894	.865	.841	.819	.800	.782	.766	.751	.736	.710	.685	.663	.624
56	Basic Premium Ratio	.794	.725	.678	.640	.609	.581	.558	.537	.518	.501	.470	.443	.421	.382
	Minimum Premium Ratio	.928	.890	.860	.835	.813	.794	.776	.759	.743	.728	.701	.677	.654	.614
55	Basic Premium Ratio	.790	.721	.671	.632	.601	.573	.550	.527	.509	.490	.460	.433	.411	.371
	Minimum Premium Ratio	.925	.885	.855	.830	.807	.787	.768	.752	.735	.721	.693	.668	.645	.606
54	Basic Premium Ratio	.787	.714	.666	.626	.592	.565	.541	.518	.499	.481	.450	.423	.400	.363
	Minimum Premium Ratio	.921	.881	.849	.823	.801	.780	.761	.744	.728	.713	.685	.660	.637	.597
53	Basic Premium Ratio	.784	.709	.659	.617	.585	.555	.532	.509	.489	.472	.440	.414	.391	.353
	Minimum Premium Ratio	.917	.876	.844	.818	.794	.774	.754	.737	.721	.705	.677	.652	.629	.589
52	Basic Premium Ratio	.780	.704	.651	.610	.577	.548	.522	.501	.481	.463	.431	.405	.382	.345
	Minimum Premium Ratio	.913	.871	.839	.812	.788	.767	.748	.729	.713	.697	.669	.644	.621	.581
51	Basic Premium Ratio	.775	.698	.644	.602	.567	.539	.514	.491	.471	.454	.422	.396	.372	.336
	Minimum Premium Ratio	.909	.866	.833	.806	.782	.760	.740	.722	.705	.689	.661	.635	.613	.573
50	Basic Premium Ratio	.769	.690	.634	.593	.557	.529	.502	.480	.460	.442	.411	.384	.362	.325
	Minimum Premium Ratio	.905	.861	.828	.799	.775	.752	.733	.714	.697	.681	.652	.627	.604	.564
49	Basic Premium Ratio	.763	.682	.626	.583	.548	.519	.493	.470	.450	.432	.400	.374	.352	.316
	Minimum Premium Ratio	.901	.856	.822	.793	.768	.745	.725	.706	.689	.673	.644	.618	.595	.555
48	Basic Premium Ratio	.756	.674	.617	.574	.538	.509	.482	.460	.439	.422	.390	.365	.342	.307
	Minimum Premium Ratio	.897	.851	.816	.786	.761	.738	.718	.699	.682	.665	.636	.610	.587	.547
47	Basic Premium Ratio	.750	.665	.607	.564	.528	.498	.472	.449	.429	.411	.381	.355	.333	.298
	Minimum Premium Ratio	.892	.846	.810	.780	.754	.731	.710	.692	.674	.658	.628	.602	.579	.539

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
46	Basic Premium Ratio	.741	.654	.596	.552	.516	.485	.460	.437	.418	.400	.370	.345	.323	.289
	Minimum Premium Ratio	.888	.840	.803	.773	.747	.724	.703	.684	.666	.650	.621	.596	.573	.534
45	Basic Premium Ratio	.731	.643	.585	.540	.503	.473	.448	.426	.406	.389	.360	.335	.315	.282
	Minimum Premium Ratio	.884	.834	.796	.766	.740	.717	.696	.677	.660	.643	.614	.589	.567	.528
44	Basic Premium Ratio	.722	.633	.573	.528	.493	.463	.437	.415	.396	.379	.350	.326	.306	.274
	Minimum Premium Ratio	.879	.828	.790	.759	.732	.709	.689	.670	.653	.637	.608	.583	.561	.523
43	Basic Premium Ratio	.712	.622	.562	.517	.481	.451	.426	.405	.386	.370	.341	.318	.298	.267
	Minimum Premium Ratio	.874	.822	.783	.752	.726	.703	.682	.663	.646	.630	.602	.578	.556	.518
42	Basic Premium Ratio	.703	.612	.551	.506	.470	.440	.415	.394	.375	.358	.330	.307	.288	.257
	Minimum Premium Ratio	.869	.815	.776	.745	.718	.694	.673	.654	.637	.621	.593	.568	.547	.509
41	Basic Premium Ratio	.696	.602	.541	.495	.458	.429	.403	.382	.363	.347	.319	.296	.277	.247
	Minimum Premium Ratio	.863	.809	.769	.737	.710	.686	.665	.645	.628	.612	.583	.559	.537	.499
40	Basic Premium Ratio	.686	.592	.530	.484	.448	.418	.392	.371	.352	.336	.308	.286	.267	.237
	Minimum Premium Ratio	.858	.802	.762	.729	.701	.677	.656	.637	.619	.603	.574	.549	.527	.490
39	Basic Premium Ratio	.677	.581	.520	.473	.437	.407	.382	.360	.342	.325	.298	.275	.257	.228
	Minimum Premium Ratio	.852	.796	.754	.721	.693	.669	.648	.628	.610	.594	.566	.541	.519	.482
38	Basic Premium Ratio	.668	.571	.509	.463	.426	.396	.372	.350	.332	.315	.288	.266	.248	.220
	Minimum Premium Ratio	.846	.789	.747	.714	.686	.661	.639	.620	.602	.586	.557	.533	.510	.473
37	Basic Premium Ratio	.659	.562	.499	.453	.416	.387	.362	.340	.322	.306	.279	.257	.240	.212
	Minimum Premium Ratio	.839	.781	.740	.706	.678	.653	.631	.612	.594	.578	.550	.525	.503	.466
36	Basic Premium Ratio	.649	.551	.488	.442	.405	.376	.351	.330	.312	.297	.270	.249	.231	.204
	Minimum Premium Ratio	.832	.774	.732	.698	.670	.645	.624	.604	.586	.570	.542	.517	.496	.459
35	Basic Premium Ratio	.635	.538	.475	.429	.393	.365	.340	.320	.302	.286	.260	.240	.223	.196
	Minimum Premium Ratio	.825	.766	.724	.690	.662	.637	.616	.596	.579	.563	.535	.510	.489	.453
34	Basic Premium Ratio	.623	.525	.463	.418	.382	.354	.330	.309	.292	.277	.252	.231	.215	.189
	Minimum Premium Ratio	.816	.757	.715	.682	.654	.629	.608	.589	.571	.556	.528	.504	.483	.447
33	Basic Premium Ratio	.610	.513	.451	.406	.371	.343	.320	.300	.283	.268	.244	.224	.208	.183
	Minimum Premium Ratio	.808	.749	.707	.674	.646	.622	.600	.582	.564	.549	.521	.498	.477	.442
32	Basic Premium Ratio	.597	.501	.440	.395	.361	.334	.311	.291	.274	.260	.236	.217	.201	.177
	Minimum Premium Ratio	.799	.740	.699	.666	.638	.614	.593	.575	.558	.543	.515	.492	.472	.438
31	Basic Premium Ratio	.582	.486	.425	.382	.348	.321	.299	.280	.264	.250	.226	.208	.193	.171
	Minimum Premium Ratio	.791	.732	.690	.658	.630	.606	.586	.567	.551	.536	.510	.487	.467	.434
30	Basic Premium Ratio	.567	.471	.412	.369	.336	.309	.288	.269	.254	.240	.218	.201	.187	.165
	Minimum Premium Ratio	.782	.723	.681	.649	.622	.599	.579	.561	.545	.530	.504	.482	.463	.430
29	Basic Premium Ratio	.551	.457	.398	.356	.324	.299	.277	.260	.245	.232	.210	.194	.180	.160
	Minimum Premium Ratio	.773	.714	.673	.642	.615	.592	.572	.555	.539	.524	.499	.477	.459	.427
28	Basic Premium Ratio	.537	.444	.386	.344	.313	.287	.266	.249	.234	.221	.200	.184	.171	.151
	Minimum Premium Ratio	.764	.705	.665	.633	.606	.584	.564	.546	.530	.516	.491	.470	.451	.421
27	Basic Premium Ratio	.524	.431	.373	.332	.300	.275	.254	.236	.221	.208	.187	.170	.157	.136
	Minimum Premium Ratio	.755	.697	.655	.623	.596	.573	.552	.534	.518	.502	.476	.453	.433	.400
26	Basic Premium Ratio	.510	.418	.361	.320	.288	.263	.242	.224	.209	.196	.175	.158	.145	.124
	Minimum Premium Ratio	.747	.688	.646	.613	.586	.562	.541	.523	.505	.490	.463	.439	.418	.383
25	Basic Premium Ratio	.497	.405	.348	.307	.276	.251	.230	.213	.198	.185	.164	.147	.134	.114
	Minimum Premium Ratio	.738	.679	.638	.605	.577	.553	.531	.512	.495	.479	.451	.427	.405	.369
24	Basic Premium Ratio	.476	.386	.331	.292	.262	.238	.218	.202	.188	.176	.157	.141	.129	.111
	Minimum Premium Ratio	.727	.669	.628	.596	.569	.546	.525	.506	.490	.474	.447	.423	.402	.367
23	Basic Premium Ratio	.454	.368	.315	.277	.249	.226	.208	.192	.179	.168	.150	.136	.124	.107
	Minimum Premium Ratio	.716	.659	.619	.588	.561	.539	.519	.501	.485	.469	.443	.420	.400	.365
22	Basic Premium Ratio	.434	.351	.300	.264	.237	.216	.198	.184	.172	.161	.144	.131	.120	.104
	Minimum Premium Ratio	.704	.649	.611	.580	.555	.533	.513	.496	.480	.465	.439	.417	.397	.363
21	Basic Premium Ratio	.414	.335	.286	.252	.226	.206	.190	.176	.165	.155	.139	.126	.117	.102
	Minimum Premium Ratio	.693	.640	.603	.573	.548	.527	.508	.491	.476	.461	.436	.414	.395	.361
20	Basic Premium Ratio	.394	.318	.271	.238	.214	.194	.178	.166	.155	.145	.130	.119	.110	.096
	Minimum Premium Ratio	.683	.631	.595	.566	.541	.520	.502	.485	.470	.456	.431	.410	.391	.358
19	Basic Premium Ratio	.377	.301	.254	.222	.198	.179	.164	.152	.142	.133	.120	.109	.101	.089
	Minimum Premium Ratio	.674	.621	.585	.557	.533	.513	.494	.478	.464	.450	.426	.405	.387	.355
18	Basic Premium Ratio	.358	.283	.238	.207	.184	.166	.152	.140	.131	.123	.110	.101	.094	.083
	Minimum Premium Ratio	.664	.612	.575	.547	.524	.505	.488	.472	.458	.445	.421	.401	.383	.352
17	Basic Premium Ratio	.339	.266	.222	.192	.171	.154	.140	.130	.121	.114	.103	.094	.088	.079
	Minimum Premium Ratio	.654	.602	.567	.539	.517	.497	.480	.466	.453	.440	.418	.398	.380	.350
16	Basic Premium Ratio	.320	.249	.208	.179	.159	.143	.131	.121	.113	.106	.096	.088	.083	.075
	Minimum Premium Ratio	.644	.593	.559	.532	.510	.491	.475	.461	.448	.436	.414	.395	.378	.348

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
15	Basic Premium Ratio	.303	.234	.194	.168	.148	.134	.122	.113	.106	.100	.091	.084	.079	.072
	Minimum Premium Ratio	.635	.586	.552	.526	.504	.486	.470	.457	.445	.433	.412	.393	.376	.346
14	Basic Premium Ratio	.293	.220	.180	.157	.141	.128	.117	.109	.103	.097	.089	.082	.078	.071
	Minimum Premium Ratio	.630	.579	.545	.521	.501	.483	.468	.455	.443	.432	.411	.392	.375	.346
13	Basic Premium Ratio	.281	.204	.167	.148	.133	.122	.112	.105	.099	.094	.086	.081	.076	.070
	Minimum Premium Ratio	.624	.571	.538	.516	.497	.480	.465	.453	.441	.430	.409	.391	.374	.345
12	Basic Premium Ratio	.269	.187	.156	.139	.126	.116	.108	.101	.096	.091	.084	.079	.075	.069
	Minimum Premium Ratio	.618	.562	.533	.512	.493	.477	.463	.451	.440	.429	.408	.390	.374	.345
11	Basic Premium Ratio	.254	.167	.145	.130	.119	.110	.103	.097	.092	.088	.082	.077	.073	.068
	Minimum Premium Ratio	.611	.552	.527	.507	.490	.474	.461	.449	.438	.427	.407	.389	.373	.344
10	Basic Premium Ratio	.238	.150	.135	.122	.113	.105	.098	.093	.089	.085	.079	.075	.072	.067
	Minimum Premium Ratio	.603	.544	.522	.503	.487	.472	.458	.447	.436	.426	.406	.388	.372	.344
9	Basic Premium Ratio	.219	.138	.125	.115	.106	.100	.094	.089	.085	.082	.077	.073	.071	.066
	Minimum Premium Ratio	.593	.538	.517	.500	.483	.469	.456	.445	.434	.424	.405	.387	.372	.343
8	Basic Premium Ratio	.197	.127	.116	.107	.100	.094	.090	.086	.082	.079	.075	.072	.069	.065
	Minimum Premium Ratio	.582	.532	.513	.496	.480	.466	.454	.443	.433	.423	.404	.387	.371	.343
7	Basic Premium Ratio	.170	.117	.108	.100	.094	.089	.085	.082	.079	.077	.073	.070	.068	.064
	Minimum Premium Ratio	.569	.527	.509	.492	.477	.464	.452	.441	.431	.422	.403	.386	.370	.342
6	Basic Premium Ratio	.137	.107	.100	.094	.089	.085	.081	.078	.076	.074	.071	.068	.066	.064
	Minimum Premium Ratio	.552	.522	.505	.489	.475	.462	.450	.439	.430	.420	.402	.385	.369	.342
5	Basic Premium Ratio	.105	.098	.092	.087	.083	.080	.077	.075	.073	.071	.068	.066	.065	.063
	Minimum Premium Ratio	.536	.518	.501	.486	.472	.459	.448	.438	.428	.419	.400	.384	.369	.342

WSR 88-18-101

PROPOSED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed September 7, 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 method to achieve ANSI A17.1 Rule 102.2 (c)(4), WAC 296-81-277. Before the activation of sprinklers in the elevator hoistway and machine room the main power supply has to be disconnected to prevent the elevator from running erratically through the hoistway. This new rule contains four steps showing the method to be used to accomplish the above, and it will create uniformity throughout the state;

that the agency will at 10:00 a.m., Tuesday, October 18, 1988, in the Conference Room, Bellevue Service Location, 300 N.E. 120th, Building 4, #124, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 2, 1988.

The authority under which these rules are proposed is RCW 70.87.030.

The specific statute these rules are intended to implement is chapter 70.87 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 18, 1988.

Dated: September 7, 1988

By: Joseph A. Dear
Director

STATEMENT OF PURPOSE

Title and Number of Rule Chapter: Chapter 296-81 WAC, Safety rules governing existing elevators, dumb-waiters, escalators and other lifting devices—Moving walks; WAC 296-81-277 Method to achieve ANSI A17.1 Rule 102.2 (c)(4).

Statutory Authority: RCW 70.87.030.

Specific Statute that Rule is Intended to Implement: RCW 70.87.080, [70.87.]090; and [70.87.]100.

Summary of the Rule: Before the activation of sprinklers in the elevator hoistway and machine room the main power supply has to be disconnected to prevent the elevator from running erratically through the hoistway. WAC 296-81-277 contains four steps stating how this is to be accomplished.

Reasons Supporting the Proposed Rule: The new rule will create uniformity throughout the state.

Agency Person Responsible for Drafting, Implementation and Enforcement of the Rule: William T. O'Hara, Chief Elevator Inspector Division of Building and Construction Safety Inspection Services, 19435 West Valley Highway, Building S, Suite 108, Kent, WA 98032, phone (206) 872-6340.

Name of the Person or Organization, Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: None.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required for this statement.

NEW SECTION

WAC 296-81-277 METHOD TO ACHIEVE ANSI A17.1-102.2 (C)4. ANSI A17.1-102.2 (c)4 regarding sprinklers in hoistways and machine rooms states:

"Means shall be provided to automatically disconnect the mainline power supply to the affected elevator prior to the application of water."

Rule 102.2 (c)4 shall be accomplished in the following manner:

(1) Fixed temperature heat detector(s) (one hundred thirty-five degrees Fahrenheit) shall be provided at the top of the elevator hoistway and within the elevator equipment room to disconnect the mainline power of the elevator prior to the application of water from the sprinkler.

(2) Heat detectors shall be ceiling mounted and located within eighteen inches of each sprinkler head. Heat detectors shall be an auxiliary function of the elevator equipment only and shall be identified "elevator control only - DO NOT TEST."

(3) Power for the automatic disconnect control circuit shall be derived from the load side of the elevator power main disconnecting means. The disconnect control device shall be located in the elevator equipment room and shall be easily identifiable.

(4) Automatic sprinkler heads installed in elevator pits do not require a power disconnect device but shall be installed in such a way that the water spray pattern shall not spray higher than three feet above the pit floor with a spray pattern directed level and down. A shut-off valve shall be provided.

Alternate methods to achieve ANSI A17.1-102.2 (c)4 must receive approval from the Washington state department of labor and industries elevator section prior to installation.

WSR 88-18-102
PROPOSED RULES
BOARD OF HEALTH
[Filed September 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning:

Amd	WAC 248-100-016	Confidentiality.
Amd	WAC 248-100-036	Responsibilities of local health officers.
Amd	WAC 248-100-071	Responsibility of reporting to and cooperating with the local health department.
Amd	WAC 248-100-076	Reportable diseases and conditions.
Amd	WAC 248-100-209	HIV pretest and post-test counseling;

that the agency will at 9:30 a.m., Wednesday, October 12, 1988, in the Spokane County Health District Building, West 1101 College Avenue, Spokane, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is chapter 70.24 RCW.

The specific statute these rules are intended to implement is chapter 70.24 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1988, State Board of Health, 1112 South Quince, Olympia, WA 98504.

Dated: September 7, 1988

By: Graham Tollefson
Chair

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-100-016 Confidentiality; 248-100-036 Responsibilities and duties—Local health officers; 248-100-071 Responsibilities for reporting to and cooperating with local health department; 248-100-076 Reportable diseases and conditions; and 248-100-209 Counseling standards—HIV pretest and post-test counseling.

Purpose of the Rules: To establish a reporting mechanism specifying conditions of public health endangerment under which a health care provider may disclose identity of an HIV positive individual to a health officer.

Reason Rules are Necessary: To allow a health care provider to disclose the identity of an HIV infected individual to a health officer in cases where the infected individual has not or will not notify sex and injection-equipment sharing partners of their "at-risk" status and need for counseling which would enable health officers to make necessary notification, provide counseling, and protect public health.

Statutory Authority: RCW 70.24.125.

Summary: Five sections of chapter 248-100 WAC are amended to provide protection from disclosure of identity of individuals with positive HIV tests who will notify at-risk partners while allowing health officers to order a health care provider to release the identity of a person with a positive HIV test result if the health officer has reason to believe at-risk partners are unaware of their risk of acquisition and transmission and the infected individual will not notify them.

Person Responsible for Drafting and Implementation: Jean Ullom, Section Head, Health Information/Policy Development, ET-24, phone 753-5824.

The rules are proposed by DSHS for adoption by the State Board of Health.

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

AMENDATORY SECTION (Amending Order 317, filed 8/17/88)

WAC 248-100-016 CONFIDENTIALITY. Identifying information about any individual with a reportable disease or condition pursuant to chapter 248-100 WAC shall be protected by persons with knowledge of such identity.

(1) Health care providers, employees of a health care facility or medical laboratory, and other individuals with knowledge of a person with sexually transmitted disease may disclose identity of a person or release identifying information only as specified in ((chapter 70.24)) RCW 70.24.105 or WAC 248-100-036 (3)(c).

(2) Health care providers, employees of a health care facility or medical laboratory, and other individuals with knowledge of a person with a reportable disease or condition, other than those specified in subsection (1) of this section, shall release identifying information only to other individuals responsible for protecting the health and well being of the public through control of communicable and certain other diseases.

(3) Local and state health department personnel shall maintain individual case reports as confidential records consistent with WAC 248-100-091.

(4) The Washington state public health laboratory, other laboratories approved as public health referral laboratories, and any persons, institutions, or facilities submitting specimens or records containing patient identifying information shall maintain the identifying information accompanying submitted laboratory specimens as confidential records.

(5) Statistical summaries and epidemiologic studies based on individual case reports may be public information provided no individual is identified.

AMENDATORY SECTION (Amending Order 308, filed 3/16/88)

WAC 248-100-036 RESPONSIBILITIES AND DUTIES—LOCAL HEALTH OFFICERS. (1) The local health officer shall review and determine appropriate action for:

(a) Each reported case or suspected case of a reportable disease or condition;

(b) Any disease or condition considered a threat to public health;

(c) Each reported outbreak or suspected outbreak of disease, requesting assistance from the department in carrying out investigations when necessary; and

(d) Instituting disease prevention and infection control, isolation, detention, and quarantine measures necessary to prevent the spread of communicable disease, invoking the power of the courts to enforce these measures when necessary.

(2) Local health officers shall:

(a) Submit reports to the state health officer as required in chapter 248-100 WAC;

(b) Establish a system at the local health department for maintaining confidentiality of written records and written and telephoned disease case reports consistent with WAC 248-100-016;

(c) Notify health care providers within the health district regarding requirements in this chapter;

(d) Distribute appropriate report forms to persons responsible for reporting; ~~(and)~~

(e) Notify the ~~((principle))~~ principal health care provider, if possible, prior to initiating a case investigation by the local health department; and

(f) Make HIV testing, AIDS counseling, and pretest and post-test counseling, as defined in this chapter, available for voluntary and mandatory testing and counseling as required by RCW 70.24.400.

(3) Each local health officer has the authority to:

(a) Carry out additional steps determined to be necessary to verify a diagnosis reported by a health care provider;

(b) Require any person suspected of having a reportable disease or condition to submit to examinations required to determine the presence of the disease or condition; ~~((and))~~

(c) Require a principal health care provider to disclose the identity of an HIV-infected individual if the health officer or authorized representative has information from a principal health care provider giving the health officer reason to believe:

(i) The individual's sex or injection equipment-sharing partners are unaware of the risk of acquisition of HIV; and

(ii) The infected individual has not notified or will not notify at-risk partners; and

(iii) The principal health care provider either cannot or does not want to notify at-risk partners.

(d) Investigate any case or suspected case of a reportable disease or condition or other illness, communicable or otherwise, if deemed necessary.

(4) Local health officers shall conduct investigations and institute control measures consistent with those indicated in the fourteenth edition (1985) of Control of Communicable Diseases in Man, edited by Abram S. Benenson, published by the American public health association, except:

(a) When superseded by more up-to-date measures, or

(b) When other measures are more specifically related to Washington state.

AMENDATORY SECTION (Amending Order 302, filed 5/19/87)

WAC 248-100-071 RESPONSIBILITY FOR REPORTING TO AND COOPERATING WITH THE LOCAL HEALTH DEPARTMENT. (1) A principal health care provider in attendance on a case of any reportable disease or condition shall report the case to the local health department as required in this chapter.

(2) Other health care providers in attendance on a case of a reportable disease or condition shall report the case to the local health department unless the case has already been reported.

(3) A health care provider may consult with the state or local health officer or an authorized representative about an HIV positive case without identifying the individual. Following this consultation, the health officer may request identity of that individual in order to protect public health as specified in WAC 248-100-036 (3)(c). A health care

provider shall not disclose the identity of an HIV positive case unless required to do so by a health officer and as specified in WAC 248-100-036 (3)(c) or chapter 70.24 RCW.

~~((4))~~ (4) Health care facilities where more than one health care provider may be in attendance on a case of a reportable disease or condition may establish administrative procedures to assure forwarding of reports to the local health department without duplication. Neither the submission of a specimen to a public health laboratory as required in WAC 248-100-231 nor the laboratory reporting a positive test result as required in WAC 248-100-236 relieves the principal health care provider or health care facility from responsibility for reporting to the local health department.

~~((5))~~ (5) Individuals knowing about a person suspected to have any reportable disease or condition may report the name, other identifying information, and other known information described in WAC 248-100-081 to the local health department.

~~((6))~~ (6) School principals, school nurses, and day care center operators knowing of a case or suspected case of a reportable disease or condition in the school or center shall notify the local health department.

~~((7))~~ (7) Each school teacher and day care worker knowing of a case or suspected case of a reportable disease or condition shall report the name and other identifying information to the principal, school nurse, or day care center operator.

~~((8))~~ (8) Medical laboratories shall report laboratory evidence of certain reportable diseases to the local or state health department as described in WAC 248-100-236.

~~((9))~~ (9) Health care providers, health care facilities, laboratory directors, and individuals shall cooperate with the local health officer in the investigation of a case or suspected case of a reportable disease or condition, and shall, when requested by the local health officer, provide in a timely manner any information related to the clinical, laboratory, and epidemiologic circumstances of the case or suspected case.

AMENDATORY SECTION (Amending Order 302, filed 5/19/87)

WAC 248-100-076 REPORTABLE DISEASES AND CONDITIONS. (1) The following diseases and conditions shall be reported as individual case reports to the local health department in accordance with requirements and procedures described throughout chapter 248-100 WAC:

(a) Category A diseases require an immediate report at the time a case is suspected or diagnosed and include:

- (i) Anthrax,
- (ii) Botulism (including food-borne, infant, and wound),
- (iii) Cholera,
- (iv) Diphtheria, noncutaneous,
- (v) Measles (rubeola),
- (vi) Paralytic shellfish poisoning,
- (vii) Plague,
- (viii) Poliomyelitis, and
- (ix) Rabies.

(b) Category B diseases or conditions require a case report within one day of diagnosis and include:

- (i) Brucellosis,
- (ii) Gastroenteritis of suspected food-borne or waterborne origin,
- (iii) Hemophilus influenzae invasive disease (excluding otitis media) in children age five years and under,
- (iv) Hepatitis A and B, acute,
- (v) Leptospirosis,
- (vi) Listeriosis,
- (vii) Meningococcal disease,
- (viii) Paratyphoid fever (see salmonellosis),
- (ix) Pertussis,
- (x) Rubella, including congenital,
- (xi) Salmonellosis, including paratyphoid fever and typhoid fever,
- (xii) Shigellosis,
- (xiii) Syphilis—primary, secondary, or congenital (for other, see Category C),

(xiv) Typhoid fever, including carrier (see salmonellosis),

(xv) Unusual communicable disease (see definition WAC 248-100-011).

(c) Category C diseases or conditions require a case report within seven days of diagnosis and include:

- (i) Acquired immunodeficiency syndrome (AIDS) and class IV human immunodeficiency virus (HTLV III or LAV diseases classified by centers for disease control, United States public health service, MMWR, 5/23/86),

- (ii) Amebiasis,
- (iii) Campylobacteriosis,
- (iv) Chancroid,
- (v) Chlamydia trachomatis infection,
- (vi) Ecoli 0157:H7 infection,
- (vii) Encephalitis, viral,
- (viii) Giardiasis,
- (ix) Gonorrhea,
- (x) Granuloma inguinale,
- (xi) Herpes simplex, initial genital infection,
- (xii) Herpes simplex, neonatal,
- (xiii) Hepatitis non-A, non-B, and unspecified,
- (xiv) Kawasaki syndrome,
- (xv) Legionellosis,
- (xvi) Leprosy (Hansen's disease),
- (xvii) Lyme disease,
- (xviii) Lymphogranuloma venereum,
- (xix) Malaria,
- (xx) Mycobacteriosis, including tuberculosis,
- (xxi) Mumps,
- (xxii) Nongonococcal urethritis,
- (xxiii) Pelvic inflammatory disease, acute,
- (xxiv) Pseudomonas folliculitis of suspected waterborne origin,
- (xxv) Psittacosis,
- (xxvi) Q fever,
- (xxvii) Relapsing fever (borreliosis),
- (xxviii) Reye Syndrome,
- (xxix) Rheumatic fever,
- (xxx) Rocky mountain spotted fever,
- (xxxi) Syphilis—other (see also Category B),
- (xxxii) Tetanus,
- (xxxiii) Tick paralysis,
- (xxxiv) Toxic shock syndrome,
- (xxxv) Trichinosis,
- (xxxvi) Tuberculosis,
- (xxxvii) Tularemia,
- (xxxviii) Vibriosis,
- (xxxix) Yersiniosis, and
- (xxxx) Severe adverse reaction to immunization.

(2) Any cluster or pattern of cases, suspected cases, deaths, or increased incidence of any disease or condition beyond that expected in a given period which may indicate an outbreak, epidemic, or related public health hazard shall be reported immediately by telephone to the local health officer. Such patterns include, but are not limited to, suspected or confirmed outbreaks of food borne or waterborne disease, chickenpox, influenza, viral meningitis, nosocomial infection suspected due to contaminated products or devices, or environmentally related disease.

(3) Local health officers may require reporting of additional diseases and conditions, including HIV infection as specified in WAC 248-100-036 (3)(c).

AMENDATORY SECTION (Amending Order 318, filed 8/17/88)

WAC 248-100-209 COUNSELING STANDARDS—HUMAN IMMUNODEFICIENCY VIRUS (HIV) PRETEST COUNSELING—HIV POST-TEST COUNSELING. (1) Health care providers and other persons providing pretest counseling shall:

(a) Assess the individual's risk of acquiring and transmitting HIV by evaluating information about the individual's possible risk-behaviors;

(b) Provide at least one individual counseling session prior to HIV testing;

(c) Inform any individual planning to be tested for HIV that if the test result is positive:

(i) The tested individual needs to notify sex and injection equipment-sharing partners that:

(A) Partners may have been exposed to HIV; and

(B) Partners may have become carriers of HIV; and

(C) Partners should seek HIV pretest counseling and consider HIV testing.

(ii) Local health officers may require a health care provider, excluding providers offering anonymous testing, to release identity of the tested individual and sex and injection equipment-sharing partners, in order to notify exposed partners if:

(A) The tested individual is unwilling to notify at-risk partners as specified in subsection (1)(c)(i)(A), (B), and (C) of this section; or

(B) The health care provider advising the tested individual of a positive HIV test result is already aware of sex or injection equipment-sharing partners, regardless of the willingness of the tested individual to identify or notify such partners.

(2) When an individual is assessed by a counselor or health care provider as "virtually no risk of HIV infection," as defined in WAC 248-100-208 (3)(e)(iii), a counselor or the health care provider shall, in addition to subsection (1)(a) of this section:

(a) Maintain a nonjudgmental environment during counseling which:

(i) Considers the individual's particular circumstances; and

(ii) Is culturally, socially, linguistically, and developmentally appropriate to the individual being counseled.

(b) Explain the nature, purpose, value, and reason for the HIV tests;

(c) Explain the possible effect of HIV testing and a positive HIV test result related to employment, insurance, housing, and other potential legal, social, and personal consequences;

(d) Develop and maintain a system of referral and make referrals that:

(i) Are accessible and confidential for those counseled;

(ii) Are acceptable to and supportive of those counseled;

(iii) Provide assistance to those counseled in maintaining risk reduction behaviors.

(e) Provide at least one individual counseling session at the time HIV test results are disclosed to individuals testing positive; and

(f) Maintain disclosure and confidentiality requirements in WAC 248-100-016.

(3) If the individual is assessed by a health care provider to be other than "virtually no risk of HIV infection," as defined in WAC 248-100-208 (3)(e)(iii), the person providing pretest counseling shall maintain requirements in subsection (1) and (2) of this section and:

(a) Focus counseling on behaviors increasing the risk of HIV acquisition and transmission;

(b) Provide personalized risk reduction education to individuals who:

(i) Are men engaging in unprotected intercourse with other men at any time since 1977;

(ii) Used intravenous substances at any time since 1977, especially those sharing injection equipment;

(iii) Engaged in sex for money or drugs at any time since 1977;

(iv) Have had sexual and/or injection equipment-sharing contacts at any time since 1977 with persons listed in subsection (3)(b)(i), (ii), and (iii) of this section;

(v) Have been exposed to or diagnosed with a sexually transmitted disease;

(vi) Are at increased risk of HIV infection by definition of United States Public Health Services, Centers for Disease Control;

(vii) Are required by ~~((chapter 70.24))~~ RCW 70.24.095 and 70.24.340 to receive HIV counseling and testing.

(c) Inform any individual planning to be tested for HIV of the need to notify sexual and injection equipment-sharing partners if test results are positive;

(d) Advise individuals listed in subsection (3)(b)(i), (ii), and (iii) of this section not to donate or sell blood, blood products, semen, organs, or other body tissues; and

(e) Emphasize or re-emphasize the following counseling messages:

(i) The following will eliminate or decrease the risk of HIV infection:

(A) Sexual abstinence;

(B) A mutually monogamous relationship between uninfected people; and

(C) Following safer sex guidelines.

(ii) Do not share intravenous drugs and injection equipment;

(iii) Do not engage in behaviors in which blood, vaginal fluid, or semen is exchanged;

(iv) Condoms, even if used properly, do not supply absolute protection from HIV infection;

(v) Condoms may reduce risk of HIV infection if the condom is:

(A) Latex and used with a water-based lubricant rather than an oil-based lubricant, if a lubricant is used;

(B) Used in conjunction with spermicide during vaginal or anal intercourse; and

(C) Worn from start to finish of vaginal, oral, and anal intercourse.

(vi) Dental dams may reduce risk of HIV infection if the dental dam is:

(A) Latex; and

(B) Used from start to finish of oral intercourse.

(vii) The sexual behaviors having highest risk for HIV infection are those involving the exchange of blood or semen, especially receptive anal and vaginal intercourse;

(viii) Anal intercourse may increase the risk of condom failure and HIV infection;

(ix) Infected women should postpone pregnancy until more is known about how to prevent prenatal and perinatal transmission of HIV infection;

(x) Sexual negotiation skills can be learned to enhance risk reduction; and

(xi) Other sexually transmitted diseases, especially those causing genital ulcers, may increase the risk of acquiring or transmitting HIV infection.

(f) Make those counseled aware HIV retesting at a later date may be necessary or recommended.

(4) Persons providing post-test counseling shall:

(a) Follow requirements in subsection (1) of this section;

(b) Provide at least one individual counseling session at the time HIV test results are disclosed for individuals:

(i) Testing positive for HIV; or

(ii) Reporting practice of behaviors listed in (3)(b)(i), (ii), and (iii) of this section.

(c) If the individual being counseled tested positive for HIV infection:

(i) Provide assistance to persons in notifying partners; and/or

(ii) Offer to refer individuals to the local health officer as necessary for assistance in notifying partners; and/or

(iii) Offer to refer partners for counseling and testing; and

(iv) Develop or adopt a system to avoid documenting the names of referred partners in the permanent record of the individual being counseled; and

(v) Offer referral for alcohol and drug and mental health counseling, including suicide prevention, if appropriate; and

(vi) Refer for tuberculosis screening.

WSR 88-18-103
PROPOSED RULES
BOARD OF HEALTH
[Filed September 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning sexually transmitted diseases, amending WAC 248-100-206;

that the agency will at 9:30 a.m., Wednesday, October 12, 1988, in the Spokane County Health District Building, West 1101 College Avenue, Spokane, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is chapter 70.24 RCW.

The specific statute these rules are intended to implement is chapter 70.24 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1988, State Board of Health, 1112 South Quince, Olympia, WA 98504.

Dated: September 7, 1988

By: Graham Tollefson
Chair

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-100-206 Special diseases—
Sexually transmitted diseases.

Purpose of the Rules: To establish additional State Board of Health rules implementing the AIDS Omnibus Bill of 1988.

Reason Rules are Necessary: When WAC 248-100-206 was accepted by the Board of Health August 10, 1988, the board ordered further developmental work on certain subsections. The added subsections address counseling and training standards for detainees, conditions and steps required prior to a health officer's approving or ordering HIV testing of jail detainees, or when certain employees allege substantial exposure occurred.

Statutory Authority: RCW 70.24.034, 70.24.340, 70.24.360 and 49.60.172.

Summary: WAC 248-100-206, Special diseases—Sexually transmitted diseases, is amended. Standards for counseling and education of individuals detained under chapter 70.24 RCW are established. Specifications are set forth for health officer approval of a jail administrator's order for involuntary HIV counseling/testing of a detainee and ordering of involuntary counseling/testing in cases of alleged "substantial exposure." As mandated in RCW 49.60.172, the board defined "significant risk" in relation to absence of HIV infection as a bona fide occupational qualification.

Person Responsible for Drafting and Implementation: Jean Ullom, Section Head, Health Information/Policy Development, ET-24, phone 753-5824.

The rules are proposed by DSHS for adoption by the State Board of Health.

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

AMENDATORY SECTION (Amending Order 316, filed 8/17/88)

WAC 248-100-206 SPECIAL DISEASES—SEXUALLY TRANSMITTED DISEASES. (1) Definitions.

(a) "Behaviors presenting imminent danger to public health (BPID)" means the following activities, under conditions specified below, performed by an individual with a laboratory confirmed HIV infection:

(i) Anal or vaginal intercourse without a latex condom; or

(ii) Shared use of blood-contaminated injection equipment;

(iii) Donating or selling HIV-infected blood, blood products, or semen; and

(iv) Under the following specified conditions:

(A) The infected individual received post-test counseling as described in WAC 248-100-209 prior to repeating activities in subsection (1)(a)(i) and (ii) of this section; and

(B) The infected individual did not inform the persons, with whom activities described in subsection (1)(a)(i) and (ii) of this section occurred, of his or her infectious status.

(b) "Behaviors presenting possible risk" means:

(i) Actual actions resulting in "exposure presenting a possible risk" limited to:

(A) Anal, oral, or vaginal intercourse excluding conjugal visits; or

(B) Assault; or

(C) Sharing of injection equipment or sharp implements; or

(D) Throwing or smearing of blood (☎), semen, or vaginal fluids;

or

(ii) Threatened action if:

(A) The threatening individual states he or she is infected with HIV; and

(B) The threatened behavior is listed in subsection (1)(b)(i)(A), (B), (C), and (D) of this section; and

(C) The threatened behavior could result in "exposure presenting a possible risk."

(c) "Conduct endangering public health" means:

(i) Anal, oral, or vaginal intercourse for all sexually transmitted diseases;

- (ii) For HIV and Hepatitis B:
- (A) Anal, oral, or vaginal intercourse; and/or
- (B) Sharing of injection equipment; and/or
- (C) Donating or selling blood, blood products, body tissues, or semen; and
- (iii) Activities described in subsection (1)(d)(i) and (ii) of this section resulting in introduction of blood, semen, and/or vaginal fluids to:
- (A) Mucous membranes;
- (B) Eyes;
- (C) Open cuts, wounds, lesions; or
- (D) Interruption of epidermis.
- (d) "Exposure presenting possible risk" means one or more of the following:
- (i) Introduction of blood, semen, or vaginal fluids into:
- (A) A body orifice or a mucous membrane;
- (B) The eye; or
- (C) An open cut, wound, lesion, or other interruption of the epidermis.
- (ii) A needle puncture or penetrating wound resulting in exposure to blood, semen, and/or vaginal fluids.
- (e) "Reasonably believed" or "reason to believe," in reference to a sexually transmitted disease, means a health officer's belief which:
- (i) For the purpose of investigating the source and spread of disease, is based upon a credible report from an identifiable individual indicating another person is likely to have a sexually transmitted disease (STD) or to have been exposed to a STD; and
- (ii) For the purpose of issuing a written order for an individual to submit to examination, counseling, or treatment is based upon:
- (A) Laboratory test results confirming or suggestive of a STD; or
- (B) A health care provider's direct observation of clinical signs confirming an individual has or is likely to have a STD; or
- (C) Obtaining information directly from an individual infected with a STD about the identity of his or her sexual or needle-sharing contacts when:
- (I) Contact with the infected individual occurred during a period when the disease may have been infectious; and
- (II) The contact was sufficient to transmit the disease; and
- (III) The infected individual is, in the health officer's judgment, credible and believable.
- (f) "Substantial exposure" means physical contact resulting in exposure presenting possible risk, limited to:
- (i) A physical assault upon the exposed person involving blood or semen;
- (ii) Intentional, unauthorized, nonconsensual use of needles or sharp implements to inject or mutilate the exposed person;
- (iii) An accidental parenteral or mucous membrane or nonintact skin exposure to blood ~~((when the blood source meets one of the following criteria:~~
- ~~(A) A man engaging in unprotected sex with other men at any time since 1977;~~
- ~~(B) A person using intravenous substances and sharing injection equipment at any time since 1977;~~
- ~~(C) A person engaging in sex for money or drugs at any time since 1977;~~
- ~~(D) A sexual or injection equipment-sharing partner of a person specified in subsection (1)(f)(iii)(A), (B), and (C) of this section)),~~
- semen, or vaginal fluids.
- (2) Health care providers shall:
- (a) Report each case of sexually transmitted disease as required in chapter 248-100 WAC, and
- (b) Instruct each patient regarding:
- (i) Communicability of the disease, and
- (ii) Requirements to refrain from acts that may transmit the disease to another.
- (c) Ensure completion of a prenatal serologic test for syphilis in each pregnant woman pursuant to RCW 70.24.090 including:
- (i) Submission of a blood sample for syphilis to a laboratory approved to perform prenatal serologic tests for syphilis, as required in RCW 70.24.090, at the time of the first prenatal visit, and
- (ii) Decide whether or not to omit the serologic test for syphilis if the test was performed elsewhere during the current pregnancy.
- (3) Laboratories, health care providers, and other persons shall deny issuance of a certificate or statement implying an individual is free from sexually transmitted disease.
- (4) Local health officers, health care providers, and others, in addition to requirements in chapter 248-100 WAC, shall comply with the provisions in chapter 70.24 RCW.

(5) Prevention of ophthalmia neonatorum.

(a) Health care providers diagnosing or caring for a patient with gonococcal or chlamydial ophthalmia neonatorum shall report the case to the local health officer or local health department in accordance with the provisions of this chapter.

(b) The principal health care provider attending or assisting in the birth of any infant or caring for an infant after birth, shall ensure instillation of a department-approved prophylactic ophthalmic agent into the conjunctival sacs of the infant within the time frame established by the department in policy statement of ophthalmia agents approved for the prevention of ophthalmia neonatorum in the newborn, issued June 19, 1981.

(6) State and local health officers or their authorized representatives shall:

(a) Have authority to conduct or cause to be conducted an interview and investigation of persons infected or reasonably believed to be infected with a sexually transmitted disease; and

(b) Use procedures and measures described in WAC 248-100-036(4) in conducting investigations.

(7) State and local health officers and their authorized representatives shall have authority to:

(a) Issue written orders for medical examination, testing, and/or counseling under chapter 70.24 RCW, only after:

(i) All other efforts to protect public health have failed, including reasonable efforts to obtain the voluntary cooperation of the person to be affected by the order; and

(ii) Having sufficient evidence to "reasonably believe" the individual to be affected by the order:

(A) Has a sexually transmitted disease; and

(B) Is engaging in "conduct endangering public health"; and

(iii) Investigating and confirming the existence of "conduct endangering public health" by:

(A) Interviewing sources to assess their credibility and accuracy; and

(B) Interviewing the person to be affected by the order; and

(iv) Including in a written order all information required in ~~((chapter 70.24))~~ RCW 70.24.024.

(b) Issue written orders for treatment under ~~((chapter 70.24))~~ RCW 70.24.022 only after laboratory test results, or direct observation of clinical signs or assessment of clinical data by a physician, confirm the individual has, or is likely to have, a sexually transmitted disease;

(c) Issue written orders to cease and desist from specified activities, under ~~((chapter 70.24))~~ RCW 70.24.024 only after:

(i) Determining the person to be affected by the order is engaging in "conduct endangering public health"; and

(ii) Laboratory test results, or direct observation of clinical signs or assessment of clinical data by a physician, confirm the individual has, or is likely to have, a sexually transmitted disease; and

(iii) Exhausting procedures described in subsection (7)(a) of this section; and

(iv) Enlisting, if appropriate, court enforcement of the orders described in subsections (7)(a) and (b) of this section; and

(d) Seek court orders for detention under ~~((chapter 70.24))~~ RCW 70.24.034, only for persons infected with HIV and only after:

(i) Exhausting procedures described in subsection (7)(a), (b), and (c) of this section; and

(ii) Enlisting, if appropriate, court enforcement of orders to cease and desist; and

(iii) Having sufficient evidence to "reasonably believe" the person is engaging in "behaviors presenting an imminent danger to public health."

(8) Conditions for detention of individuals infected with sexually transmitted disease.

(a) A local health officer may notify the state health officer if he or she determines:

(i) The criteria for "behaviors presenting imminent danger to public health (BPID)" are met by an individual; and

(ii) Such individual fails to comply with a cease and desist order affirmed or issued by a court.

(b) A local or state health officer may request the prosecuting attorney to file an action in superior court to detain an individual specified in subsection (8)(a) of this section.

(c) The requesting local or state health officer or authorized representative shall:

(i) Notify the department prior to recommending the detention setting where the individualized counseling and education plan may be

carried out consistent with subsections (8)(d), (e), and (f) of this section;

(ii) Make a recommendation to the court for placement of such individual consistent with subsections (8)(d) and (f) of this section; and
~~((iii))~~ (iii) Provide to the court an individualized plan for education and counseling consistent with subsection (8)(e) of this section.

(d) State board of health requirements for detainment of individuals demonstrating BPID:

(i) Sufficient number of staff, caregivers, and/or family members to:

(A) Provide round-the-clock supervision, safety of detainee, and security; and

(B) Limit and restrict activities to prevent BPID; and

(C) Make available any medical, psychological, or nursing care when needed; and

(D) Provide access to AIDS education and counseling; and

(E) Immediately notify the local or state health officer of unauthorized absence or elopement; and

(ii) Sufficient equipment and facilities to provide:

(A) Meals and nourishment to meet nutritional needs; and

(B) A sanitary toilet and lavatory; and

(C) A bathing facility; and

(D) Bed and clean bedding appropriate to size of detainee; and

(E) A safe detention setting appropriate to chronological and developmental age of detainee; and

(F) A private sleeping room; and

(G) Prevention of sexual exploitation.

(iii) Sufficient access to services and programs directed toward cessation of BPID and providing:

(A) Linguistically, socially, culturally, and developmentally appropriate ongoing AIDS education and counseling; and

(B) Psychological and psychiatric evaluation and counseling; and

(C) Implementation of court-ordered plan for individualized counseling and education consistent with subsection (8)(e) of this section.

(iv) If required, provide access to isolation and/or restraint in accordance with restraint and seclusion rules in WAC 275-55-263 (2)(c);

(v) Maintain a safe, secure environment free from harassment, physical danger, and sexual exploitation.

(e) Washington state board of health standards for an individualized counseling and education plan for a detainee include:

(i) Consideration of detainee's personal and environmental characteristics, culture, social group, developmental age, and language;

(ii) Identification of habitual and addictive behavior and relapse pattern;

(iii) Identification of unique risk factors and possible cross-addiction leading to behavior presenting imminent danger to public health;

(iv) Identification of obstacles to behavior change and determination of specific objectives for desired behavior;

(v) Provision of information about acquisition and transmission of HIV infection;

(vi) Teaching and training of individual coping skills to prevent relapse to BPID;

(vii) Specific counseling for chemical dependency, if required;

(viii) Identification of and assistance with access to community resources, including social services and self-help groups appropriate to provide ongoing support and maintenance of behavior change; and

(ix) Designation of a person primarily responsible for counseling and/or education who:

(A) Completed pretest and post-test counselor training approved by the office on AIDS; and

(B) Received training, as approved by the office on AIDS, focused on facilitating behavior change related to preventing BPID; and

(C) Has a post-graduate degree in social work, psychology, counseling, psychosocial nursing, or other allied profession; and

(D) Completed at least one year clinical experience after post-graduate education with a primary focus on individualized behavior change; and

(E) Is a certified counselor under chapter 18.19 RCW.

(x) Designation and provision of a qualified counselor under WAC 275-19-145 when the detainee is assessed to have a drug or alcohol problem.

(f) The state board of health designates the following settings appropriate for detainment provided a setting meets requirements in subsection (8)(d)(i), (ii), (iii), (iv), and (v) of this section:

(i) Homes, care facilities, or treatment institutions operated or contracted by the department;

(ii) Private homes, as recommended by the local or state health officer;

(iii) Boarding homes licensed under chapter 18.20 RCW;

(iv) Nursing homes licensed under chapter 18.51 RCW;

(v) Facilities licensed under chapter 71.12 RCW, including:

(A) Psychiatric hospitals, per chapter 248-22 WAC;

(B) Alcoholism treatment centers if certified for substance use under chapter 275-19 WAC;

(C) Adult residential rehabilitation centers, per chapter 248-25 WAC;

(D) Private adult treatment homes, per chapter 248-25 WAC;

(E) Residential treatment facilities for psychiatrically impaired children and youth, per chapter 248-23 WAC;

(vi) A hospital licensed under chapter 70.41 RCW.

(9) Jail administrators may order pretest counseling, post-test counseling, and HIV testing of persons detained in jail according to ~~(chapter 70.24)~~ RCW 70.24.360 only under the following conditions:

(a) The jail administrator ~~(has written documentation of incidents related)~~ documents and reports to the local health officer, within seven days after the incident, any incident perceived to be actual or threatened "behaviors presenting possible risk;" and

(b) The local health officer ~~(determines)~~:

(i) Determines the documented behavior or behaviors meet the criteria established in the definition of "behaviors presenting a possible risk;" and

(ii) ~~(Jail administrator)~~ Arranges for testing of the individual who is the source of the behavior to occur within seven days of the request from the jail administrator; and

(iii) Reviews with the detained individual who is the source of the behavior the documentation of the actual or threatened behavior ~~((was reviewed with the person detained to explain and try))~~ to try to assure understanding of the basis for HIV testing; and

~~((The local health officer))~~ (iv) Provides written approval of the jail administrator's order prior to HIV testing in accordance with subsection (7)(a)(i) of this section.

(c) The jail administrator maintains HIV test results and identity of the tested individual as a confidential, nondisclosable record, as provided in RCW 70.24.105.

(10) When an individual experiences a substantial exposure to another ~~((person's))~~ individual's body fluids and requests HIV testing of that other ~~((person))~~ individual, the state and local health officers have authority to order pretest counseling, HIV testing, and post-test counseling of that other ~~((person))~~ individual providing:

(a) The ~~((exposed))~~ alleged exposure occurred when the individual was employed or acting as an authorized volunteer in one of the following employment categories:

(i) Law enforcement officer;

(ii) Firefighter;

(iii) Health care provider;

(iv) Staff of health care facilities; and

(b) The alleged substantial exposure occurred on the job; and

(c) The ~~((local))~~ request to the health officer ~~((determines "substantial"))~~ for testing and counseling of the individual was made within seven days of the occurrence of the alleged exposure~~(("occurred"))~~; and

(d) The ~~((person to be tested, or a legal representative, received pretest counseling))~~ local health officer:

(i) Determines that the alleged exposure meets the criteria established in the definition of "substantial exposure;" and

(ii) Ensures that pretest counseling of the individual to be tested, or a legal representative, occurs; and

(iii) Arranges for testing of the individual who is the source of the exposure to occur within seven days of the request from the person exposed; and

(e) The exposed individual agrees to be tested for HIV if such testing is determined appropriate by the health officer; and

(f) Records on HIV testing ordered by a health officer are maintained only by the ordering health officer.

(11) For the purpose of RCW 49.60.172 concerning the absence of HIV infection as a bona fide occupational qualification only, "significant risk" means person-to-person contact likely to result in direct introduction of blood into the eye, an open cut or wound, or other interruption of the epidermis, when:

(a) No adequate barrier protection is practical; and

(b) Determined only on case-by-case basis consistent with RCW 49.60.180.

WSR 88-18-104
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed September 7, 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 AFDC—Eligibility, chapter 388-24 WAC;

that the agency will at 10:00 a.m., Thursday, October 27, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 28, 1988.

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

The specific statute these rules are intended to implement is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 27, 1988.

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

Troyce Warner
 Office of Issuances
 Department of Social and Health Services
 Mailstop OB-33H
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by October 13, 1988. The meeting site is in a location which is barrier free.

Dated: September 7, 1988
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: AFDC deprivation due to incapacity; AFDC living with a relative; and AFDC assistance units—Consolidated.

Purpose of the Rule or Rule Change: To amend chapter 388-24 WAC, AFDC—Eligibility as follows: WAC 388-24-108, clarifies that support assignment is made with an application for assistance; repeals WAC 388-24-137 and incorporate language into WAC 388-24-055; make editorial changes only in WAC 388-24-055, 388-24-070 and 388-24-074; WAC 388-24-065, modify the department policy regarding the penalty for an incapacitated parents failure to accept medical treatment. To be consistent with other AFDC conditional penalties, only the noncooperative parent will become ineligible for failure to accept treatment; WAC 388-24-

125, modify language in the existing rule to eliminate potential misinterpretation; and WAC 388-24-050, consolidate AFDC assistance units to reduce budget expenditures and make equitable grant payments based on the total number of eligible children/caretaker relatives in the home.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Change: WAC 388-24-055, 388-24-070, 388-24-074, 388-24-108 and 388-24-137, clarify that an application constitutes an assignment of support rights and eligibility is not dependent upon the department making a timely payment. All other changes are to simplify language. WAC 388-24-065, when an incapacitated parent refuses treatment, that individual is ineligible. The department will continue to provide for the otherwise eligible members of the assistance unit. Currently the entire unit is found ineligible; WAC 388-24-125, eliminate any possible confusion that assistance shall not be denied to an otherwise eligible family for lack of permanent housing or a fixed address; and WAC 388-24-050, the department will define the composition of the assistance unit beyond the federal requirement to include siblings and parents. This change will place all needy eligible children, cared for by a caretaker relative to be included in a single unit. Currently, a separate unit is established for nonsibling children.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule or Rule Change: Rita Jefferson, Program Manager, Division of Income Assistance, mailstop OB-31C, phone 753-0471.

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

AMENDATORY SECTION (Amending Order 2275A, filed 8/30/85)

WAC 388-24-055 AID TO FAMILIES WITH DEPENDENT CHILDREN—REGULAR—DEPRIVATION OF PARENTAL SUPPORT OR CARE. ((Effective September 1, 1985:))

(1) "Parent" as used in this and following sections means a natural or adoptive parent or stepparent. ((A parent-child relationship is considered to exist if the criteria in the Uniform Parentage Act (chapter 26.26 RCW) are met and the parents are acknowledging parentage. If parentage is contested, it can only be determined by a court of law.

(a) An adoptive parent has the same rights and responsibilities as a natural parent in respect to the adopted child.

(b) A stepparent, legally married to a child's parent has the same rights and responsibilities as a natural parent for the care and support of his or her stepchild. See WAC 388-28-350:))

(2) A child deprived of parental support or care may or may not be in financial need. The department shall determine need ((is)) as a separate factor ((to be determined separately)).

(3) The department shall determine deprivation of a child of unmarried parents ((is determined on)) the same ((basis)) as a child of married parents.

(4) The department shall consider a child, living with a parent and a nonrelated adult ((is)), as deprived ((because of)) due to the absence or death of the other ((natural or adoptive)) parent. The ((responsibility of)) support from the nonrelated adult to ((support)) the child is a financial need factor only - see WAC 388-28-355. ((Also see WAC 388-24-108 through 388-24-114 in respect to support from the absent parent))

(5) When deprivation due to death, absence, incapacity, or unemployment ceases and the child remains in need, the department shall determine if another basis for deprivation exists. If no other basis exists, the department shall terminate assistance at the end of the calendar month in which deprivation ends.

AMENDATORY SECTION (Amending Order 2275A, filed 8/30/85)

WAC 388-24-070 AID TO FAMILIES WITH DEPENDENT CHILDREN-REGULAR-DEPRIVATION DUE TO CONTINUED ABSENCE FROM HOME. ((Effective September 1, 1985:))

(1) ((Determination)) The department shall determine whether a child ((has been)) is deprived of parental support or care ((is made in relation)) due to the absence of a child's ((natural)) parent ((or parents, as defined in WAC 388-24-040(3)), adoptive parent, or stepparent. The term parent as used in this section refers to any of those relationships)).

(2) The department shall determine deprivation due to the continued absence of a parent ((from the home)), ((whether or not the natural parents have taken)) regardless of legal ((action to separate or to dissolve or annul the marriage, establishes deprivation of parental support or care)) marital status, when:

(a) The parent is living out of the home in which the child resides((; and)); or

(b) The ((nature of the)) absence interrupts or terminates the parent's functioning as a provider of ((either));

(i) Maintenance((;)) at least equal to the child's prorated share of the monthly need standard for the number of persons in the child's assistance unit as specified in WAC 388-29-100; or

(ii) Physical care((;)); or

(iii) Guidance for the child((;)); and

(c) The ((known or indefinite duration of the)) absence precludes ((counting on)) the parent's ((performance of his or her function)) involvement in planning for the present support or care of the child.

(3) ((When the continued absence of a parent as specified in subsection (2)(a) of this section is established, it is assumed that one or more of the elements of parental functioning as specified in subsection (2)(b) of this section are interrupted sufficiently to establish deprivation. The interruption of such parental functioning is assumed even though the parent whose absence is established is in contact with the child due to court ordered visitation, joint custody, or otherwise:)) The department shall disregard the assumption in subsection (2)(a) that parental functioning is interrupted ((can be rebutted)) only if the absent parent routinely visits the child, and ((there is clear evidence the absent parent)) continuously provides all elements of parental functioning ((with no interruption of such functioning attributable to the absence)). ((Documentation of any))

(4) The department shall document reduction of one or more of the elements of parental care ((due)) to ((the absence shall)) establish deprivation. ((For the purpose of determining whether parental functioning is interrupted due to the absence in such cases:)) The following definitions shall apply:

(a) "Maintenance" means ((either)) the financial support and in-kind contributions paid directly to the child's household ((or substantial in-kind contributions of)), including:

(i) Child support,

(ii) Food,

(iii) Clothing, and

(iv) Other necessities((; and the value of such support payments or contributions, when considered separately or in any combination, is sufficient to meet the prorated share of the child's monthly need based on the need standard for the number of persons in the child's assistance unit as specified in WAC 388-29-100)).

(b) "Physical care" means ((providing)) continuous care of the child on a day-to-day basis by performing tasks, depending upon the age of the child, required in the child's daily life((; Such tasks include)) including, but ((are)) not limited to((; depending upon the age of the child):

(i) Providing clean clothing((;)) and dressing((;)) the child;

(ii) Preparing meals((;)) and feeding((;));

(iii) Supervising bedtime((;)); and

(iv) Assisting with other personal care needs.

(c) "Guidance" means day-to-day parental participation in and responsibility for the child's physical, emotional, and intellectual development((; Such participation includes)) including, but ((is)) not limited to((; depending upon the age of the child):

(i) Accompanying to doctor visits((;));

(ii) Attending school conferences((;));

(iii) Disciplining((;)); and

(iv) Participating in decisions concerning the child's well-being and extracurricular activities.

(4) The ((requirements for establishing)) department shall not establish deprivation due to ((continued)) absence ((in subsections (2) and (3) of this section are applicable regardless of)) if:

(a) The reason for the parent's absence((; except that a parent whose absence)) is due solely to serving on active duty in the uniformed military services of the United States ((is not considered absent)); or

(b) ((The duration of the parent's absence except:

(i) For applicants, ((when)) the department's best estimate based on available evidence is that an absent parent will return to reside in the home at any time within the month of initial grant authorization ((or the month following the month of initial grant authorization, eligibility is determined prospectively as specified in WAC 388-28-483. If the department's best estimate is that the absent parent will return to the home within the month of initial grant authorization, deprivation does not exist)). However, if the department's best estimate is that the absent parent will return to the home within the month following the month of initial grant authorization, deprivation may exist for the initial month of grant authorization ((according to the requirements of subsections (2) and (3) of this section)), but ((deprivation does)) not ((exist)) for the month following ((the month of initial grant authorization)).

(ii) (c) For recipients, after the first two months of eligibility, ((when)) the department determines an absent parent will ((be returning)) return to the home((; eligibility is determined according to WAC 388-33-135(4), and)). Deprivation due to absence ceases the end of the month in which the parent returns to the home.

(5) ((Applicants or recipients covered under subsection (4)(b) of this section are fully entitled to a redetermination of eligibility for other benefits prior to termination and to advance and adequate notice of termination including a right to hearing as specified in WAC 388-33-376 and 388-33-385.

(6) The department shall consider deprivation due to continued absence ((is considered)) established when a parent convicted of an offense is permitted to reside in the family home but is required by the court to perform unpaid work or unpaid community service((;)), and:

(a) ((The needs of the convicted parent will)) Shall not ((be included)) include the needs of the convicted parent in the determination of eligibility or the payment of financial assistance((;)); and

(b) ((A convicted parent earning)) Shall treat earned income outside of the hours of sentenced unpaid work or community service ((shall have such earnings treated)) in accordance with WAC 388-28-500.

((7)) (6) ((If application is made by)) The department shall assume, when a nonresponsible relative applies on behalf of a child who ((has)) was not ((been)) placed in ((his or her)) custody through a court order, and whose parent ((or parents)) though able ((have)) has failed to support the child, that apparent abandonment ((shall be assumed)) exists and ((the)) shall apply policies outlined in WAC 388-24-114 ((shall apply)).

((8) The rules in subsections (2), (3), (4), and (5) of this section are effective October 4, 1984:))

AMENDATORY SECTION (Amending Orders 2601 and 2601A, filed 3/2/88 and 3/14/88)

WAC 388-24-074 AID TO FAMILIES WITH DEPENDENT CHILDREN-EMPLOYABLE-DEPRIVATION DUE TO UNEMPLOYMENT OF A PARENT. ((Effective September 1, 1985, to be eligible for AFDC-E, an applicant shall be a child whose qualifying parent meets the requirements in this section:))

(1) The department shall consider a child to be deprived of parental care and support due to the unemployment of a parent when the child lives with two parents, one of which meets all the requirements in this section.

(2) The department shall designate the qualifying parent ((shall be)) as that parent ((earning)) who earned the greater amount of income in the ((last)) twenty-four-calendar-month period((; the last month of which)) immediately ((precedes)) preceding the month ((in which)) the application for assistance is filed.

(a) ((If the client and CSO cannot secure verification of earnings for this period:)) The ((CSO)) department shall designate the qualifying parent using the best evidence available((;)), and

(b) Consider the earnings of both parents ((shall be considered in determining the qualifying parent:)) regardless of when the relationship began((;)), and

(c) Continue the ~~((designated qualifying parent shall be the qualifying parent))~~ designation for each consecutive month the family remains on assistance based on the current application.

(d) If both parents earned an identical amount of income, the ~~((SSE))~~ department shall designate the qualifying parent.

~~((2))~~ The child shall be deprived of parental care and support because of the unemployment of a natural parent, adoptive parent, or stepparent who satisfies all the requirements in this section to qualify the assistance unit.))

(3) The department shall consider a parent ~~((or stepparent shall be considered))~~ to be unemployed when the parent:

(a) ~~((He or she))~~ Is employed less than one hundred hours a month ~~((;))~~; or

(b) ~~((He or she))~~ Exceeds ~~((that))~~ this standard for a particular month if ~~((his or her work is intermittent and))~~ the excess is of a temporary nature ~~((as))~~ evidenced by ~~((the fact he or she was))~~ being under the one hundred hour standard for the two prior months and is expected to be under the standard during the next month.

~~((3))~~ (4) The qualifying parent ~~((or stepparent))~~ shall be unemployed as defined in subsection ~~((2))~~ (3) of this section for at least thirty days prior to the date AFDC-E is authorized ~~((;))~~ except when:

(a) AFDC-E is terminated due to ~~((full-time))~~ employment of the ~~((unemployed))~~ qualifying parent ~~((or stepparent, no additional waiting period is required if))~~; and

(b) The full-time employment ends within thirty days of termination; and

(c) The ~~((individual))~~ qualifying parent reapplies and is found otherwise eligible for AFDC-E.

~~((4))~~ (5) The qualifying parent ~~((or stepparent))~~ shall not have, during the same thirty-day period:

(a) Refused a bona fide offer of employment; or

(b) Refused training for employment; or ~~((not))~~

(c) Voluntarily left a job without good cause ~~((during the same thirty-day period))~~; or

(d) If eligible, refused to apply for or accept unemployment compensation.

~~((5))~~ The child shall meet the eligibility conditions specified in WAC 388-24-040 and 388-24-090 through 388-24-125.)

(6) The ~~((child's))~~ qualifying parent ~~((or stepparent))~~:

(a) ~~((Must))~~ Shall be registered for the WIN program ~~((;))~~;

(b) If exempt from OPPORTUNITIES participation due to remoteness, shall be registered for employment with the local DES office; and

(c) Shall not be ineligible due to participation in institutional and work experience training or in public service employment under the OPPORTUNITIES program.

(7) ~~((The qualifying parent or stepparent, if eligible for unemployment compensation, shall not have refused to apply for or accept such compensation:))~~

~~((8))~~ The qualifying parent ~~((or stepparent))~~:

(a) Shall have six or more quarters of work within any thirteen calendar quarter period ending within one year prior to the application for assistance. A "quarter of work" means a calendar quarter in which ~~((he or she))~~ the parent earned income of ~~((not less than))~~ at least fifty dollars, or ~~((in which he or she))~~ participated in the work incentive (WIN) program or community work experience program (CWEP). A "calendar quarter" means ~~((a period of))~~ three consecutive ~~((calendar))~~ months ending March 31st, June 30th, September 30th, or December 31st ~~((;))~~; or

(b) Within one year prior to ~~((his or her))~~ the application the qualifying parent received or ~~((would have been))~~ had such a work history to be eligible to receive unemployment compensation ~~((had he or she applied, or if the employment which he or she had was not covered under the unemployment compensation law of the state or the United States, his or her work history was such that had his or her employment been covered, he or she would have been eligible:))~~

(9) The child shall be living with both natural parents, adoptive parents, or a parent and stepparent except that one may be temporarily absent for up to ninety days to search for employment with the expectation of continuing to live with the family. The absent parent shall meet the requirements in WAC 388-24-107.

(10) AFDC shall not be denied or terminated solely because of an individual's participation in institutional and work experience training or in public service employment under the OPPORTUNITIES program.))

AMENDATORY SECTION (Amending Order 1829, filed 6/21/82)

WAC 388-24-108 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC—ASSIGNMENT OF RIGHTS TO SUPPORT. (1)

As a condition of eligibility, each ~~((applicant for or recipient))~~ client of AFDC shall assign to the office of support enforcement any ~~((and all right, title, and interest in any))~~ rights to support ~~((obligation the applicant or recipient may have))~~;

(a) In his or her own behalf or ~~((on the))~~ in behalf of ~~((any family member for whom application is being made, such assignment shall include rights in support payments))~~ the other assistance unit members; and

(b) Which ~~((have))~~ has accrued prior to the time assignment is made ~~((, and))~~;

(2) The department shall require the ~~((applicant/recipient))~~ client to promptly remit to the office of support enforcement any ~~((payments))~~ support received directly ~~((from the person legally responsible to pay support. Payment of public assistance to the applicant))~~ after assignment is made.

(3) The department shall consider the client's signed application as an assignment of support rights. The client's acceptance of an AFDC payment shall constitute an agreement to the assignment of support rights ~~((to support by the applicant, as provided under RCW 74.20.330))~~.

~~((2))~~ (4) If the ~~((parent or other caretaker))~~ relative with whom the ~~((child/ren is living))~~ child lives fails ~~((or refuses))~~ to comply with the requirements in ~~((subsection (1) of))~~ this section, the ~~((caretaker))~~ department shall:

(a) Deny eligibility to that relative ~~((shall be ineligible to receive assistance))~~; and

(b) Provide any assistance ~~((for which))~~ payment the ~~((child/ren may be))~~ child is eligible ~~((shall be provided))~~ for by protective payment ~~((as specified in))~~ under WAC 388-33-453 ~~((, the determination of requirements for the child/ren shall be computed without regard to the requirements of the caretaker relative))~~.

~~((3))~~ (5) The requirements of ~~((subsection (1) of))~~ this section shall ~~((be applicable))~~ apply to recipients ~~((no later than))~~ by the next regular redetermination of eligibility.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-24-137 CONTINUATION OF ASSISTANCE WHEN DEPRIVATION CEASES.

AMENDATORY SECTION (Amending Order 2388, filed 6/18/86)

WAC 388-24-065 AID TO FAMILIES WITH DEPENDENT CHILDREN—DEPRIVATION DUE TO INCAPACITY. (1) The department shall consider a child ~~((is considered to be))~~ deprived of parental support and care ~~((by reason of))~~ due to parental incapacity when ~~((he or she))~~;

(a) The child lives with two ~~((natural or adoptive))~~ parents or one ~~((natural or adoptive))~~ parent and one stepparent; and

(b) One or both parents are substantially incapacitated.

(2) ~~((Deprivation due to physical or mental incapacity of a parent shall be deemed to exist when the parent of an otherwise eligible child has a physical or mental illness, defect, or impairment.))~~ The physical or mental incapacity of a parent shall be:

(a) Supported by competent medical ~~((testimony))~~ evidence; and ~~((must be))~~

(b) Expected to last at least thirty days; and

(c) Of such a debilitating nature as to substantially reduce ~~((substantially))~~ or eliminate the parent's ability to support or care for the ~~((otherwise eligible))~~ child ~~((and be expected to last at least thirty days))~~. In making the determination of ability to support, the department shall consider:

(i) The limited employment opportunities of the handicapped ~~((shall be taken into account:))~~

(3) Deprivation exists if the incapacity:

(a) Reduces substantially or eliminates the parent's ability to care for the child) parent;

~~((b))~~ (ii) ~~((Is))~~ The reason employers refuse to employ the parent for work ~~((he or she))~~ the parent could do ~~((This includes))~~ including behavioral disorders ~~((and other))~~ or impairments ~~((interfering))~~ that interfere with ~~((the))~~ securing and maintaining ~~((of))~~ employment ~~((;))~~; ~~((or))~~

~~((c))~~ (iii) Limitations that prevent ~~((s))~~ the parent from working full time at a job ~~((in which))~~ he or she has been customarily engaged ~~((, and from working full time on another job for which he))~~ in

or ~~((she))~~ is equipped for by education, training, or experience or ~~((which))~~ can be learned by on-the-job training; ~~((or))~~

~~((+))~~ (iv) ~~((Prevents))~~ If the parent ~~((from))~~, even though working full time, is paid on a reduced basis for accomplishing ~~((as much))~~ less on a job as a regular employee ~~((and is the reason he or she is paid on a reduced basis even though working full time))~~; ~~((or))~~

~~((+))~~ (v) ~~((Qualifies))~~ If the parent qualifies for ~~((placement))~~, and is placed in a noncompetitive full-time job which is rehabilitative, therapeutic, or in a sheltered workshop ~~((not considered to be a competitive full-time job and he or she is placed in such a job))~~; and

(vi) A parent's ability to engage in activities necessary to carry on full-time specified responsibilities, such as employment, home management, and/or adequate care of children. Inability to understand, remember, follow instructions, or communicate appropriately with others may be sufficient to establish incapacity.

~~((+))~~ (3) ~~((A claim of incapacity))~~ The department shall ~~((be substantiated by))~~ consider medical evidence~~(-)~~ as follows:

(a) The primary source ~~((of evidence))~~ for a physical incapacity ~~((with))~~ shall be a written report from:

- (i) A physician~~(-)~~;
- (ii) A certified registered nurse (CRN) ~~((if))~~ within area of certification~~(-)~~; or
- (iii) The chief of medical administration, or ~~((his or her))~~ designee, of the Veterans' Administration ~~((as authorized in federal law))~~.

(b) The primary source ~~((of evidence))~~ for ~~((a))~~ mental incapacity ~~((must))~~ shall be a report from:

- (i) A psychiatrist~~(-)~~;
- (ii) A clinical psychologist~~(-or))~~;
- (iii) A mental health professional designated by the local community mental health agency as defined in RCW 71.05.020~~(-except))~~; or
- (iv) A physician ~~((may evaluate a mental condition))~~ at the department's discretion.

(c) ~~((Any of the aforementioned may be used as))~~ The primary sources ~~((of evidence))~~ for incapacity due to alcoholism or drug addiction~~(-)~~ shall be any of those listed in subsection (3)(a) and (b) above;

(d) Supplemental sources of evidence ~~((may be obtained from other treating practitioners, to))~~ include:

- (i) A chiropractor~~(-)~~;
- (ii) Nurse~~(-)~~;
- (iii) Physician's assistant~~(-)~~; or
- (iv) DSHS institution~~(s))~~ or ~~((agencies from which))~~ agency the ~~((individual is receiving or))~~ parent has received services from.

(e) ~~((These reports must))~~ Evidence shall include:

- (i) A diagnosis and prognosis for the incapacitating condition; and
- (ii) The effect of the condition on the individual's ability to function~~(-along with))~~; and
- (iii) Relevant medical history and ~~((sufficient medical))~~ documentation to support ~~((any))~~ a conclusion~~(s))~~ of incapacity.

~~((5))~~ Incapacity due to mental or emotional disorders (including addictive dependence on alcohol or drugs) shall be determined on the basis of distinct impairments substantially reducing a parent's ability to engage in activities necessary to carry on full-time specified responsibilities, such as employment, home management and/or adequate care of children. Evidence of inability to understand, remember, and follow instructions or inability to communicate appropriately with others may be sufficient to establish incapacity.

~~((6))~~ Individuals determined to be incapacitated due to alcoholism or drug abuse shall be required to accept referral to a community alcoholism or drug treatment program for evaluation and recommendation for treatment. (Sec subsection (12) of this section.)

~~((7))~~ (f) The department shall review medical evidence ~~((shall be supported by))~~ and complete an objective appraisal of all factors relevant to the ~~((individual's))~~ parent's situation. ~~((a))~~ Consideration shall be given to the ~~((individual's))~~ These include age, emotional health, aptitudes, adjustment to ~~((and acceptance of))~~ the incapacity, family circumstances, employment history, education, and ~~((the extent to which the individual is able))~~ ability to carry out ~~((specified))~~ responsibilities ~~((such as))~~ of employment or homemaking. Social or educational deficiencies do not ~~((of themselves))~~ establish incapacity but may ~~((have a bearing on an individual's))~~ impact the parent's ability to overcome an incapacity.

~~((b))~~ If an individual has an obvious incapacity for which medical evidence verifies inability to engage in gainful employment, such an appraisal is not required.

~~((8))~~ (4) To determine deprivation ~~((due to))~~ based on incapacity ~~((shall be determined by the department in accordance with the criteria in subsections (1) through (7) of this section))~~, the department shall:

(a) ~~((Consider medical and other related evidence of the incapacitating condition and make a decision confirming))~~ Confirm or ~~((denying))~~ deny the existence of incapacity within thirty days of the date of application, except in circumstances beyond the control of the agency ~~((such as delay on the part of the applicant, the examining physician or other source of documentation))~~;

(b) Request additional information when necessary~~(-)~~;

(c) Consult with the medical consultant as necessary for evaluation of medical data~~(-)~~;

(d) Determine probable duration of incapacity~~(-The probable duration shall be)~~, related to the prognosis ~~((for the condition as predicted))~~, which is supported by ~~((the))~~ medical evidence ~~((but))~~. Duration shall not exceed twelve months without a redetermination of incapacity~~(-)~~;

~~((9))~~ (e) Deny eligibility ~~((cannot be established))~~ if ~~((an applicant or recipient))~~ the parent fails to cooperate in obtaining ~~((information documenting))~~ medical evidence for incapacity~~(-)~~;

~~((10))~~ (f) Pay the cost of necessary medical reports ~~((to determine incapacity shall be paid by the department))~~, provided payment for such reports shall not be made to DSHS agencies~~(-)~~;

~~((11))~~ (g) ~~((Eligibility of either parent or stepparent in the home))~~ Establish incapacity without further medical documentation if the parent is eligible for veterans' benefits based on disability of at least fifty percent ~~((or more))~~ or for any Social Security Administration disability benefit ~~((based on disability shall establish incapacity for aid to families with dependent children benefits, without further medical documentation))~~.

~~((12))~~ (5) ~~((Acceptance of))~~ The department shall require the incapacitated parent accept referrals for evaluation and available medical treatment~~(-)~~, which include medical, surgical, psychiatric therapy, treatment in an alcoholism or drug treatment center, or any combination thereof.

(a) ~~((Deprivation cannot be established when an AFDC))~~ If a parent ~~((or stepparent))~~, whose incapacity deprives ~~((his or her))~~ a child ~~((or children or stepchild or stepchildren))~~ of parental support or care, refuses without good cause to accept available medical treatment which would reasonably be expected to render ~~((him or her))~~ the parent employable, the department shall remove that parent's needs from the grant.

~~((i))~~ "Available medical treatment" shall mean and include medical, surgical, psychiatric therapy, treatment in an alcoholism or drug treatment center, or any combination thereof.

~~((ii))~~ (b) ~~((Reasonably be expected to render him or her employable" shall mean that, in the opinion of the department, the recommended medical, surgical, or psychiatric therapy, or any combination thereof, is of such a nature and prognosis that, in the specific instance of the individual involved, medical experience indicates))~~ The department shall determine if the recommended treatment ~~((with))~~ can be expected to restore or substantially improve the ~~((individual's))~~ parent's ability to ~~((work for pay in a regular and predictable manner, or to resume care of the home or children))~~ carry out the responsibilities of employment or homemaking.

~~((iii))~~ (c) ~~((Refuses without good cause" shall mean))~~ The department shall determine ~~((whether))~~ the ~~((individual))~~ parent is justified in refusing recommended medical treatment~~(-)~~:

(b) An individual is justified in refusing recommended available medical treatment when, according to the best objective judgment of the department, such) if the refusal is based ~~((upon))~~ on one or more of the following conditions:

(i) The ~~((individual))~~ parent is genuinely fearful of undergoing ~~((recommended))~~ the treatment even ~~((though such))~~ if the fear ~~((may appear))~~ seems to be unrealistic or irrational;

(ii) The ~~((individual))~~ parent could lose a faculty, or ~~((the remaining))~~ use of a faculty ~~((he or she now has))~~, and refuses to accept the risk;

(iii) The ~~((individual))~~ parent will not accept ~~((recommended medical))~~ treatment because of religious scruples~~(-)~~;

(iv) The ~~((individual))~~ parent is ~~((temporarily))~~ unable to participate in ~~((medical))~~ treatment due to ~~((an intervening))~~ another incapacity.

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

AMENDATORY SECTION (Amending Order 2621, filed 4/15/88)

WAC 388-24-125 **ELIGIBILITY CONDITIONS APPLICABLE TO AFDC—LIVING ((IN-HOME-OF)) WITH A RELATIVE OF SPECIFIED DEGREE.** (1) To be eligible for AFDC, a dependent child shall be living with a relative of specified degree.

(2) The department defines a relative of specified degree as:

(a) The natural mother;

(b) The natural father if:

(i) He was married to the natural mother when the child was born((:)); or

(ii) The child was born within three hundred days of a termination of marriage; or

(iii) He attempted to marry the natural mother before the child's birth and the child is born within three hundred days after the termination of cohabitation; or

(iv) He receives the child into his home and openly holds out the child as his child; or

(v) He acknowledges paternity in writing and the natural mother does not dispute the acknowledgment; or

(vi) He and the child's natural mother have married or attempted to marry after the child's birth; and:

(A) He acknowledges paternity, filed with the registrar of vital statistics; or

(B) With his consent, he is named as the father on the child's birth certificate; or

(C) He is obligated to pay child support by written voluntary promise or by court order.

(c) A person who legally adopts a child((:));

(d) Blood relatives (including those of half-blood); brother, sister, uncle, aunt, first cousin, nephew, or niece. Relationships to persons of preceding generations as denoted by the prefixes of grand, great, or great-great are within this definition((:));

(e) A stepfather, stepmother, stepbrother, and stepsister((:));

(f) A spouse of a person named in this section is within the scope of this provision, although the marriage is terminated by death or divorce((:)); and

(g) A person identified in a court judgment or order as the child's relative as specified in subsection (2)(a) through (f) of this section.

(3) The department shall determine a child is living ((in the home of)) with a relative of specified degree when:

(a) The specified relative has assumed parental responsibility for the care, guidance, and control of the child; and

(b) ((The "home" is)) A family setting is maintained or is in the process of being established for the benefit of the family group. ((A home)) A family setting shall include households in temporary shelter and households without shelter; and

(c) Eligibility exists even though circumstances may require the temporary absence of either the child or the responsible relative from the customary family setting, as long as the relative exercises responsibility for the care and control of the child. Such temporary separations include:

(i) Temporary care in a hospital or public or private institution when the illness is such that the department expects a return to the family ((can be expected)) within ninety days. If the temporary care exceeds ninety days, the monthly grant standard shall be as specified in WAC 388-29-125((:));

(ii) Temporary care in an alcohol or drug treatment facility when the department expects a return to the family within ninety days. If the care exceeds ninety days, the monthly grant standard shall be as specified in WAC 388-29-130;

(iii) Attendance of a child in school as follows:

(A) The relative retains full responsibility for the child and the child returns ((home)) during a year's period, at least for summer vacation; and

(B) The need for specialized education or training is not available in the child's home community, and the education is recommended by local school authorities; or

(C) Isolation of the child's ((home)) residence makes it necessary for him or her to be away from ((home)) the relative to attend school; or

(D) The child is enrolled in an Indian boarding school administered through the Bureau of Indian Affairs.

(((((iii))) (iv) Visits in which the person plans to be away ((from home)) for ninety days or less, including visits of a child to a parent residing away from the child's customary family ((home)) setting. If the responsible relative or child leaves ((the home)) for more than ninety days, eligibility is redetermined in accordance with the new circumstances((:));

(((((iv))) (v) Attendance of a responsible relative in a department-approved vocational training program. Absence is considered temporary for the period of time required to complete the training program (see WAC 388-57-028)((:)); and

(((((v))) (vi) Temporary placement of the child in foster care while the parent is temporarily receiving care in a residential treatment facility, where such absences do not exceed thirty days.

(((((vi))) (d) The child is a ward of the juvenile court, or other agency to whom the court has delegated authority, and if all other eligibility factors have been met and the relative of specified degree actually carries out the everyday care, control, and supervision of the child((:));

(((((vii))) (c) The child is in foster care((:)); and:

(i) The caretaker relative applies and is otherwise eligible;

(ii) The child is returned to the relative's ((home)) care before the end of the thirty-day assistance period; and

(iii) No AFDC payments are being made for the child, either in another relative's home or through AFDC-FC in the same thirty-day period.

AMENDATORY SECTION (Amending Order 2621, filed 4/15/88)

WAC 388-24-050 **AID TO FAMILIES WITH DEPENDENT CHILDREN—ASSISTANCE UNIT.** (1) Except as specified in subsection (((((3))) (4) of this section, the department shall include, in a single assistance unit, the following persons living together:

(a) A woman in her third trimester of pregnancy who has no other child; or

(b) The child(ren), including all full or half brothers and sisters of such a child(ren); and

(c) The parent(s) or stepparent(s) with whom the child(ren) lives; and

(d) A minor parent's parent who claims to be the needy caretaker relative of:

(i) The minor parent,

(ii) The minor parent's child, or

(iii) The minor parent's full or half brother or half sister.

(2) Except as specified in subsection (((((3))) (4) of this section, the department may include in the assistance unit at the option of the family:

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

(b) The stepbrothers or stepsisters of a child included in the assistance unit, except as required in subsection (1) of this section; or

(c) Needy eligible nonsibling children.

(3) The department shall authorize only one assistance unit grant for all needy eligible siblings and nonsiblings living with a single caretaker relative or relative married couple.

(4) The department shall exclude from the assistance unit those persons ineligible due to factors not related to need. ((These persons)) Exclusions include, but are not limited to:

(a) A recipient of SSI benefits;

(b) An alien not meeting the citizenship and alienage requirements (see WAC 388-26-120); and

(c) A person under sanction for noncooperation with:

(i) The OPPORTUNITIES program (see WAC 388-24-107); or

(ii) The department's office of support enforcement (see WAC 388-24-108 and 388-24-109).

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

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

(b) A relative of specified degree is eligible to receive assistance for two or more children for whom the relative is not legally responsible, and the children are not full or half siblings.))

WSR 88-18-105
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed September 7, 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 suspension of grant, amending WAC 388-33-355;

that the agency will at 10:00 a.m., Thursday, October 13, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 14, 1988.

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

The specific statute these rules are intended to implement is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 13, 1988.

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

Troyce Warner
 Office of Issuances
 Department of Social and Health Services
 Mailstop OB-33H
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 29, 1988. The meeting site is in a location which is barrier free.

Dated: September 1, 1988
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Suspension of grant.

Purpose of the Rule or Rule Change: To combine language from two sections to one. Clarify current policy. There is no change in the department rule.

Statutory Authority: RCW 74.08.090.

Summary of the Rule or Rule Change: The issuance will clarify current department policy regarding grant suspensions.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule or Rule Change: Rita Jefferson, Program Manager, Division of Income Assistance, mailstop OB-31C, phone 753-0471.

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

AMENDATORY SECTION (Amending Order 2369, filed 5/1/86)

WAC 388-33-355 SUSPENSION OF GRANT. (1) ~~((A suspension action is taken))~~ The department shall suspend a grant when:

(a) ~~((A general assistance recipient has income sufficient to meet his or her maintenance requirements for more than one but not to exceed two months, or~~

~~((b))~~ The amount of the monthly grant following the budgeting of income is less than ten dollars per month~~(:); or~~

~~((c))~~ (b) The recipient ~~((has entered or))~~ is in an institution and ~~((his or her))~~ has income ~~((is equal to or))~~ that exceeds ~~((his or her))~~ grant requirements, but is less than ~~((his or her))~~ grant requirements plus medical, nursing home, or intermediate care costs ~~((and/or nursing home or intermediate care,:)); or~~

(c) The department has reason to believe ineligibility would be for one month only and caused by income or circumstances in the report month; or

~~((d))~~ ~~((An AFDC or RA recipient receives an extra paycheck in a month which makes them ineligible for one month, or~~

~~((e))~~ A general assistance ~~((grant))~~ recipient ~~((has entered))~~ enters a state mental hospital; ~~((Western State Hospital, Eastern State Hospital, or PORTAL program,:))~~ or

~~((f))~~ (e) ~~((The department has knowledge of, or reason to believe, ineligibility would be for only one month and was caused by income or circumstance in the report month))~~ A general assistance recipient's income exceeds the payment standard for more than one month, but less than two months.

(2) The department shall determine eligibility for the month following the month of suspense according to WAC 388-28-483.

(3) The department shall reinstate a suspended grant ~~((shall be reinstated))~~ when:

(a) The conditions in subsection (1) of this section cease to exist; and

(b) The recipient completes a review of eligibility; and

(c) The recipient is otherwise eligible.

~~((3))~~ (4) The department shall terminate a suspended grant ~~((shall be terminated as provided in WAC 388-33-370))~~ when:

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

(b) The individual does not request reinstatement of grant within:

(i) Fifteen days after leaving an institution; or

(ii) Fifteen days of completing restitution of overpayment by monthly grant deduction; or

(iii) The suspense month for all other suspense cases.

(c) The individual becomes ineligible for some other reason.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-33-370 TERMINATION OF SUSPENDED GRANT.

WSR 88-18-106
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed September 7, 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 licensing waste tire carriers and waste tire storage site owners, adopting chapter 173-314 WAC;

that the agency will at 10:00 a.m., Tuesday, October 11, 1988, in the Sea-Tac Airport, Room 171 and at 10:00 a.m., Friday, October 14, 1988, in the Spokane Center, Eastern Washington University, Spokane, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 1, 1988.

The authority under which these rules are proposed is RCW 70.95.555.

The specific statute these rules are intended to implement is WAC 173-304-420 and RCW 9A.20.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1988.

Dated: September 6, 1988

By: Atsushi Kiuchi
P.I.O.

STATEMENT OF PURPOSE

Title: Chapter 173-314 WAC, Waste tire carrier and storage site owners licenses.

Description of Purpose: To establish statewide licensing program for businesses involved in the transport and storage of waste tires.

Statutory Authority: RCW 70.95.555.

Summary of Rule: The Department of Ecology proposes to adopt a licensing program for waste tire carriers and waste tire storage site owners. Previously, the only permits required for waste tires related to outside tire pile storage minimum functional standards as defined in WAC 173-304-420. There are no present regulations relating to waste tire carriers.

The following is a summary of the proposed rule.

After April 1, 1989, any person in the business of storing waste tires in accordance with WAC 173-304-420 or any person engaged in the transportation of waste tires is required to obtain an ecology approved license from the Department of Licensing.

After April 1, 1989, any person in the business of storing waste tires or engaged in transporting waste tires without a license is in violation of WAC 173-314-200(2) or 173-314-300 and RCW 9A.20.020(2).

After April 1, 1989, any violation of the prescribed license rules may result in revocation of the license under rules defined by RCW 70.95.560 and RCW 9A.20.020(2) or any other enforcement action provided by law. Each day that a violation occurs is a separate violation and may be the subject of separate penalties.

Reasons Supporting Proposed Action: Required by SB 6720 and included in RCW 70.95.555. "Any person engaged in the business of transporting or storing waste tires shall be licensed by the department." (Department meaning Department of Ecology.)

Agency Personnel Responsible for Drafting: Dale Clark, Mailstop PV-11, Olympia, WA 98504, (206) 459-6258; Implementation: Dale Clark and Department of Licensing, Business Division; and Enforcement: Spokane, (509) 456-2926, Redmond, (206) 885-1900, Yakima, (509) 575-2800 and Tumwater, (206) 753-2353.

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

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: The department will consider license requirement changes, if appropriate, as allowed by this regulation, at its convenience but at least no later than at the time of license renewal.

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

Economic Impact Statement for Proposed Chapter 173-314 WAC: This proposed regulation has been reviewed to determine its impact upon the economy of the state of Washington, as required by chapter 43.21H RCW (the State Economic Policy Act). Conclusions of that review are:

This regulation is being proposed for adoption in order to promote waste tire recycling, safe storage of waste tires, and to reduce the number of waste tires landfilled or illegally dumped. The Department of Ecology is mandated by legislation to develop a licensing program. This proposed regulation implements RCW 70.95.555. The language of the proposed regulation does not go beyond the intent of the legislature.

This regulation will have a positive effect on the economy of tire carriers and county permitted storage and recycling facilities. Presently some carriers are having a deleterious effect on the economy due to undercutting prices and illegally dumping waste tires. The purpose of the regulation is to remove this element from the waste tire industry, thereby stabilizing the waste tire economy.

This regulation will have some negative effect on the economy of retail tire dealers. Presently dealers can choose to have anyone haul their waste tires away. Individual carriers that reduce their operating costs by disposing of tires illegally can offer dealers a substantial savings on the cost of tire disposal. This outlet for disposal will be removed when a licensing program is adopted.

In conclusion, the proposed regulations will have a positive effect on legitimate tire carriers and storage/recycling facilities. Tire dealers who are now using waste tire disposal practices that are illegal (as defined in RCW 70.95.500) will notice an increase in disposal costs due to the higher cost of handling tires found in legitimate tire disposal. A fee of \$250.00 annually will be required to obtain a license.

Waste tire disposal costs are not known exactly due to the variability in costs associated with private carriers and waste tire storage/recycling facilities. The benefits will be in the form of more recycling of waste tires, safe storage, and reduction of illegal dumping. Illegal dumping results in unsafe practices that can create environmental degradation through fire, public health problems such as mosquito and rodent breeding and public safety problems, all associated with current waste tire handling and disposal practices.

Small Business Economic Impact Statement: The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than 20 percent of all industries or more than 10 percent of the business in any one industry be reviewed and altered to minimize their impact upon small businesses. This regulatory proposal has been reviewed in light of that requirement. The conclusions of this review are summarized below.

This regulation is being proposed for adoption in order to promote waste tire recycling, safe storage of waste tires, and to reduce the number of waste tires landfilled or illegally dumped. The Department of Ecology is

mandated by legislation to develop a licensing program. This proposed regulation implements RCW 70.95.555. The language of the proposed regulation does not go beyond the intent of the legislature.

In conclusion, there will be costs associated with the implementation of the regulation. Waste tire disposal costs are not known exactly due to the variability in costs associated with private carriers and waste tire storage/recycling facilities. The benefits will be in the form of more recycling of waste tires, safe storage, and reduction of illegal dumping. Illegal dumping results in unsafe practices that can create environmental degradation through fire, public health problems such as mosquito and rodent breeding and public safety problems, all associated with current waste tire handling and disposal practices.

CHAPTER 173-314 WAC
WASTE TIRE STORAGE SITE LICENSE

NEW SECTION

WAC 173-314-010 **AUTHORITY AND PURPOSE.** By the provision of RCW 70.95.555, the department of ecology has been delegated authority to conduct a licensing program for waste tire carriers and storage site owners. The purpose of this chapter is to provide minimum standards for waste tire carriers and site owners that will result in the safe and proper storage, control, recovery, and recycling of tires throughout the state.

NEW SECTION

WAC 173-314-100 **DEFINITIONS.** The following words, terms, and phrases shall, for the purposes of these rules, have the meanings given below:

(1) "Cab cards" means a license carried in a vehicle that authorizes that vehicle to legally pick up waste tires and haul to a permitted, licensed facility or an exempt facility for deposit.

(2) "Commission" means the Washington Utilities and Transportation Commission.

(3) "County permit" means a permit issued by a local health district that allows for storage of waste tires at a place of business that does not constitute final disposal of the waste tires.

(4) "License" means the license issued by the Department of Licensing and approved by ecology as authorized by RCW 70.95.555 for any person engaged in the business of transporting or storing waste tires.

(5) "Department of licensing" means the Washington state department of licensing.

(6) "Director" means the director of the department of ecology.

(7) The terms "motor vehicle," "public highway," "common carrier," "contract carrier," "private carrier," "vehicle," and "garbage and refuse collection companies" shall have the meaning when used herein given to them by section 2, chapter 295, Laws of 1961, and by chapter 105, Laws of 1965 ex. sess.

(8) "Disposal site" means the location where any final treatment, utilization, processing, or depository of solid waste occurs.

(9) "Dispose" means to deposit, dump, spill, or place any waste tire onto or under the surface of the ground or into the waters of this state.

(10) "Ecology" means the Washington state department of ecology.

(11) "Financial assurance" means a performance bond, or other instrument such as a letter of credit, cash deposit, or insurance policy.

(12) "Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility.

(13) "Person" means individual, firm, association, co-partnership, political subdivision, government agency, municipality, industry or private corporation, or any other entity whatsoever.

(14) "Retreader" means a person engaged in the business of recapping tire casings to produce recapped tires for sale to the public.

(15) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities.

(16) "Solid waste handling" means the management, storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery of energy resources from such wastes, or the conversion of the energy in such wastes to more useful forms or combinations thereof.

(17) "State" means the state of Washington.

(18) "Storage" or "storing" means the placing of waste tires at a county permitted facility under conditions established in WAC 173-304-420 and chapter 70.95 RCW.

(19) "Tire" means a continuous solid, semipneumatic, or pneumatic rubber covering encircling the wheel of a vehicle.

(20) "Tire carrier" means a person who picks up or transports waste tires for the purpose of storage or disposal. This does not include the following:

(a) Any person transporting five tires or less.

(b) Any person transporting tire-derived products.

(c) Any person transporting used tires back to a retail tire outlet for repair or exchange.

(d) Common carriers licensed by the Commission that haul waste tires for the purpose of intra and interstate transport to retreading, recycling, and storage facilities.

(e) Solid waste collection and refuse collection companies licensed through the utilities and transportation commission.

(f) Solid waste collectors operating under a license or franchise from any local government unit and transporting tires as part of solid waste activities.

(g) The United States, the state of Washington, any county, city, town, or municipality in this state, when involved in the clean up of illegal waste tire piles.

(h) Tire dealers and commission licensed common carriers associated with retreading facilities who use company-owned vehicles to transport waste tires for the purpose of retreading.

(21) "Tire derived products" means any usable materials produced from the physical processing of tires.

(22) "Tire retailer" means a person in the business of selling new replacement tires.

(23) "Transportation" or "transporting" means picking up or transporting waste tires for the purpose of storage or final disposal.

(24) "Vehicle" means every device capable of being moved upon a public highway and in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human or animal power or used exclusively upon stationary rails or tracks.

(25) "Waste tires" means tires that are no longer suitable for their original intended purpose because of wear, damage, or defect.

(26) "Waste tire storage site owner" means any person that owns a waste tire facility with a county solid waste permit.

NEW SECTION

WAC 173-314-200 **WASTE TIRE CARRIER LICENSE.** (1) Applicability. Any person engaged in the transportation of waste tires is required to obtain a waste tire carrier license from the department of licensing.

(2) After April 1, 1989, persons engaged in transporting waste tires must obtain a waste tire carrier license from the department of licensing. The department of licensing will issue licenses within 90 days after receiving a satisfactorily completed application and approval from ecology.

(3) Application forms for a waste tire carrier license shall be provided by ecology and will be available at ecology and department of licensing offices throughout the state.

(4) An application for a waste tire carrier license for one vehicle shall include a \$250.00 application fee, \$50.00 of which shall be non-refundable. Each additional vehicle to be used by the licensee requires an additional \$50.00 fee at the time of application or renewal. The application fee may be refunded following submittal of an application under the following conditions.

(a) Ecology determination that a license is not required.

(b) The application is withdrawn by the applicant prior to ecology approval or denial.

(5) The application shall include a bond in the sum of ten thousand dollars (\$10,000) in favor of the state of Washington. In lieu of the bond, the applicant may submit financial assurances acceptable to ecology.

(6) A waste tire carrier license shall be valid for one year from the time of issuance. Licensees who want to renew their licenses must apply for a license renewal 90 days prior to their expiration date in order to maintain a current permit.

NEW SECTION

WAC 173-314-210 ENFORCEMENT FOR WASTE TIRE CARRIERS. (1) Persons carrying waste tires shall be subject to penalties as described in RCW 70.95.560 and 9A.20.010(2). Furthermore, any person who transports waste tires without a license is in violation of WAC 173-314-200(2) and RCW 9A.20.020(2).

(2) Any violation of the prescribed waste tire carrier license rules may result in revocation of the license under rules defined by RCW 70.95.560 and RCW 9A.20.020(2) or any other enforcement action provided by law. Each day that a violation occurs is a separate violation and may be the subject of separate penalties.

NEW SECTION

WAC 173-314-220 STORAGE, DISPOSAL, AND UTILIZATION A After April 1, 1989, all waste tires that are being transported by a waste tire carrier must be deposited in one of the following locations:

(1) A business that is actively retreading or recycling tires and if required under conditions set forth in WAC 173-304-420 has a county tire storage permit.

(2) Any business that has an outside storage of less than the maximum number of tires allowed in accordance with WAC 173-304-420.

(3) A county permitted waste tire storage facility that has an Ecology approved waste tire storage site owners license.

(4) A site that has been declared exempt by local health departments and ecology under WAC 173-314-200 (4)(a) through (d).

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

NEW SECTION

WAC 173-314-300 (1) Applicability. After April 1, 1989, any person in the business of storing waste tires in accordance with WAC 173-304-420 is required to have an ecology approved waste tire storage site owners license for that site issued by the department of licensing.

(2) In order to obtain a waste tire storage license, the site operator or owner must first satisfy the following requirements:

(a) Obtain a solid waste disposal site permit for the storage of waste tires from the jurisdictional health department in which the site is located.

(b) Satisfy all of the requirements of the minimum functional standards for tire pile storage sites (WAC 173-304-420).

(c) Satisfy other requirements deemed appropriate by ecology.

(3) All owners of county permitted waste tire storage sites shall apply to the department of licensing for a waste tire storage site owners license. Licenses will be issued within 90 days of acceptance of a complete application following review and approval by ecology.

(4) The application shall include a performance bond in the sum of ten thousand dollars (\$10,000) in favor of the state of Washington. In lieu of the bond, the applicant may submit financial assurances acceptable to the department of ecology.

(5) Submit an application fee of \$250. Fifty dollars (\$50) of the application fee shall be nonrefundable. The remainder of the application fee may be refunded if either of the following conditions exists:

(i) Ecology determines that no license will be required.

(ii) The applicant withdraws the application before ecology has granted or denied the application.

(6) A waste tire storage site license shall be valid for one year from the date of issuance. Licensees who want to renew their licenses must apply for a renewal 90 days prior to the expiration date in order to maintain a current license.

(7) Application forms for a waste tire storage site license shall be provided by ecology and will be available from both ecology and department of licensing offices throughout the state.

NEW SECTION

WAC 173-314-310 VARIANCES. (1) Any person who owns or operates a waste tire storage facility may apply to the jurisdictional

health officer for a variance from any section of this regulation. The application shall be accompanied by such information as the jurisdictional health department may require. The jurisdictional health department may grant such variance, but only after due notice or a public hearing if requested, if it finds that:

(a) The waste tire handling practices or location do not endanger public health, safety, or the environment; and

(b) Compliance with the regulation from which variance is sought would produce hardship without equal or greater benefits to the public.

(2) No variance shall be granted pursuant to this section until the jurisdictional health department has considered the relative interests of the applicant, other owners of property likely to be affected by the handling practices and the general public.

(3) Any variance or renewal shall be granted within the requirements of subsection (1) of this section and for time period and conditions consistent with the reasons therefore, and within the following limitations:

(a) If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement, or control of pollution involved, it shall be only until the necessary means for prevention, abatement or control become known and available and subject to the taking of any substitute or alternative measures that the jurisdictional health department may prescribe:

(b) The jurisdictional health department may grant a variance conditioned by a time table if:

(i) Compliance with the regulation will require spreading of costs over a considerable time period; and

(ii) The time table is for a period that is needed to comply with the regulation.

(4) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. No renewal thereof shall be granted, unless following a public hearing on the complaint or due notice, the jurisdictional health department finds the renewal is justified. No renewal shall be granted except on application. Any such application shall be made at least sixty days prior to the expiration of the variance. Immediately upon receipt of an application for renewal, the jurisdictional health department shall give public notice of such application in accordance with rules and regulations of the jurisdictional health department.

(5) An application for a variance, or for the renewal thereof, submitted to the jurisdictional health department shall be approved or disapproved by the jurisdictional health department within ninety days of receipt unless the applicant and the jurisdictional health department agree to a continuance.

(6) No variance shall be granted by a jurisdictional health department except with the approval and written concurrence of ecology prior to action on the variance by the jurisdictional health department.

(7) Variances granted by a jurisdictional health department will be accepted as variances under this regulation.

(8) Public notice shall be given by mailing a notice of the variance application to persons who have written to the jurisdictional health department asking to be notified of all variance requests.

NEW SECTION

WAC 173-314-320 ENFORCEMENT FOR WASTE TIRE STORAGE SITES. Failure to conduct storage of waste tires according to the conditions, limitations, or terms of a county issued permit or these rules, or failure to obtain a waste tire storage site owners license is a violation of these rules and shall be subject to civil penalties as provided in chapter 70.95 RCW and RCW 9A.20.020(2) or to any other enforcement action provided by law. Each day that a violation occurs is a separate violation and may be the subject of separate penalties.

NEW SECTION

WAC 173-314-330 RECORDS. Each owner of a waste tire storage site whose site accepts waste tires after April 1, 1989, shall as a condition of the license.

(1) Maintain records of numbers of waste tires received and shipped.

(2) The licensee shall issue written receipts upon receiving loads of waste tires. Quantities may be measured by aggregate loads or cubic yards, if the licensee documents the approximate number of tires included in each. These records shall be maintained for a period of three years, and shall be available for inspection by ecology after reasonable notice.

NEW SECTION

WAC 173-314-340 REPORTS. Starting on first anniversary of license issuance, and thereafter, the waste tire storage site owner shall submit a report to ecology stating the following:

(1) The names and business addresses, and business licenses (if available) of all waste tire carriers that have delivered waste tires to the site, and shipped waste tires from the site, together with the quantity of waste tires shipped with those carriers.

(2) An accounting of the approximate total number of tires deposited at the site during the previous year.

(3) An accounting of the approximate total number of tires removed from the site.

(4) The number of waste tires located at the site at the time of the report.

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

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.

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

WAC #	REP	WSR #	WAC #	REP	WSR #	WAC #	AMD	WSR #
4-08-010	REP-P	88-17-078	4-08-540	REP-P	88-17-078	16-228-010	AMD-P	88-09-077
4-08-030	REP-P	88-17-078	4-08-550	REP-P	88-17-078	16-228-010	AMD	88-14-074
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4-08-060	REP-P	88-17-078	4-08-580	REP-P	88-17-078	16-228-160	AMD-P	88-09-077
4-08-070	REP-P	88-17-078	4-08-590	REP-P	88-17-078	16-228-160	AMD	88-14-074
4-08-080	REP-P	88-17-078	4-25-142	NEW	88-05-015	16-228-165	AMD-P	88-09-077
4-08-090	REP-P	88-17-078	4-25-181	REP	88-06-021	16-228-165	AMD	88-14-074
4-08-100	REP-P	88-17-078	4-25-190	NEW	88-06-021	16-228-185	AMD-P	88-09-077
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4-08-120	REP-P	88-17-078	16-28-020	REP	88-05-003	16-228-190	AMD-P	88-09-077
4-08-130	REP-P	88-17-078	16-28-030	REP	88-05-003	16-228-190	AMD	88-14-074
4-08-140	REP-P	88-17-078	16-28-040	REP	88-05-003	16-228-210	AMD-P	88-09-077
4-08-150	REP-P	88-17-078	16-28-050	REP	88-05-003	16-228-210	AMD	88-14-074
4-08-160	REP-P	88-17-078	16-28-060	REP	88-05-003	16-228-215	AMD-P	88-09-077
4-08-170	REP-P	88-17-078	16-28-069	REP	88-05-003	16-228-215	AMD	88-14-074
4-08-180	REP-P	88-17-078	16-28-070	REP	88-05-003	16-228-220	AMD-P	88-09-077
4-08-190	REP-P	88-17-078	16-28-080	REP	88-05-003	16-228-220	AMD	88-14-074
4-08-200	REP-P	88-17-078	16-28-090	REP	88-05-003	16-228-222	NEW-P	88-09-077
4-08-210	REP-P	88-17-078	16-30	AMD	88-05-003	16-228-227	NEW-P	88-09-077
4-08-220	REP-P	88-17-078	16-30-010	AMD	88-05-003	16-228-227	NEW	88-14-074
4-08-230	REP-P	88-17-078	16-30-020	AMD	88-05-003	16-228-228	NEW-P	88-09-077
4-08-240	REP-P	88-17-078	16-30-030	AMD	88-05-003	16-228-232	NEW-P	88-09-077
4-08-250	REP-P	88-17-078	16-30-040	AMD	88-05-003	16-228-232	NEW	88-14-074
4-08-260	REP-P	88-17-078	16-30-050	AMD	88-05-003	16-228-400	NEW-E	88-07-033
4-08-270	REP-P	88-17-078	16-30-060	AMD	88-05-003	16-228-410	NEW-E	88-07-033
4-08-280	REP-P	88-17-078	16-30-070	AMD	88-05-003	16-228-420	NEW-E	88-07-033
4-08-290	REP-P	88-17-078	16-30-080	AMD	88-05-003	16-228-430	NEW-E	88-07-033
4-08-300	REP-P	88-17-078	16-30-090	AMD	88-05-003	16-228-440	NEW-E	88-07-033
4-08-310	REP-P	88-17-078	16-54-010	AMD	88-05-003	16-228-450	NEW-E	88-07-033
4-08-320	REP-P	88-17-078	16-54-082	AMD	88-05-003	16-228-460	NEW-E	88-07-033
4-08-330	REP-P	88-17-078	16-86-015	AMD	88-05-003	16-228-470	NEW-E	88-07-033
4-08-340	REP-P	88-17-078	16-86-030	AMD	88-05-003	16-228-480	NEW-E	88-07-033
4-08-350	REP-P	88-17-078	16-86-095	AMD	88-05-003	16-228-490	NEW-E	88-07-033
4-08-360	REP-P	88-17-078	16-156-001	NEW-P	88-04-073	16-228-500	NEW-E	88-07-033
4-08-370	REP-P	88-17-078	16-156-001	NEW	88-07-024	16-228-510	NEW-E	88-07-033
4-08-380	REP-P	88-17-078	16-156-005	NEW-P	88-04-073	16-228-520	NEW-E	88-07-033
4-08-390	REP-P	88-17-078	16-156-005	NEW	88-07-024	16-228-600	NEW-E	88-13-025
4-08-400	REP-P	88-17-078	16-156-010	NEW-P	88-04-073	16-228-600	NEW-P	88-17-121
4-08-410	REP-P	88-17-078	16-156-010	NEW	88-07-024	16-230-010	AMD-P	88-17-121
4-08-420	REP-P	88-17-078	16-156-020	NEW-P	88-04-073	16-230-030	AMD-P	88-05-055
4-08-430	REP-P	88-17-078	16-156-020	NEW	88-07-024	16-230-030	AMD	88-08-050
4-08-440	REP-P	88-17-078	16-156-030	NEW-P	88-04-073	16-230-030	AMD-P	88-17-121
4-08-450	REP-P	88-17-078	16-156-030	NEW	88-07-024	16-230-075	AMD-P	88-17-121
4-08-460	REP-P	88-17-078	16-156-040	NEW-P	88-04-073	16-230-076	AMD-P	88-17-121
4-08-470	REP-P	88-17-078	16-156-040	NEW	88-07-024	16-230-078	AMD-P	88-17-121
4-08-480	REP-P	88-17-078	16-156-050	NEW-P	88-04-073	16-230-079	NEW-P	88-05-055
4-08-490	REP-P	88-17-078	16-156-050	NEW	88-07-024	16-230-079	NEW	88-08-050
4-08-500	REP-P	88-17-078	16-156-060	NEW-P	88-04-073	16-230-475	NEW-P	88-06-071
4-08-510	REP-P	88-17-078	16-156-060	NEW	88-07-024	16-230-475	NEW-E	88-07-038
4-08-520	REP-P	88-17-078	16-228-003	REP-P	88-09-077	16-230-475	NEW	88-09-013
4-08-530	REP-P	88-17-078	16-228-003	REP	88-14-074	16-230-640	AMD	88-05-033

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16-231-015	AMD	88-05-033	16-304-040	AMD	88-11-042	16-470-010	AMD	88-16-016
16-231-020	AMD	88-05-033	16-304-050	AMD-P	88-07-114	16-470-015	AMD-E	88-12-082
16-231-035	REP-P	88-06-071	16-304-050	AMD	88-11-042	16-470-015	AMD-P	88-12-083
16-231-035	REP-E	88-07-038	16-304-110	AMD-P	88-07-114	16-470-015	AMD	88-16-016
16-231-035	REP	88-09-013	16-304-110	AMD	88-11-042	16-470-600	NEW-E	88-09-002
16-231-115	AMD	88-05-033	16-304-130	AMD-P	88-07-114	16-470-600	NEW-E	88-12-082
16-231-119	NEW	88-05-033	16-304-130	AMD	88-11-042	16-470-600	NEW-P	88-12-083
16-231-125	AMD	88-05-033	16-316-0401	REP-P	88-07-114	16-470-600	NEW	88-16-016
16-231-130	AMD-P	88-06-071	16-316-0401	REP	88-11-042	16-470-605	NEW-E	88-09-002
16-231-130	AMD-E	88-07-038	16-316-0451	REP-P	88-07-114	16-470-605	NEW-E	88-12-082
16-231-130	AMD	88-09-013	16-316-0451	REP	88-11-042	16-470-605	NEW-P	88-12-083
16-231-145	AMD-P	88-06-071	16-316-0501	REP-P	88-07-114	16-470-605	NEW	88-16-016
16-231-145	AMD-E	88-07-038	16-316-0501	REP	88-11-042	16-470-610	NEW-E	88-09-002
16-231-145	AMD	88-09-013	16-316-0551	REP-P	88-07-114	16-470-610	NEW-E	88-12-082
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16-231-150	REP-E	88-07-038	16-316-0601	REP-P	88-07-114	16-470-610	NEW	88-16-016
16-231-150	REP	88-09-013	16-316-0601	REP	88-11-042	16-470-615	NEW-E	88-09-002
16-231-225	AMD	88-05-033	16-316-195	AMD-P	88-07-114	16-470-615	NEW-E	88-12-082
16-231-240	REP-P	88-06-071	16-316-195	AMD	88-11-042	16-470-615	NEW-P	88-12-083
16-231-240	REP-E	88-07-038	16-316-230	AMD-P	88-07-114	16-470-615	NEW	88-16-016
16-231-240	REP	88-09-013	16-316-230	AMD	88-11-042	16-470-620	NEW-E	88-09-002
16-231-345	REP-P	88-06-071	16-316-315	AMD-P	88-07-114	16-470-620	NEW-E	88-12-082
16-231-345	REP-E	88-07-038	16-316-315	AMD	88-11-042	16-470-620	NEW-P	88-12-083
16-231-345	REP	88-09-013	16-316-350	AMD-P	88-07-114	16-470-620	NEW	88-16-016
16-231-430	REP-P	88-06-071	16-316-350	AMD	88-11-042	16-470-625	NEW-E	88-12-082
16-231-430	REP-E	88-07-038	16-316-370	AMD-P	88-07-114	16-470-625	NEW-P	88-12-083
16-231-430	REP	88-09-013	16-316-370	AMD	88-11-042	16-470-625	NEW	88-16-016
16-231-535	REP-P	88-06-071	16-316-525	AMD-P	88-07-114	16-470-630	NEW-E	88-12-082
16-231-535	REP-E	88-07-038	16-316-525	AMD	88-11-042	16-470-630	NEW-P	88-12-083
16-231-535	REP	88-09-013	16-316-717	AMD-P	88-07-114	16-470-630	NEW	88-16-016
16-231-625	REP-P	88-06-071	16-316-719	AMD-P	88-07-114	16-470-635	NEW-E	88-12-082
16-231-625	REP-E	88-07-038	16-316-724	AMD-P	88-07-114	16-470-635	NEW-P	88-12-083
16-231-625	REP	88-09-013	16-316-724	AMD	88-11-042	16-470-635	NEW	88-16-016
16-231-730	REP-P	88-06-071	16-316-727	AMD-P	88-07-114	16-488-025	AMD-P	88-13-081
16-231-730	REP-E	88-07-038	16-316-800	AMD-P	88-07-114	16-488-025	AMD	88-17-014
16-231-730	REP	88-09-013	16-316-800	AMD	88-11-042	16-495-085	AMD-P	88-07-114
16-231-845	REP-P	88-06-071	16-316-820	AMD-P	88-07-114	16-495-085	AMD	88-11-042
16-231-845	REP-E	88-07-038	16-316-820	AMD	88-11-042	16-528-040	AMD	88-09-019
16-231-845	REP	88-09-013	16-316-830	AMD-P	88-07-114	16-528-210	AMD-P	88-08-061
16-231-912	AMD	88-05-033	16-316-830	AMD	88-11-042	16-528-210	AMD	88-12-019
16-231-940	REP-P	88-06-071	16-316-832	AMD-P	88-07-114	16-530-040	AMD	88-09-018
16-231-940	REP-E	88-07-038	16-316-832	AMD	88-11-042	16-532-020	AMD-P	88-18-073
16-231-940	REP	88-09-013	16-316-880	AMD-P	88-07-114	16-532-035	NEW-P	88-18-073
16-231-950	NEW-P	88-06-071	16-316-880	AMD	88-11-042	16-532-120	AMD-P	88-10-034
16-231-950	NEW-E	88-07-038	16-403-140	AMD-P	88-11-068	16-532-120	AMD	88-13-050
16-231-950	NEW	88-09-013	16-403-140	AMD	88-14-128	16-570-040	NEW-P	88-04-072
16-232-010	AMD	88-05-033	16-403-142	NEW-P	88-11-068	16-570-040	NEW	88-07-071
16-232-015	AMD	88-05-033	16-403-142	NEW	88-14-128	16-602-005	NEW-P	88-03-058
16-232-015	AMD-E	88-15-048	16-403-155	AMD-P	88-14-127	16-602-005	NEW	88-07-018
16-232-015	AMD-P	88-17-121	16-403-180	AMD-P	88-11-068	16-602-010	AMD-P	88-03-058
16-232-020	AMD	88-05-033	16-403-180	AMD	88-14-128	16-602-010	AMD	88-07-018
16-232-025	AMD	88-05-033	16-403-190	AMD-P	88-11-068	16-602-020	AMD-P	88-03-058
16-232-027	NEW	88-05-033	16-403-190	AMD	88-14-128	16-602-020	AMD	88-07-018
16-232-035	AMD-P	88-06-071	16-403-195	AMD-P	88-11-068	16-602-030	AMD-P	88-03-058
16-232-035	AMD-E	88-07-038	16-403-195	AMD	88-14-128	16-602-030	AMD	88-07-018
16-232-035	AMD	88-09-013	16-403-280	AMD-P	88-11-068	16-620-240	AMD-P	88-07-096
16-232-038	AMD	88-05-033	16-403-280	AMD	88-14-128	16-620-240	AMD	88-12-036
16-232-040	REP-P	88-06-071	16-436-100	AMD-P	88-08-071	16-620-260	AMD-P	88-07-096
16-232-040	REP-E	88-07-038	16-436-100	AMD	88-11-048	16-620-260	AMD	88-12-036
16-232-040	REP	88-09-013	16-436-110	AMD-P	88-08-071	16-620-265	REP-P	88-07-096
16-232-130	REP-P	88-06-071	16-436-110	AMD	88-11-048	16-620-265	REP	88-12-036
16-232-130	REP-E	88-07-038	16-436-140	AMD-P	88-08-071	16-750-001	NEW-P	88-03-057
16-232-130	REP	88-09-013	16-436-140	AMD	88-11-048	16-750-001	NEW-E	88-03-059
16-232-230	REP-P	88-06-071	16-436-160	AMD-P	88-08-071	16-750-001	NEW	88-07-016
16-232-230	REP-E	88-07-038	16-436-160	AMD	88-11-048	16-750-003	NEW-E	88-13-007
16-232-230	REP	88-09-013	16-436-165	NEW-P	88-08-071	16-750-003	NEW-P	88-13-049
16-232-320	REP-P	88-06-071	16-436-165	NEW	88-11-048	16-750-003	NEW	88-18-001
16-232-320	REP-E	88-07-038	16-436-170	AMD-P	88-08-071	16-750-003	NEW-E	88-18-002
16-232-320	REP	88-09-013	16-436-170	AMD	88-11-048	16-750-004	NEW-E	88-13-007
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16-232-410	NEW-E	88-17-079	16-436-185	AMD	88-11-048	16-750-004	NEW	88-18-001
16-232-420	NEW-E	88-17-079	16-436-190	AMD-P	88-08-071	16-750-004	NEW	88-18-002
16-232-430	NEW-E	88-17-079	16-436-190	AMD	88-11-048	16-750-005	NEW-E	88-03-057
16-232-950	NEW-P	88-06-071	16-436-220	AMD-P	88-08-071	16-750-005	NEW-E	88-03-059
16-232-950	NEW-E	88-07-038	16-436-220	AMD	88-11-048	16-750-005	NEW	88-07-016
16-232-950	NEW	88-09-013	16-470-010	AMD-E	88-12-082	16-750-010	REP-P	88-03-057

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16-750-010	REP	88-07-016	44-10-215	NEW-E	88-09-065	82-50-041	REP-P	88-13-092
16-750-011	NEW-P	88-03-057	44-10-220	NEW-P	88-03-063	82-50-041	REP	88-16-027
16-750-011	NEW-E	88-03-059	44-10-220	NEW-E	88-03-064	98-11-005	NEW-P	88-03-062
16-750-011	NEW	88-07-016	44-10-220	NEW-P	88-09-062	98-11-005	NEW	88-07-032
16-750-011	AMD-E	88-13-007	44-10-220	NEW-E	88-09-065	98-40-050	AMD-P	88-03-062
16-750-011	AMD-P	88-13-049	44-10-220	NEW-E	88-13-039	98-40-050	AMD	88-07-032
16-750-011	AMD	88-18-001	44-10-230	NEW-P	88-03-063	100-100-050	AMD-P	88-11-076
16-750-011	AMD-E	88-18-002	44-10-230	NEW-E	88-03-064	100-100-050	AMD-E	88-11-077
16-750-015	NEW-P	88-03-057	44-10-230	NEW-P	88-09-062	106-116-850	NEW-P	88-07-017
16-750-015	NEW-E	88-03-059	44-10-230	NEW-E	88-09-065	106-116-850	NEW-E	88-11-065
16-750-015	NEW	88-07-016	44-10-230	NEW	88-13-039	106-116-850	NEW	88-11-066
16-750-900	NEW-P	88-03-057	44-10-240	NEW-P	88-03-063	106-116-853	NEW-P	88-07-017
16-750-900	NEW-E	88-03-059	44-10-240	NEW-E	88-03-064	106-116-853	NEW-E	88-11-065
16-750-900	NEW	88-07-016	44-10-240	NEW	88-09-064	106-116-853	NEW	88-11-066
16-752-001	AMD	88-04-044	44-10-240	NEW-E	88-09-065	106-116-856	NEW-P	88-07-017
16-752-115	NEW	88-04-044	50-12-230	AMD-E	88-11-002	106-116-856	NEW-E	88-11-065
16-752-120	NEW	88-04-044	50-12-230	AMD-P	88-13-064	106-116-856	NEW	88-11-066
16-752-125	NEW	88-04-044	50-12-230	AMD	88-16-066	106-116-859	NEW-P	88-07-017
16-752-130	NEW	88-04-044	50-20-040	AMD-E	88-13-051	106-116-859	NEW-E	88-11-065
16-752-135	NEW	88-04-044	50-20-040	AMD-P	88-14-002	106-116-859	NEW	88-11-066
16-752-140	NEW	88-04-044	50-20-040	AMD-C	88-14-093	106-116-901	AMD-P	88-07-017
16-752-145	NEW	88-04-044	50-20-040	AMD-P	88-18-076	106-116-901	AMD-E	88-11-065
16-752-150	NEW	88-04-044	50-20-050	AMD-E	88-13-051	106-116-901	AMD	88-11-066
16-752-155	NEW	88-04-044	50-20-050	AMD-P	88-14-002	113-12-200	AMD-P	88-05-058
16-752-160	NEW	88-04-044	50-20-050	AMD-C	88-14-093	113-12-200	AMD-P	88-14-040
16-752-165	NEW	88-04-044	50-20-050	AMD-P	88-18-076	113-12-200	AMD	88-17-100
16-752-170	NEW	88-04-044	51-10	AMD-P	88-14-078	114-12-160	AMD-P	88-14-095
16-752-200	NEW	88-04-044	51-12-102	AMD-P	88-14-114	114-12-160	AMD	88-17-084
16-752-201	NEW	88-04-044	51-12-223	AMD-P	88-14-114	114-12-160	AMD-P	88-18-078
16-752-202	NEW	88-04-044	51-12-305	AMD-P	88-14-114	114-12-170	AMD-P	88-14-095
16-752-203	NEW	88-04-044	51-12-402	AMD-P	88-14-114	114-12-170	AMD	88-17-084
16-752-204	NEW	88-04-044	51-12-411	AMD-P	88-14-114	114-12-200	NEW-P	88-18-079
25-46-010	NEW-P	88-18-092	51-12-426	AMD-P	88-14-114	118-40	NEW-C	88-18-040
25-46-020	NEW-P	88-18-092	51-12-503	AMD-P	88-14-114	118-40-010	NEW-P	88-15-074
25-46-040	NEW-P	88-18-092	51-12-602	AMD-P	88-14-114	118-40-020	NEW-P	88-15-074
25-46-060	NEW-P	88-18-092	51-12-605	AMD-P	88-14-114	118-40-030	NEW-P	88-15-074
25-46-080	NEW-P	88-18-092	51-16	AMD-P	88-14-077	118-40-040	NEW-P	88-15-074
25-46-100	NEW-P	88-18-092	51-16-010	AMD-P	88-14-077	118-40-050	NEW-P	88-15-074
25-46-120	NEW-P	88-18-092	51-16-020	AMD-P	88-14-077	118-40-060	NEW-P	88-15-074
25-46-140	NEW-P	88-18-092	51-16-030	AMD-P	88-14-077	118-40-070	NEW-P	88-15-074
25-46-160	NEW-P	88-18-092	51-16-040	AMD-P	88-14-077	118-40-080	NEW-P	88-15-074
25-46-180	NEW-P	88-18-092	51-16-050	AMD-P	88-14-077	118-40-090	NEW-P	88-15-074
25-48	AMD-P	88-18-091	51-16-060	AMD-P	88-14-077	118-40-100	NEW-P	88-15-074
25-48-010	AMD-P	88-18-091	51-16-070	AMD-P	88-14-077	118-40-150	NEW-P	88-15-074
25-48-020	AMD-P	88-18-091	51-16-080	AMD-P	88-14-077	118-40-160	NEW-P	88-15-074
25-48-030	AMD-P	88-18-091	51-16-090	AMD-P	88-14-077	118-40-170	NEW-P	88-15-074
25-48-050	AMD-P	88-18-091	51-16-100	NEW-P	88-14-077	118-40-180	NEW-P	88-15-074
25-48-060	AMD-P	88-18-091	55-01	NEW-C	88-18-050	118-40-190	NEW-P	88-15-074
25-48-085	NEW-P	88-18-091	55-01-001	NEW-P	88-15-073	118-40-300	NEW-P	88-15-074
25-48-090	AMD-P	88-18-091	55-01-010	NEW-P	88-15-073	118-40-400	NEW-P	88-15-074
25-48-100	AMD-P	88-18-091	55-01-020	NEW-P	88-15-073	132E-12-003	REP-P	88-13-097
25-48-105	AMD-P	88-18-091	55-01-030	NEW-P	88-15-073	132E-12-003	REP	88-17-083
25-48-108	NEW-P	88-18-091	55-01-040	NEW-P	88-15-073	132E-12-006	REP-P	88-13-097
25-48-120	AMD-P	88-18-091	55-01-050	NEW-P	88-15-073	132E-12-006	REP	88-17-083
25-48-125	NEW-P	88-18-091	55-01-060	NEW-P	88-15-073	132E-12-009	REP-P	88-13-097
34-02-010	AMD-P	88-16-030	55-01-070	NEW-P	88-15-073	132E-12-009	REP	88-17-083
34-04-120	AMD-P	88-16-030	55-01-080	NEW-P	88-15-073	132E-12-012	REP-P	88-13-097
44-10-035	NEW-P	88-13-088	67-10-020	AMD-P	88-04-016	132E-12-012	REP	88-17-083
44-10-040	NEW	88-04-081	67-10-020	AMD	88-09-006	132E-12-015	REP-P	88-13-097
44-10-050	AMD	88-04-081	67-10-030	AMD-P	88-04-016	132E-12-015	REP	88-17-083
44-10-055	NEW	88-04-081	67-10-030	AMD	88-09-006	132E-12-018	REP-P	88-13-097
44-10-060	NEW	88-04-081	67-10-040	AMD-P	88-04-016	132E-12-018	REP	88-17-083
44-10-070	NEW	88-04-081	67-10-040	AMD	88-09-006	132E-12-021	REP-P	88-13-097
44-10-080	NEW	88-04-081	67-10-060	AMD-P	88-04-016	132E-12-021	REP	88-17-083
44-10-110	NEW	88-04-081	67-10-060	AMD	88-09-006	132E-12-024	REP-P	88-13-097
44-10-130	NEW	88-04-081	67-25-120	AMD-P	88-04-016	132E-12-024	REP	88-17-083
44-10-160	NEW	88-04-081	67-25-120	AMD	88-09-006	132E-12-027	REP-P	88-13-097
44-10-165	NEW-P	88-04-078	67-25-400	AMD-P	88-04-016	132E-12-027	REP	88-17-083
44-10-165	NEW-E	88-04-079	67-25-400	AMD	88-09-006	132E-12-030	REP-P	88-13-097
44-10-165	NEW	88-09-063	67-25-404	AMD-P	88-04-016	132E-12-030	REP	88-17-083
44-10-165	NEW-E	88-09-065	67-25-404	AMD	88-09-006	132E-12-033	REP-P	88-13-097
44-10-180	NEW	88-04-081	67-25-570	AMD-P	88-04-016	132E-12-033	REP	88-17-083
44-10-200	NEW	88-04-081	67-25-570	AMD	88-09-006	132E-12-036	REP-P	88-13-097
44-10-210	NEW	88-04-081	82-50-021	AMD-P	88-13-092	132E-12-036	REP	88-17-083
44-10-215	NEW-P	88-03-063	82-50-021	AMD	88-16-027	132E-12-037	REP-P	88-13-097
44-10-215	NEW-E	88-03-064	82-50-031	AMD-P	88-13-092	132E-12-037	REP	88-17-083

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132E-112-130	REP	88-10-014	132I-14-020	REP-P	88-03-047	132I-120-420	NEW	88-07-120
132E-112-140	REP-P	88-06-020	132I-14-020	REP	88-07-119	132I-120-425	NEW-P	88-03-048
132E-112-140	REP	88-10-014	132I-14-030	REP-P	88-03-047	132I-120-430	NEW	88-07-120
132E-112-150	REP-P	88-06-020	132I-14-030	REP	88-07-119	132I-120-430	NEW-P	88-03-048
132E-112-150	REP	88-10-014	132I-14-040	REP-P	88-03-047	132I-120-430	NEW	88-07-120
132E-112-160	REP-P	88-06-020	132I-14-040	REP	88-07-119	132I-120-435	NEW-P	88-03-048
132E-112-160	REP	88-10-014	132I-14-050	REP-P	88-03-047	132I-120-435	NEW	88-07-120
132E-112-170	REP-P	88-06-020	132I-14-050	REP	88-07-119	132I-120-440	NEW-P	88-03-048
132E-112-170	REP	88-10-014	132I-14-060	REP-P	88-03-047	132I-120-440	NEW	88-07-120
132E-112-180	REP-P	88-06-020	132I-14-060	REP	88-07-119	132I-120-445	NEW-P	88-03-048
132E-112-180	REP	88-10-014	132I-14-070	REP-P	88-03-047	132I-120-445	NEW	88-07-120
132E-112-190	REP-P	88-06-020	132I-14-070	REP	88-07-119	132I-120-500	NEW-P	88-03-048
132E-112-190	REP	88-10-014	132I-14-080	REP-P	88-03-047	132I-120-500	NEW	88-07-120
132E-112-200	REP-P	88-06-020	132I-14-080	REP	88-07-119	132I-120-510	NEW-P	88-03-048
132E-112-200	REP	88-10-014	132I-14-090	REP-P	88-03-047	132I-120-510	NEW	88-07-120
132E-112-210	REP-P	88-06-020	132I-14-090	REP	88-07-119	132I-120-520	NEW-P	88-03-048
132E-112-210	REP	88-10-014	132I-14-100	REP-P	88-03-047	132I-120-520	NEW	88-07-120
132E-112-220	REP-P	88-06-020	132I-14-100	REP	88-07-119	132L-10-010	REP-P	88-17-074
132E-112-220	REP	88-10-014	132I-14-110	REP-P	88-03-047	132L-10-010	REP-P	88-17-074
132E-112-230	REP-P	88-06-020	132I-14-110	REP	88-07-119	132L-10-020	REP-P	88-17-074
132E-112-230	REP	88-10-014	132I-14-120	REP-P	88-03-047	132L-10-030	REP-P	88-17-074
132E-120-030	REP-P	88-17-015	132I-14-120	REP	88-07-119	132L-10-040	REP-P	88-17-074
132E-120-040	REP-P	88-17-015	132I-14-130	REP-P	88-03-047	132L-10-050	REP-P	88-17-074
132E-120-045	NEW-P	88-17-016	132I-14-130	REP	88-07-119	132L-10-100	REP-P	88-17-074
132E-120-050	REP-P	88-13-001	132I-14-140	REP-P	88-03-047	132L-10-110	REP-P	88-17-074
132E-120-050	REP	88-17-082	132I-14-140	REP	88-07-119	132L-10-120	REP-P	88-17-074
132E-120-060	REP-P	88-13-001	132I-14-150	REP-P	88-03-047	132L-10-130	REP-P	88-17-074
132E-120-060	REP	88-17-082	132I-14-150	REP	88-07-119	132L-21-010	REP-P	88-17-074
132E-120-070	REP-P	88-13-001	132I-14-160	REP-P	88-03-047	132L-21-020	REP-P	88-17-074
132E-120-070	REP	88-17-082	132I-14-160	REP	88-07-119	132L-21-030	REP-P	88-17-074
132E-120-080	REP-P	88-13-001	132I-14-170	REP-P	88-03-047	132L-21-040	REP-P	88-17-074
132E-120-080	REP	88-17-082	132I-14-170	REP	88-07-119	132L-23-010	REP-P	88-17-074
132E-121-010	NEW-P	88-13-096	132I-14-180	REP-P	88-03-047	132L-23-020	REP-P	88-17-074
132E-121-010	NEW	88-18-028	132I-14-180	REP	88-07-119	132L-23-030	REP-P	88-17-074
132E-124-030	REP-P	88-08-022	132I-14-190	REP-P	88-03-047	132L-23-040	REP-P	88-17-074
132E-124-030	REP	88-12-004	132I-14-190	REP	88-07-119	132N-20-010	NEW-P	88-11-047
132E-124-040	REP-P	88-08-022	132I-14-200	REP-P	88-03-047	132N-20-010	NEW	88-16-068
132E-124-040	REP	88-12-004	132I-14-200	REP	88-07-119	132N-20-020	NEW-P	88-11-047
132E-124-050	REP-P	88-08-022	132I-14-210	REP-P	88-03-047	132N-20-020	NEW	88-16-068
132E-124-050	REP	88-12-004	132I-14-210	REP	88-07-119	132N-20-030	NEW-P	88-11-047
132E-124-060	REP-P	88-08-022	132I-120-010	NEW-P	88-03-048	132N-20-030	NEW	88-16-068
132E-124-060	REP	88-12-004	132I-120-010	NEW	88-07-120	132N-20-040	NEW	88-11-047
132E-168-010	REP-P	88-08-019	132I-120-020	NEW-P	88-03-048	132N-20-050	NEW-P	88-11-047
132E-168-010	REP	88-12-006	132I-120-020	NEW	88-07-120	132N-20-050	NEW	88-16-068
132E-168-020	REP-P	88-08-019	132I-120-030	NEW-P	88-03-048	132N-20-060	NEW-P	88-11-047
132E-168-020	REP	88-12-006	132I-120-030	NEW	88-07-120	132N-20-060	NEW	88-16-068
132E-168-030	REP-P	88-08-019	132I-120-100	NEW-P	88-03-048	132N-20-070	NEW-P	88-11-047
132E-168-030	REP	88-12-006	132I-120-100	NEW	88-07-120	132N-20-070	NEW	88-16-068
132E-168-040	REP-P	88-08-019	132I-120-100	NEW	88-07-120	132N-20-080	NEW-P	88-11-047
132E-168-040	REP	88-12-006	132I-120-300	NEW-P	88-03-048	132N-20-080	NEW	88-16-068
132E-168-050	REP-P	88-08-019	132I-120-305	NEW-P	88-03-048	132N-20-090	NEW-P	88-11-047
132E-168-050	REP	88-12-006	132I-120-305	NEW	88-07-120	132N-20-090	NEW	88-16-068
132E-168-060	REP-P	88-08-019	132I-120-310	NEW-P	88-03-048	132P-40-001	NEW-P	88-04-024
132E-168-060	REP	88-12-006	132I-120-310	NEW	88-07-120	132P-40-001	NEW	88-12-012
132E-168-070	REP-P	88-08-019	132I-120-315	NEW-P	88-03-048	132R-210-015	REP-P	88-15-001
132E-168-070	REP	88-12-006	132I-120-315	NEW	88-07-120	132R-210-020	REP-P	88-15-001
132E-168-080	REP-P	88-08-019	132I-120-320	NEW-P	88-03-048	132R-210-030	REP-P	88-15-001
132E-168-080	REP	88-12-006	132I-120-320	NEW	88-07-120	132R-210-040	REP-P	88-15-001
132E-168-090	REP-P	88-08-019	132I-120-325	NEW-P	88-03-048	132R-210-060	REP-P	88-15-001
132E-168-090	REP	88-12-006	132I-120-325	NEW	88-07-120	132R-210-070	REP-P	88-15-001
132E-276-030	AMD-P	88-08-053	132I-120-330	NEW-P	88-03-048	132R-210-110	REP-P	88-15-001
132E-276-030	AMD	88-12-005	132I-120-330	NEW	88-07-120	132R-210-120	REP-P	88-15-001
132E-276-060	AMD-P	88-10-023	132I-120-335	NEW-P	88-03-048	132R-210-130	REP-P	88-15-001
132E-276-060	AMD	88-14-013	132I-120-335	NEW	88-07-120	132R-210-140	REP-P	88-15-001
132E-276-070	AMD-P	88-10-023	132I-120-340	NEW-P	88-03-048	132R-210-150	REP-P	88-15-001
132E-276-070	AMD	88-14-013	132I-120-340	NEW	88-07-120	132R-210-160	REP-P	88-15-001
132F-120-090	AMD-P	88-03-044	132I-120-345	NEW-P	88-03-048	132R-210-170	REP-P	88-15-001
132F-120-090	AMD	88-08-069	132I-120-345	NEW	88-07-120	132R-210-175	REP-P	88-15-001
132H-105-140	AMD-P	88-06-058	132I-120-400	NEW-P	88-03-048	132R-210-180	REP-P	88-15-001
132H-105-140	AMD-P	88-07-089	132I-120-400	NEW	88-07-120	132R-210-210	REP-P	88-15-001
132H-105-140	AMD	88-13-047	132I-120-405	NEW-P	88-03-048	132R-210-220	REP-P	88-15-001
132H-200-200	NEW-P	88-04-059	132I-120-405	NEW	88-07-120	132R-210-230	REP-P	88-15-001
132H-200-200	NEW	88-07-036	132I-120-410	NEW-P	88-03-048	132R-210-240	REP-P	88-15-001
132H-200-250	NEW-P	88-07-088	132I-120-410	NEW	88-07-120	132R-210-250	REP-P	88-15-001
132H-200-250	NEW	88-13-048	132I-120-415	NEW-P	88-03-048	132R-210-260	REP-P	88-15-001
132I-14-010	REP-P	88-03-047	132I-120-415	NEW	88-07-120	132R-210-265	REP-P	88-15-001
132I-14-010	REP	88-07-119	132I-120-420	NEW-P	88-03-048	132R-210-270	REP-P	88-15-001

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132R-210-275	REP-P 88-15-001	132R-210-817	REP-P 88-15-001	132U-10-220	REP 88-15-005
132R-210-280	REP-P 88-15-001	132R-210-820	REP-P 88-15-001	132U-10-230	REP-P 88-07-029
132R-210-310	REP-P 88-15-001	132R-210-823	REP-P 88-15-001	132U-10-230	REP 88-15-005
132R-210-320	REP-P 88-15-001	132R-210-826	REP-P 88-15-001	132U-10-240	REP-P 88-07-029
132R-210-330	REP-P 88-15-001	132R-210-829	REP-P 88-15-001	132U-10-240	REP 88-15-005
132R-210-335	REP-P 88-15-001	132R-210-832	REP-P 88-15-001	132U-36	REP-C 88-12-020
132R-210-340	REP-P 88-15-001	132R-210-835	REP-P 88-15-001	132U-36-010	REP-P 88-07-029
132R-210-350	REP-P 88-15-001	132R-210-838	REP-P 88-15-001	132U-36-010	REP 88-15-005
132R-210-360	REP-P 88-15-001	132R-210-841	REP-P 88-15-001	132U-40	REP-C 88-12-020
132R-210-405	REP-P 88-15-001	132R-210-843	REP-P 88-15-001	132U-40-010	REP-P 88-07-029
132R-210-410	REP-P 88-15-001	132R-210-847	REP-P 88-15-001	132U-40-010	REP 88-15-005
132R-210-415	REP-P 88-15-001	132R-210-850	REP-P 88-15-001	132U-40-020	REP-P 88-07-029
132R-210-420	REP-P 88-15-001	132R-210-853	REP-P 88-15-001	132U-40-020	REP 88-15-005
132R-210-425	REP-P 88-15-001	132R-210-856	REP-P 88-15-001	132U-40-030	REP-P 88-07-029
132R-210-430	REP-P 88-15-001	132R-210-859	REP-P 88-15-001	132U-40-030	REP 88-15-005
132R-210-435	REP-P 88-15-001	132R-210-862	REP-P 88-15-001	132U-40-040	REP-P 88-07-029
132R-210-440	REP-P 88-15-001	132R-210-865	REP-P 88-15-001	132U-40-040	REP 88-15-005
132R-210-445	REP-P 88-15-001	132R-210-868	REP-P 88-15-001	132U-40-050	REP-P 88-07-029
132R-210-450	REP-P 88-15-001	132R-210-871	REP-P 88-15-001	132U-40-050	REP 88-15-005
132R-210-455	REP-P 88-15-001	132R-210-874	REP-P 88-15-001	132U-40-060	REP-P 88-07-029
132R-210-460	REP-P 88-15-001	132R-210-877	REP-P 88-15-001	132U-40-060	REP 88-15-005
132R-210-465	REP-P 88-15-001	132R-210-880	REP-P 88-15-001	132U-40-070	REP-P 88-07-029
132R-210-470	REP-P 88-15-001	132R-210-910	REP-P 88-15-001	132U-40-070	REP 88-15-005
132R-210-505	REP-P 88-15-001	132R-210-920	REP-P 88-15-001	132U-40-080	REP-P 88-07-029
132R-210-510	REP-P 88-15-001	132R-210-930	REP-P 88-15-001	132U-40-080	REP 88-15-005
132R-210-520	REP-P 88-15-001	132R-210-950	REP-P 88-15-001	132U-40-090	REP-P 88-07-029
132R-210-570	REP-P 88-15-001	132T-05-060	AMD-P 88-03-045	132U-40-090	REP 88-15-005
132R-210-620	REP-P 88-15-001	132T-05-060	AMD 88-07-019	132U-40-100	REP-P 88-07-029
132R-210-630	REP-P 88-15-001	132T-128-010	REP-P 88-03-046	132U-40-100	REP 88-15-005
132R-210-701	REP-P 88-15-001	132T-128-010	REP 88-07-020	132U-40-110	REP-P 88-07-029
132R-210-702	REP-P 88-15-001	132T-128-020	REP-P 88-03-046	132U-40-110	REP 88-15-005
132R-210-704	REP-P 88-15-001	132T-128-020	REP 88-07-020	132U-40-120	REP-P 88-07-029
132R-210-706	REP-P 88-15-001	132T-128-030	REP-P 88-03-046	132U-40-120	REP 88-15-005
132R-210-708	REP-P 88-15-001	132T-128-030	REP 88-07-020	132U-40-130	REP-P 88-07-029
132R-210-710	REP-P 88-15-001	132T-128-040	REP-P 88-03-046	132U-40-130	REP 88-15-005
132R-210-712	REP-P 88-15-001	132T-128-040	REP 88-07-020	132U-40-140	REP-P 88-07-029
132R-210-714	REP-P 88-15-001	132T-128-050	REP-P 88-03-046	132U-40-140	REP 88-15-005
132R-210-716	REP-P 88-15-001	132T-128-050	REP 88-07-020	132U-52-010	NEW-E 88-02-047
132R-210-718	REP-P 88-15-001	132T-128-060	REP-P 88-03-046	132U-52-010	NEW-P 88-04-070
132R-210-720	REP-P 88-15-001	132T-128-060	REP 88-07-020	132U-52-010	NEW 88-07-057
132R-210-722	REP-P 88-15-001	132T-128-070	REP-P 88-03-046	132U-80	REP-C 88-12-020
132R-210-724	REP-P 88-15-001	132T-128-070	REP 88-07-020	132U-80-010	REP-P 88-07-029
132R-210-726	REP-P 88-15-001	132T-128-080	REP-P 88-03-046	132U-80-010	REP 88-15-005
132R-210-728	REP-P 88-15-001	132T-128-080	REP 88-07-020	132U-80-020	REP-P 88-07-029
132R-210-730	REP-P 88-15-001	132T-128-090	REP-P 88-03-046	132U-80-020	REP 88-15-005
132R-210-732	REP-P 88-15-001	132T-128-090	REP 88-07-020	132U-80-030	REP-P 88-07-029
132R-210-734	REP-P 88-15-001	132U-04	REP-C 88-12-020	132U-80-030	REP 88-15-005
132R-210-736	REP-P 88-15-001	132U-04-100	REP-P 88-07-029	132U-80-060	REP-P 88-07-029
132R-210-738	REP-P 88-15-001	132U-04-100	REP 88-15-005	132U-80-060	REP 88-15-005
132R-210-740	REP-P 88-15-001	132U-04-110	REP-P 88-07-029	132U-80-065	REP-P 88-07-029
132R-210-742	REP-P 88-15-001	132U-10	REP 88-15-005	132U-80-065	REP 88-15-005
132R-210-744	REP-P 88-15-001	132U-10-100	REP-C 88-12-020	132U-80-070	REP-P 88-07-029
132R-210-746	REP-P 88-15-001	132U-10-100	REP-P 88-07-029	132U-80-070	REP 88-15-005
132R-210-748	REP-P 88-15-001	132U-10-110	REP 88-15-005	132U-80-080	REP-P 88-07-029
132R-210-750	REP-P 88-15-001	132U-10-110	REP-P 88-07-029	132U-80-080	REP 88-15-005
132R-210-752	REP-P 88-15-001	132U-10-120	REP 88-15-005	132U-80-090	REP-P 88-07-029
132R-210-754	REP-P 88-15-001	132U-10-120	REP-P 88-07-029	132U-80-090	REP 88-15-005
132R-210-756	REP-P 88-15-001	132U-10-130	REP 88-15-005	132U-80-100	REP-P 88-07-029
132R-210-760	REP-P 88-15-001	132U-10-130	REP-P 88-07-029	132U-80-100	REP 88-15-005
132R-210-762	REP-P 88-15-001	132U-10-140	REP 88-15-005	132U-80-105	REP-P 88-07-029
132R-210-764	REP-P 88-15-001	132U-10-140	REP 88-07-029	132U-80-105	REP 88-15-005
132R-210-766	REP-P 88-15-001	132U-10-150	REP-P 88-07-029	132U-80-110	REP-P 88-07-029
132R-210-768	REP-P 88-15-001	132U-10-150	REP 88-15-005	132U-80-110	REP 88-15-005
132R-210-770	REP-P 88-15-001	132U-10-160	REP-P 88-07-029	132U-80-115	REP-P 88-07-029
132R-210-772	REP-P 88-15-001	132U-10-160	REP 88-15-005	132U-80-115	REP 88-15-005
132R-210-774	REP-P 88-15-001	132U-10-170	REP-P 88-07-029	132U-80-125	REP-P 88-07-029
132R-210-776	REP-P 88-15-001	132U-10-170	REP 88-15-005	132U-80-125	REP 88-15-005
132R-210-778	REP-P 88-15-001	132U-10-180	REP-P 88-07-029	132U-80-200	REP-P 88-07-029
132R-210-780	REP-P 88-15-001	132U-10-180	REP 88-15-005	132U-80-200	REP 88-15-005
132R-210-782	REP-P 88-15-001	132U-10-190	REP-P 88-07-029	132U-80-205	REP-P 88-07-029
132R-210-784	REP-P 88-15-001	132U-10-190	REP 88-15-005	132U-80-205	REP 88-15-005
132R-210-802	REP-P 88-15-001	132U-10-200	REP-P 88-07-029	132U-80-210	REP-P 88-07-029
132R-210-805	REP-P 88-15-001	132U-10-200	REP 88-15-005	132U-80-210	REP 88-15-005
132R-210-808	REP-P 88-15-001	132U-10-210	REP-P 88-07-029	132U-80-220	REP-P 88-07-029
132R-210-811	REP-P 88-15-001	132U-10-210	REP 88-15-005	132U-80-220	REP 88-15-005
132R-210-814	REP-P 88-15-001	132U-10-220	REP-P 88-07-029	132U-80-230	REP-P 88-07-029
				132U-80-230	REP 88-15-005

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132U-80-235	REP-P	88-07-029	132U-120-170	NEW-P	88-07-029	132U-276-210	NEW-P	88-07-029
132U-80-235	REP	88-15-005	132U-120-170	NEW	88-15-005	132U-276-210	NEW	88-15-005
132U-80-240	REP-P	88-07-029	132U-120-180	NEW-P	88-07-029	132U-276-220	NEW-P	88-07-029
132U-80-240	REP	88-15-005	132U-120-180	NEW	88-15-005	132U-276-220	NEW	88-15-005
132U-80-245	REP-P	88-07-029	132U-120-190	NEW-P	88-07-029	132U-276-230	NEW-P	88-07-029
132U-80-245	REP	88-15-005	132U-120-190	NEW	88-15-005	132U-276-230	NEW	88-15-005
132U-80-250	REP-P	88-07-029	132U-120-200	NEW-P	88-07-029	132U-276-240	NEW-P	88-07-029
132U-80-250	REP	88-15-005	132U-120-200	NEW	88-15-005	132U-276-240	NEW	88-15-005
132U-80-255	REP-P	88-07-029	132U-120-210	NEW-P	88-07-029	132U-280	NEW-C	88-12-020
132U-80-255	REP	88-15-005	132U-120-210	NEW	88-15-005	132U-280-010	NEW-P	88-07-029
132U-80-265	REP-P	88-07-029	132U-120-220	NEW-P	88-07-029	132U-280-010	NEW	88-15-005
132U-80-265	REP	88-15-005	132U-120-220	NEW	88-15-005	132U-280-015	NEW-P	88-07-029
132U-80-300	REP-P	88-07-029	132U-120-230	NEW-P	88-07-029	132U-280-015	NEW	88-15-005
132U-80-300	REP	88-15-005	132U-120-230	NEW	88-15-005	132U-280-020	NEW-P	88-07-029
132U-80-310	REP-P	88-07-029	132U-120-240	NEW-P	88-07-029	132U-280-020	NEW	88-15-005
132U-80-310	REP	88-15-005	132U-120-240	NEW	88-15-005	132U-280-025	NEW-P	88-07-029
132U-80-320	REP-P	88-07-029	132U-120-250	NEW-P	88-07-029	132U-280-025	NEW	88-15-005
132U-80-320	REP	88-15-005	132U-120-250	NEW	88-15-005	132U-280-030	NEW-P	88-07-029
132U-80-330	REP-P	88-07-029	132U-120-260	NEW-P	88-07-029	132U-280-030	NEW	88-15-005
132U-80-330	REP	88-15-005	132U-120-260	NEW	88-15-005	132U-280-035	NEW-P	88-07-029
132U-80-340	REP-P	88-07-029	132U-120-270	NEW-P	88-07-029	132U-280-035	NEW	88-15-005
132U-80-340	REP	88-15-005	132U-120-270	NEW	88-15-005	132U-300	NEW-C	88-12-020
132U-80-350	REP-P	88-07-029	132U-120-280	NEW-P	88-07-029	132U-300-010	NEW-P	88-07-029
132U-80-350	REP	88-15-005	132U-120-280	NEW	88-15-005	132U-300-010	NEW	88-15-005
132U-80-360	REP-P	88-07-029	132U-120-290	NEW-P	88-07-029	132U-300-020	NEW-P	88-07-029
132U-80-360	REP	88-15-005	132U-120-290	NEW	88-15-005	132U-300-020	NEW	88-15-005
132U-80-370	REP-P	88-07-029	132U-120-300	NEW-P	88-07-029	132U-325	NEW-C	88-12-020
132U-80-370	REP	88-15-005	132U-120-300	NEW	88-15-005	132U-325-010	NEW-P	88-07-029
132U-104	NEW-C	88-12-020	132U-120-310	NEW-P	88-07-029	132U-325-010	NEW	88-15-005
132U-104-010	NEW-P	88-07-029	132U-120-310	NEW	88-15-005	132X-10-010	NEW-P	88-17-074
132U-104-010	NEW	88-15-005	132U-120-320	NEW-P	88-07-029	132X-10-020	NEW-P	88-17-074
132U-104-020	NEW-P	88-07-029	132U-120-320	NEW	88-15-005	132X-10-030	NEW-P	88-17-074
132U-104-020	NEW	88-15-005	132U-120-330	NEW-P	88-07-029	132X-10-040	NEW-P	88-17-074
132U-104-030	NEW-P	88-07-029	132U-120-330	NEW	88-15-005	132X-10-050	NEW-P	88-17-074
132U-104-030	NEW	88-15-005	132U-122	NEW-C	88-12-020	132X-10-060	NEW-P	88-17-074
132U-116-010	NEW-E	88-02-047	132U-122-010	NEW-P	88-07-029	132X-10-070	NEW-P	88-17-074
132U-116-010	NEW-P	88-04-070	132U-122-010	NEW	88-15-005	132X-10-080	NEW-P	88-17-074
132U-116-010	NEW	88-07-057	132U-122-020	NEW-P	88-07-029	132X-10-090	NEW-P	88-17-074
132U-116-020	NEW-E	88-02-047	132U-122-020	NEW	88-15-005	132X-10-100	NEW-P	88-17-074
132U-116-020	NEW-P	88-04-070	132U-140	NEW-C	88-12-020	132X-10-110	NEW-P	88-17-074
132U-116-020	NEW	88-07-057	132U-140-010	NEW-P	88-07-029	132X-10-120	NEW-P	88-17-074
132U-116-030	NEW-E	88-02-047	132U-140-010	NEW	88-15-005	132X-10-130	NEW-P	88-17-074
132U-116-030	NEW-P	88-04-070	132U-140-020	NEW-P	88-07-029	132X-10-140	NEW-P	88-17-074
132U-116-030	NEW	88-07-057	132U-140-020	NEW	88-15-005	132X-10-150	NEW-P	88-17-074
132U-120	NEW-C	88-12-020	132U-140-030	NEW-P	88-07-029	132X-20-010	NEW-P	88-17-074
132U-120-010	NEW-P	88-07-029	132U-140-030	NEW	88-15-005	132X-20-020	NEW-P	88-17-074
132U-120-010	NEW	88-15-005	132U-140-040	NEW-P	88-07-029	132X-20-030	NEW-P	88-17-074
132U-120-020	NEW-P	88-07-029	132U-140-040	NEW	88-15-005	132X-20-040	NEW-P	88-17-074
132U-120-020	NEW	88-15-005	132U-140-050	NEW-P	88-07-029	132X-20-050	NEW-P	88-17-074
132U-120-030	NEW-P	88-07-029	132U-140-050	NEW	88-15-005	132X-20-060	NEW-P	88-17-074
132U-120-030	NEW	88-15-005	132U-140-060	NEW-P	88-07-029	132X-20-070	NEW-P	88-17-074
132U-120-040	NEW-P	88-07-029	132U-140-060	NEW	88-15-005	132X-20-080	NEW-P	88-17-074
132U-120-040	NEW	88-15-005	132U-140-070	NEW-P	88-07-029	132X-20-090	NEW-P	88-17-074
132U-120-050	NEW-P	88-07-029	132U-140-070	NEW	88-15-005	132X-20-100	NEW-P	88-17-074
132U-120-050	NEW	88-15-005	132U-276	NEW-C	88-12-020	132X-20-110	NEW-P	88-17-074
132U-120-060	NEW-P	88-07-029	132U-276-100	NEW-P	88-07-029	132X-20-120	NEW-P	88-17-074
132U-120-060	NEW	88-15-005	132U-276-100	NEW	88-15-005	132X-20-130	NEW-P	88-17-074
132U-120-070	NEW-P	88-07-029	132U-276-110	NEW-P	88-07-029	132X-30-010	REP-P	88-17-074
132U-120-070	NEW	88-15-005	132U-276-110	NEW	88-15-005	132X-30-020	REP-P	88-17-074
132U-120-080	NEW-P	88-07-029	132U-276-120	NEW-P	88-07-029	132X-30-030	REP-P	88-17-074
132U-120-080	NEW	88-15-005	132U-276-120	NEW	88-15-005	132X-30-040	REP-P	88-17-074
132U-120-090	NEW-P	88-07-029	132U-276-130	NEW-P	88-07-029	132X-30-050	REP-P	88-17-074
132U-120-090	NEW	88-15-005	132U-276-130	NEW	88-15-005	132X-30-060	REP-P	88-17-074
132U-120-100	NEW-P	88-07-029	132U-276-140	NEW-P	88-07-029	132X-30-070	REP-P	88-17-074
132U-120-100	NEW	88-15-005	132U-276-140	NEW	88-15-005	132X-40-010	NEW-P	88-17-074
132U-120-110	NEW-P	88-07-029	132U-276-150	NEW-P	88-07-029	132X-40-020	NEW-P	88-17-074
132U-120-110	NEW	88-15-005	132U-276-150	NEW	88-15-005	132X-40-030	NEW-P	88-17-074
132U-120-120	NEW-P	88-07-029	132U-276-160	NEW-P	88-07-029	132X-50-010	NEW-P	88-17-074
132U-120-120	NEW	88-15-005	132U-276-160	NEW	88-15-005	132X-50-020	NEW-P	88-17-074
132U-120-130	NEW-P	88-07-029	132U-276-170	NEW-P	88-07-029	132X-50-030	NEW-P	88-17-074
132U-120-130	NEW	88-15-005	132U-276-170	NEW	88-15-005	132X-50-040	NEW-P	88-17-074
132U-120-140	NEW-P	88-07-029	132U-276-180	NEW-P	88-07-029	132X-50-050	NEW-P	88-17-074
132U-120-140	NEW	88-15-005	132U-276-180	NEW	88-15-005	132X-50-060	NEW-P	88-17-074
132U-120-150	NEW-P	88-07-029	132U-276-190	NEW-P	88-07-029	132X-50-070	NEW-P	88-17-074
132U-120-150	NEW	88-15-005	132U-276-190	NEW	88-15-005	132X-50-080	NEW-P	88-17-074
132U-120-160	NEW-P	88-07-029	132U-276-200	NEW-P	88-07-029	132X-50-090	NEW-P	88-17-074
132U-120-160	NEW	88-15-005	132U-276-200	NEW	88-15-005	132X-50-100	NEW-P	88-17-074

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132X-50-110	NEW-P 88-17-074	137-78-070	NEW-P 88-12-002	154-150-040	NEW-P 88-07-104
132X-50-120	NEW-P 88-17-074	137-78-080	NEW-P 88-12-002	154-150-040	NEW 88-11-028
132X-50-130	NEW-P 88-17-074	139-05-810	NEW-P 88-15-028	154-150-050	NEW-P 88-07-104
132X-50-140	NEW-P 88-17-074	139-25-110	NEW-P 88-15-029	154-150-050	NEW 88-11-028
132X-50-150	NEW-P 88-17-074	143-06-010	AMD-P 88-18-089	154-160-010	NEW-P 88-07-104
132X-50-160	NEW-P 88-17-074	143-06-020	AMD-P 88-18-089	154-160-010	NEW 88-11-028
132X-50-170	NEW-P 88-17-074	143-06-030	AMD-P 88-18-089	154-160-020	NEW-P 88-07-104
132X-50-180	NEW-P 88-17-074	143-06-050	AMD-P 88-18-089	154-160-020	NEW 88-11-028
132X-50-190	NEW-P 88-17-074	143-06-060	AMD-P 88-18-089	154-170-010	NEW-P 88-07-104
132X-50-200	NEW-P 88-17-074	143-06-070	AMD-P 88-18-089	154-170-010	NEW 88-11-028
132X-50-210	NEW-P 88-17-074	143-06-080	AMD-P 88-18-089	154-180-010	NEW-P 88-07-104
132X-50-220	NEW-P 88-17-074	143-06-090	AMD-P 88-18-089	154-180-010	NEW 88-11-028
132X-50-230	NEW-P 88-17-074	143-06-100	AMD-P 88-18-089	154-180-020	NEW-P 88-07-104
132X-50-240	NEW-P 88-17-074	143-06-110	AMD-P 88-18-089	154-180-020	NEW 88-11-028
132X-50-250	NEW-P 88-17-074	143-06-120	AMD-P 88-18-089	154-180-030	NEW-P 88-07-104
132X-50-260	NEW-P 88-17-074	143-06-130	AMD-P 88-18-089	154-180-030	NEW 88-11-028
132X-50-270	NEW-P 88-17-074	143-06-140	AMD-P 88-18-089	154-180-040	NEW-P 88-07-104
132X-50-280	NEW-P 88-17-074	143-06-150	AMD-P 88-18-089	154-180-040	NEW 88-11-028
132X-50-290	NEW-P 88-17-074	143-10-010	AMD-P 88-18-089	154-180-050	NEW-P 88-07-104
132X-50-300	NEW-P 88-17-074	154-04-040	AMD-P 88-09-075	154-180-050	NEW 88-11-028
132X-60-010	NEW-P 88-17-074	154-04-040	AMD 88-12-028	154-180-060	NEW-P 88-07-104
132X-60-020	NEW-P 88-17-074	154-12-015	AMD-P 88-09-075	154-180-060	NEW 88-11-028
132X-60-030	NEW-P 88-17-074	154-12-015	AMD 88-12-028	154-180-070	NEW-P 88-07-104
132X-60-040	NEW-P 88-17-074	154-12-020	AMD-P 88-09-075	154-180-070	NEW 88-11-028
132X-60-050	NEW-P 88-17-074	154-12-020	AMD 88-12-028	154-190-010	NEW-P 88-07-104
132X-60-060	NEW-P 88-17-074	154-12-030	AMD-P 88-09-075	154-190-010	NEW 88-11-028
132X-60-070	NEW-P 88-17-074	154-12-030	AMD 88-12-028	154-200-010	NEW-P 88-07-104
132X-60-080	NEW-P 88-17-074	154-12-110	AMD-P 88-09-075	154-200-010	NEW 88-11-028
132X-60-090	NEW-P 88-17-074	154-12-110	AMD 88-12-028	154-200-020	NEW-P 88-07-104
132X-60-100	NEW-P 88-17-074	154-24-010	AMD-P 88-09-075	154-200-020	NEW 88-11-028
132X-60-110	NEW-P 88-17-074	154-24-010	AMD 88-12-028	154-200-030	NEW-P 88-07-104
132X-60-120	NEW-P 88-17-074	154-110-010	NEW-P 88-07-104	154-200-030	NEW 88-11-028
132X-60-140	NEW-P 88-17-074	154-110-010	NEW 88-11-028	154-200-040	NEW-P 88-07-104
132X-60-150	NEW-P 88-17-074	154-110-015	NEW-P 88-07-104	154-200-040	NEW 88-11-028
132Y-20-010	REP-P 88-06-023	154-110-015	NEW 88-11-028	162-18-010	REP-P 88-09-080
132Y-140-001	REP-P 88-06-024	154-110-020	NEW-P 88-07-104	162-18-020	REP-P 88-09-080
132Y-140-001	REP 88-13-013	154-110-020	NEW 88-11-028	162-18-030	REP-P 88-09-080
132Y-140-101	REP-P 88-06-024	154-110-030	NEW-P 88-07-104	162-18-040	REP-P 88-09-080
132Y-140-101	REP 88-13-013	154-110-030	NEW 88-11-028	162-18-050	REP-P 88-09-080
132Y-140-108	REP-P 88-06-024	154-120-010	NEW-P 88-07-104	162-18-060	REP-P 88-09-080
132Y-140-108	REP 88-13-013	154-120-010	NEW 88-11-028	162-18-070	REP-P 88-09-080
132Y-140-112	REP-P 88-06-024	154-120-015	NEW-P 88-07-104	162-18-080	REP-P 88-09-080
132Y-140-112	REP 88-13-013	154-120-015	NEW 88-11-028	162-18-090	REP-P 88-09-080
132Y-140-116	REP-P 88-06-024	154-120-020	NEW-P 88-07-104	162-18-100	REP-P 88-09-080
132Y-140-116	REP 88-13-013	154-120-020	NEW 88-11-028	162-18-110	NEW-P 88-09-080
136-15-010	NEW-P 88-12-079	154-120-025	NEW-P 88-07-104	162-18-120	NEW-P 88-09-080
136-15-010	NEW 88-16-017	154-120-025	NEW 88-11-028	162-18-130	NEW-P 88-09-080
136-15-020	NEW-P 88-12-079	154-120-030	NEW-P 88-07-104	162-18-140	NEW-P 88-09-080
136-15-020	NEW 88-16-017	154-120-030	NEW 88-11-028	162-18-150	NEW-P 88-09-080
136-15-030	NEW-P 88-12-079	154-120-035	NEW-P 88-07-104	162-18-160	NEW-P 88-09-080
136-15-030	NEW 88-16-017	154-120-035	NEW 88-11-028	162-19-010	NEW-P 88-09-080
136-15-040	NEW-P 88-12-079	154-120-040	NEW-P 88-07-104	162-19-020	NEW-P 88-09-080
136-15-040	NEW 88-16-017	154-120-040	NEW 88-11-028	162-19-030	NEW-P 88-09-080
136-15-050	NEW-P 88-12-079	154-120-045	NEW-P 88-07-104	162-19-040	NEW-P 88-09-080
136-15-050	NEW 88-16-017	154-120-045	NEW 88-11-028	162-19-060	NEW-P 88-09-080
136-15-060	NEW-P 88-12-079	154-120-050	NEW-P 88-07-104	162-19-070	NEW-P 88-09-080
136-15-060	NEW 88-16-017	154-120-050	NEW 88-11-028	162-19-080	NEW-P 88-09-080
136-130-050	AMD-C 88-09-034	154-120-055	NEW-P 88-07-104	162-19-090	NEW-P 88-09-080
136-130-050	AMD 88-12-080	154-130-010	NEW 88-11-028	173-14	AMD-C 88-04-091
136-130-060	AMD 88-05-040	154-130-010	NEW-P 88-07-104	173-14-030	AMD-W 88-07-006
136-130-070	AMD 88-05-040	154-130-020	NEW 88-11-028	173-14-030	AMD-P 88-12-067
136-160-050	AMD 88-05-040	154-130-020	NEW-P 88-07-104	173-14-060	AMD-W 88-07-006
136-160-060	AMD-P 88-12-079	154-130-020	NEW 88-11-028	173-14-061	NEW-W 88-07-006
136-160-060	AMD 88-16-017	154-130-030	NEW-P 88-07-104	173-18-280	AMD 88-03-070
136-160-065	NEW 88-05-040	154-130-030	NEW 88-11-028	173-19-130	AMD 88-07-009
136-220-020	AMD-P 88-12-079	154-140-010	NEW-P 88-07-104	173-19-210	AMD-P 88-16-104
136-220-020	AMD 88-16-017	154-140-010	NEW 88-11-028	173-19-220	AMD-P 88-03-069
136-220-030	AMD-P 88-12-079	154-140-020	NEW-P 88-07-104	173-19-220	AMD-P 88-08-063
136-220-030	AMD 88-16-017	154-140-020	NEW 88-11-028	173-19-220	AMD 88-08-089
137-60-040	AMD-W 88-04-043	154-140-030	NEW-P 88-07-104	173-19-220	AMD-C 88-14-091
137-78-010	NEW-P 88-12-002	154-140-030	NEW 88-11-028	173-19-2201	AMD-P 88-08-064
137-78-020	NEW-P 88-12-002	154-150-010	NEW-P 88-07-104	173-19-2201	AMD-C 88-14-091
137-78-030	NEW-P 88-12-002	154-150-010	NEW 88-11-028	173-19-2202	AMD-P 88-08-065
137-78-040	NEW-P 88-12-002	154-150-020	NEW-P 88-07-104	173-19-2202	AMD-C 88-14-091
137-78-050	NEW-P 88-12-002	154-150-020	NEW 88-11-028	173-19-2204	AMD-P 88-08-066
137-78-060	NEW-P 88-12-002	154-150-030	NEW-P 88-07-104	173-19-2204	AMD-C 88-14-091
		154-150-030	NEW 88-11-028	173-19-2207	AMD-P 88-08-067

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173-19-2207	AMD-C 88-14-091	173-124-06001	REP-P 88-09-054	173-160-085	NEW 88-08-070
173-19-2208	AMD-P 88-08-068	173-124-06001	REP 88-13-037	173-160-090	REP 88-08-070
173-19-2208	AMD-C 88-14-091	173-124-070	NEW-P 88-09-054	173-160-09001	REP 88-08-070
173-19-2507	AMD-C 88-04-092	173-124-070	NEW 88-13-037	173-160-095	NEW 88-08-070
173-19-2507	AMD 88-07-008	173-124-080	NEW-P 88-09-054	173-160-100	REP 88-08-070
173-19-2512	AMD-P 88-17-126	173-124-080	NEW 88-13-037	173-160-105	NEW 88-08-070
173-19-2516	AMD-P 88-12-068	173-128A-060	NEW-P 88-09-054	173-160-110	REP 88-08-070
173-19-2516	AMD-C 88-17-125	173-128A-060	NEW 88-13-037	173-160-115	NEW 88-08-070
173-19-2601	AMD-P 88-16-103	173-130A-215	NEW-P 88-09-054	173-160-120	REP 88-08-070
173-19-310	AMD-W 88-02-053	173-130A-215	NEW 88-13-037	173-160-125	NEW 88-08-070
173-19-310	AMD-P 88-02-054	173-130A-217	NEW-P 88-09-054	173-160-130	REP 88-08-070
173-19-310	AMD 88-07-010	173-130A-217	NEW 88-13-037	173-160-135	NEW 88-08-070
173-19-3302	AMD 88-02-064	173-130A-220	AMD-P 88-09-054	173-160-140	REP 88-08-070
173-19-3501	AMD-P 88-05-066	173-130A-220	AMD 88-13-037	173-160-150	REP 88-08-070
173-19-3501	AMD 88-10-059	173-132-060	NEW-P 88-09-054	173-160-160	REP 88-08-070
173-19-3512	AMD-C 88-02-063	173-132-060	NEW 88-13-037	173-160-170	REP 88-08-070
173-19-3512	AMD-C 88-04-093	173-134A-150	AMD-P 88-09-054	173-160-180	REP 88-08-070
173-19-3512	AMD 88-07-007	173-134A-150	AMD 88-13-037	173-160-190	REP 88-08-070
173-19-360	AMD-P 88-12-069	173-134A-165	NEW-P 88-09-054	173-160-200	REP 88-08-070
173-19-360	AMD-C 88-13-119	173-134A-165	NEW 88-13-037	173-160-205	NEW 88-08-070
173-22-0648	AMD 88-03-070	173-134A-170	AMD-P 88-09-054	173-160-210	REP 88-08-070
173-95-010	NEW-P 88-09-076	173-134A-170	AMD 88-13-037	173-160-215	NEW 88-08-070
173-95-010	NEW 88-14-125	173-136-095	NEW-P 88-09-054	173-160-220	REP 88-08-070
173-95-020	NEW-P 88-09-076	173-136-095	NEW 88-13-037	173-160-225	NEW 88-08-070
173-95-020	NEW 88-14-125	173-136-100	AMD-P 88-09-054	173-160-230	REP 88-08-070
173-95-030	NEW-P 88-09-076	173-136-100	AMD 88-13-037	173-160-235	NEW 88-08-070
173-95-030	NEW 88-14-125	173-136-110	NEW-P 88-09-054	173-160-240	REP 88-08-070
173-95-040	NEW-P 88-09-076	173-136-110	NEW 88-13-037	173-160-245	NEW 88-08-070
173-95-040	NEW 88-14-125	173-150-125	NEW-P 88-09-054	173-160-250	REP 88-08-070
173-95-050	NEW-P 88-09-076	173-150-125	NEW 88-13-037	173-160-255	NEW 88-08-070
173-95-050	NEW 88-14-125	173-150-130	AMD-P 88-09-054	173-160-260	REP 88-08-070
173-95-060	NEW-P 88-09-076	173-150-130	AMD 88-13-037	173-160-265	NEW 88-08-070
173-95-060	NEW 88-14-125	173-150-135	NEW-P 88-09-054	173-160-270	REP 88-08-070
173-95-070	NEW-P 88-09-076	173-150-135	NEW 88-13-037	173-160-275	NEW 88-08-070
173-95-070	NEW 88-14-125	173-154-095	NEW-P 88-09-054	173-160-280	REP 88-08-070
173-95-080	NEW-P 88-09-076	173-154-095	NEW 88-13-037	173-160-285	NEW 88-08-070
173-95-080	NEW 88-14-125	173-154-100	AMD-P 88-09-054	173-160-290	REP 88-08-070
173-95-090	NEW-P 88-09-076	173-154-100	AMD 88-13-037	173-160-295	NEW 88-08-070
173-95-090	NEW 88-14-125	173-154-105	NEW-P 88-09-054	173-160-300	REP 88-08-070
173-95-100	NEW-P 88-09-076	173-154-105	NEW 88-13-037	173-160-305	NEW 88-08-070
173-95-100	NEW 88-14-125	173-158-010	NEW-P 88-05-042	173-160-310	REP 88-08-070
173-95-110	NEW-P 88-09-076	173-158-010	NEW 88-10-058	173-160-315	NEW 88-08-070
173-95-110	NEW 88-14-125	173-158-020	NEW-P 88-05-042	173-160-320	REP 88-08-070
173-95-120	NEW-P 88-09-076	173-158-020	NEW 88-10-058	173-160-325	NEW 88-08-070
173-95-120	NEW 88-14-125	173-158-030	NEW-P 88-05-042	173-160-330	REP 88-08-070
173-95-130	NEW-P 88-09-076	173-158-030	NEW 88-10-058	173-160-335	NEW 88-08-070
173-95-130	NEW 88-14-125	173-158-040	NEW-P 88-05-042	173-160-340	REP 88-08-070
173-95-140	NEW-P 88-09-076	173-158-040	NEW 88-10-058	173-160-345	NEW 88-08-070
173-95-140	NEW 88-14-125	173-158-050	NEW-P 88-05-042	173-160-350	REP 88-08-070
173-95-150	NEW-P 88-09-076	173-158-050	NEW 88-10-058	173-160-355	NEW 88-08-070
173-95-150	NEW 88-14-125	173-158-060	NEW-P 88-05-042	173-160-360	REP 88-08-070
173-95-160	NEW-P 88-09-076	173-158-060	NEW 88-10-058	173-160-365	NEW 88-08-070
173-95-160	NEW 88-14-125	173-158-070	NEW-P 88-05-042	173-160-370	REP 88-08-070
173-100-050	AMD-P 88-09-054	173-158-070	NEW 88-10-058	173-160-375	NEW 88-08-070
173-100-050	AMD 88-13-037	173-158-080	NEW-P 88-05-042	173-160-380	REP 88-08-070
173-100-160	NEW-P 88-09-054	173-158-080	NEW 88-10-058	173-160-385	NEW 88-08-070
173-100-160	NEW 88-13-037	173-158-090	NEW-P 88-05-042	173-160-395	NEW 88-08-070
173-110-010	NEW-E 88-08-020	173-158-090	NEW 88-10-058	173-160-405	NEW 88-08-070
173-110-010	NEW-E 88-14-126	173-158-100	NEW-P 88-05-042	173-160-415	NEW 88-08-070
173-110-020	NEW-E 88-08-020	173-158-100	NEW 88-10-058	173-160-420	NEW 88-08-070
173-110-020	NEW-E 88-14-126	173-158-110	NEW-P 88-05-042	173-160-425	NEW 88-08-070
173-110-030	NEW-E 88-08-020	173-158-110	NEW 88-10-058	173-160-435	NEW 88-08-070
173-110-030	NEW-E 88-14-126	173-158-120	NEW-P 88-05-042	173-160-445	NEW 88-08-070
173-110-040	NEW-E 88-08-020	173-158-120	NEW 88-10-058	173-160-455	NEW 88-08-070
173-110-040	NEW-E 88-14-126	173-160	AMD-C 88-04-071	173-160-465	NEW 88-08-070
173-110-050	NEW-E 88-08-020	173-160	AMD 88-08-070	173-160-475	NEW 88-08-070
173-110-050	NEW-E 88-14-126	173-160-010	AMD 88-08-070	173-160-500	NEW 88-08-070
173-110-060	NEW-E 88-08-020	173-160-020	AMD 88-08-070	173-160-510	NEW 88-08-070
173-110-060	NEW-E 88-14-126	173-160-030	AMD 88-08-070	173-160-520	NEW 88-08-070
173-110-070	NEW-E 88-08-020	173-160-040	AMD 88-08-070	173-160-530	NEW 88-08-070
173-110-070	NEW-E 88-14-126	173-160-050	AMD 88-08-070	173-160-540	NEW 88-08-070
173-110-080	NEW-E 88-08-020	173-160-055	NEW 88-08-070	173-160-550	NEW 88-08-070
173-110-080	NEW-E 88-14-126	173-160-060	REP 88-08-070	173-160-560	NEW 88-08-070
173-110-090	NEW-E 88-08-020	173-160-065	NEW 88-08-070	173-162	AMD-C 88-04-071
173-110-090	NEW-E 88-14-126	173-160-070	REP 88-08-070	173-162	AMD 88-08-070
173-110-100	NEW-E 88-08-020	173-160-075	NEW 88-08-070	173-162-010	AMD 88-08-070
173-110-100	NEW-E 88-14-126	173-160-080	REP 88-08-070	173-162-020	AMD 88-08-070

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173-162-040	AMD	88-08-070	173-223-090	NEW-P	88-07-103	173-304-405	AMD-P	88-14-110
173-162-050	AMD	88-08-070	173-223-090	NEW	88-12-035	173-304-407	NEW-P	88-04-074
173-162-060	AMD	88-08-070	173-223-100	NEW-P	88-07-103	173-304-407	NEW-W	88-14-109
173-162-100	AMD	88-08-070	173-223-100	NEW	88-12-035	173-304-407	NEW-P	88-14-110
173-162-110	REP	88-08-070	173-223-110	NEW	88-12-035	173-304-430	AMD-P	88-04-074
173-162-130	AMD	88-08-070	173-223-120	NEW-P	88-07-103	173-304-430	AMD-W	88-14-109
173-162-140	AMD	88-08-070	173-303	AMD-C	88-03-074	173-304-430	AMD-P	88-14-110
173-162-150	REP	88-08-070	173-303	AMD-C	88-06-041	173-304-450	AMD-P	88-04-074
173-162-160	REP	88-08-070	173-303-120	AMD	88-07-039	173-304-450	AMD-W	88-14-109
173-162-170	AMD	88-08-070	173-303-120	AMD-P	88-13-116	173-304-450	AMD-P	88-14-110
173-162-180	REP	88-08-070	173-303-120	AMD	88-18-083	173-304-460	AMD-P	88-04-074
173-162-190	AMD	88-08-070	173-303-140	AMD	88-02-057	173-304-460	AMD-W	88-14-109
173-162-200	NEW	88-08-070	173-303-170	AMD	88-02-057	173-304-460	AMD-P	88-14-110
173-162-210	NEW	88-08-070	173-303-280	AMD	88-02-057	173-304-467	NEW-P	88-04-074
173-162-220	NEW	88-08-070	173-303-281	NEW-P	88-13-116	173-304-467	NEW-W	88-14-109
173-164-050	AMD-P	88-09-054	173-303-281	NEW	88-18-083	173-304-467	NEW-P	88-14-110
173-164-050	AMD	88-13-037	173-303-283	NEW-P	88-13-116	173-304-468	NEW-P	88-14-110
173-164-080	NEW-P	88-09-054	173-303-283	NEW	88-18-083	173-304-600	AMD-P	88-04-074
173-164-080	NEW	88-13-037	173-303-284	NEW	88-07-039	173-304-600	AMD-W	88-14-109
173-166-070	NEW-P	88-09-054	173-303-284	REP-P	88-13-116	173-304-600	AMD-P	88-14-110
173-166-070	NEW	88-13-037	173-303-284	REP	88-18-083	173-306-010	NEW-P	88-12-072
173-201	AMD	88-02-058	173-303-285	NEW	88-07-039	173-306-010	NEW-E	88-12-073
173-201-010	AMD	88-02-058	173-303-285	REP-P	88-13-116	173-306-020	NEW-P	88-12-072
173-201-025	AMD	88-02-058	173-303-285	REP	88-18-083	173-306-020	NEW-E	88-12-073
173-201-035	AMD	88-02-058	173-303-286	NEW	88-07-039	173-306-030	NEW-P	88-12-072
173-201-045	AMD	88-02-058	173-303-286	REP-P	88-13-116	173-306-030	NEW-E	88-12-073
173-201-047	NEW	88-02-058	173-303-286	REP	88-18-083	173-306-040	NEW-P	88-12-072
173-201-070	AMD	88-02-058	173-303-400	AMD	88-02-057	173-306-040	NEW-E	88-12-073
173-201-080	AMD	88-02-058	173-303-420	AMD	88-07-039	173-306-050	NEW-P	88-12-072
173-201-090	AMD	88-02-058	173-303-420	AMD-P	88-13-116	173-306-050	NEW-E	88-12-073
173-201-100	AMD	88-02-058	173-303-420	AMD	88-18-083	173-309-010	NEW-P	88-09-049
173-202-020	AMD-P	88-12-097	173-303-430	AMD	88-07-039	173-309-010	NEW-E	88-09-050
173-216-130	AMD-P	88-07-103	173-303-440	AMD	88-07-039	173-309-010	NEW-C	88-11-067
173-216-130	AMD	88-12-035	173-303-510	AMD	88-07-039	173-309-010	NEW-E	88-15-057
173-220	AMD-C	88-18-075	173-303-510	AMD-P	88-13-116	173-309-010	NEW	88-17-009
173-220-010	AMD-P	88-13-095	173-303-510	AMD	88-18-083	173-309-020	NEW-P	88-09-049
173-220-020	AMD-P	88-13-095	173-303-520	AMD	88-07-039	173-309-020	NEW-E	88-09-050
173-220-030	AMD-P	88-13-095	173-303-520	AMD-P	88-13-116	173-309-020	NEW-C	88-11-067
173-220-040	AMD-P	88-13-095	173-303-520	AMD	88-18-083	173-309-020	NEW-E	88-15-057
173-220-045	AMD-P	88-13-095	173-303-560	AMD	88-07-039	173-309-020	NEW	88-17-009
173-220-050	AMD-P	88-13-095	173-303-560	AMD-P	88-13-116	173-309-030	NEW-P	88-09-049
173-220-060	AMD-P	88-13-095	173-303-560	AMD	88-18-083	173-309-030	NEW-E	88-09-050
173-220-070	AMD-P	88-13-095	173-303-600	AMD	88-07-039	173-309-030	NEW-C	88-11-067
173-220-080	AMD-P	88-13-095	173-303-600	AMD-P	88-13-116	173-309-030	NEW-E	88-15-057
173-220-090	AMD-P	88-13-095	173-303-600	AMD	88-18-083	173-309-030	NEW	88-17-009
173-220-100	AMD-P	88-13-095	173-303-650	AMD	88-07-039	173-309-040	NEW-P	88-09-049
173-220-120	AMD-P	88-13-095	173-303-650	AMD-P	88-13-116	173-309-040	NEW-E	88-09-050
173-220-130	AMD-P	88-13-095	173-303-650	AMD	88-18-083	173-309-040	NEW-C	88-11-067
173-220-140	AMD-P	88-13-095	173-303-665	AMD	88-02-057	173-309-040	NEW-E	88-15-057
173-220-150	AMD-P	88-07-103	173-303-800	AMD	88-07-039	173-309-040	NEW	88-17-009
173-220-150	AMD	88-12-035	173-303-800	AMD-P	88-13-116	173-309-050	NEW-P	88-09-049
173-220-150	AMD-P	88-13-095	173-303-800	AMD	88-18-083	173-309-050	NEW-E	88-09-050
173-220-160	AMD-P	88-13-095	173-303-802	AMD	88-07-039	173-309-050	NEW-C	88-11-067
173-220-180	AMD-P	88-13-095	173-303-802	AMD-P	88-13-116	173-309-050	NEW-E	88-15-057
173-220-190	AMD-P	88-13-095	173-303-802	AMD	88-18-083	173-309-050	NEW	88-17-009
173-220-200	AMD-P	88-13-095	173-303-805	AMD	88-07-039	173-309-060	NEW-P	88-09-049
173-220-210	AMD-P	88-13-095	173-303-805	AMD-P	88-13-116	173-309-060	NEW-E	88-09-050
173-220-220	REP-P	88-13-095	173-303-805	AMD	88-18-083	173-309-060	NEW-C	88-11-067
173-220-225	AMD-P	88-13-095	173-303-806	AMD	88-07-039	173-309-060	NEW-E	88-15-057
173-222-015	AMD-P	88-07-103	173-303-806	AMD-P	88-13-116	173-309-060	NEW	88-17-009
173-222-015	AMD	88-12-035	173-303-806	AMD	88-18-083	173-309-070	NEW-P	88-09-049
173-223-015	NEW-P	88-07-103	173-303-901	NEW	88-07-039	173-309-070	NEW-E	88-09-050
173-223-015	NEW	88-12-035	173-303-901	REP-P	88-13-116	173-309-070	NEW-C	88-11-067
173-223-020	NEW-P	88-07-103	173-303-901	REP	88-18-083	173-309-070	NEW-E	88-15-057
173-223-020	NEW	88-12-035	173-303-905	NEW-P	88-13-116	173-309-070	NEW	88-17-009
173-223-030	NEW-P	88-07-103	173-303-905	NEW	88-18-083	173-309-080	NEW-P	88-09-049
173-223-030	NEW	88-12-035	173-303-910	AMD	88-02-057	173-309-080	NEW-E	88-09-050
173-223-040	NEW-P	88-07-103	173-304	AMD-C	88-08-062	173-309-080	NEW-C	88-11-067
173-223-040	NEW	88-12-035	173-304	AMD-C	88-18-090	173-309-080	NEW-E	88-15-057
173-223-050	NEW-P	88-07-103	173-304-100	AMD-P	88-04-074	173-309-080	NEW	88-17-009
173-223-050	NEW	88-12-035	173-304-100	AMD-W	88-14-109	173-309-090	NEW-P	88-09-049
173-223-060	NEW-P	88-07-103	173-304-100	AMD-P	88-14-110	173-309-090	NEW-E	88-09-050
173-223-060	NEW	88-12-035	173-304-400	AMD-P	88-04-074	173-309-090	NEW-C	88-11-067
173-223-070	NEW-P	88-07-103	173-304-400	AMD-W	88-14-109	173-309-090	NEW-E	88-15-057
173-223-070	NEW	88-12-035	173-304-400	AMD-P	88-14-110	173-309-090	NEW	88-17-009
173-223-080	NEW-P	88-07-103	173-304-405	AMD-P	88-04-074	173-312-010	NEW	88-17-001

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173-312-030	NEW	88-17-001	173-341-040	NEW-P	88-17-115	173-511-095	NEW	88-13-037
173-312-040	NEW	88-17-001	173-341-050	NEW-P	88-17-115	173-511-100	AMD-P	88-09-054
173-312-050	NEW	88-17-001	173-341-060	NEW-P	88-17-115	173-512-070	AMD	88-13-037
173-314-010	NEW-P	88-18-106	173-400-115	AMD-P	88-10-053	173-512-070	AMD-P	88-09-054
173-314-100	NEW-P	88-18-106	173-403-030	AMD-P	88-10-053	173-512-070	AMD	88-13-037
173-314-200	NEW-P	88-18-106	173-403-050	AMD-P	88-10-053	173-512-075	NEW-P	88-09-054
173-314-210	NEW-P	88-18-106	173-403-080	AMD-P	88-10-053	173-512-075	NEW	88-13-037
173-314-220	NEW-P	88-18-106	173-425-030	AMD-P	88-10-053	173-512-080	AMD-P	88-09-054
173-314-300	NEW-P	88-18-106	173-425-035	REP-P	88-10-053	173-512-080	AMD	88-13-037
173-314-310	NEW-P	88-18-106	173-425-036	NEW-P	88-10-053	173-513-090	AMD-P	88-09-054
173-314-320	NEW-P	88-18-106	173-425-045	AMD-P	88-10-053	173-513-090	AMD	88-13-037
173-314-330	NEW-P	88-18-106	173-425-065	AMD-P	88-10-053	173-513-095	NEW-P	88-09-054
173-314-340	NEW-P	88-18-106	173-425-075	AMD-P	88-10-053	173-513-095	NEW	88-13-037
173-326-010	AMD-P	88-15-071	173-425-085	AMD-P	88-10-053	173-513-100	AMD-P	88-09-054
173-326-010	AMD	88-18-098	173-425-095	AMD-P	88-10-053	173-513-100	AMD	88-13-037
173-326-030	AMD-P	88-18-099	173-425-130	AMD-P	88-10-053	173-514-080	AMD-P	88-09-054
173-326-040	AMD-P	88-15-071	173-433-030	AMD-P	88-10-052	173-514-080	AMD	88-13-037
173-326-040	AMD	88-18-098	173-433-100	AMD-P	88-10-052	173-514-085	NEW-P	88-09-054
173-335-010	NEW-E	88-12-070	173-433-100	AMD-E	88-15-069	173-514-085	NEW	88-13-037
173-335-010	NEW-P	88-12-071	173-433-120	AMD-P	88-10-052	173-514-090	AMD-P	88-09-054
173-335-010	NEW	88-17-002	173-433-130	NEW-P	88-10-052	173-514-090	AMD	88-13-037
173-335-020	NEW-E	88-12-070	173-435-010	AMD-P	88-10-053	173-515-090	AMD-P	88-09-054
173-335-020	NEW-P	88-12-071	173-435-020	AMD-P	88-10-053	173-515-090	AMD	88-13-037
173-335-020	NEW	88-17-002	173-435-030	AMD-P	88-10-053	173-515-095	NEW-P	88-09-054
173-335-030	NEW-E	88-12-070	173-435-040	AMD-P	88-10-053	173-515-095	NEW	88-13-037
173-335-030	NEW-P	88-12-071	173-435-050	AMD-P	88-10-053	173-515-100	AMD-P	88-09-054
173-335-030	NEW	88-17-002	173-435-060	AMD-P	88-10-053	173-515-100	AMD	88-13-037
173-335-040	NEW-E	88-12-070	173-435-070	AMD-P	88-10-053	173-522-020	AMD-P	88-09-054
173-335-040	NEW-P	88-12-071	173-470-030	AMD-P	88-10-053	173-522-020	AMD	88-13-037
173-335-040	NEW	88-17-002	173-470-100	AMD-P	88-10-053	173-522-070	NEW-P	88-09-054
173-335-050	NEW-E	88-12-070	173-500-010	AMD-P	88-09-054	173-522-070	NEW	88-13-037
173-335-050	NEW-P	88-12-071	173-500-010	AMD	88-13-037	173-522-080	NEW-P	88-09-054
173-335-050	NEW	88-17-002	173-500-030	AMD-P	88-09-054	173-522-080	NEW	88-13-037
173-336-010	NEW-P	88-11-072	173-500-030	AMD	88-13-037	173-522-090	NEW-P	88-09-054
173-336-010	NEW	88-15-038	173-500-070	NEW-P	88-09-054	173-522-090	NEW	88-13-037
173-336-020	NEW-P	88-11-072	173-500-070	NEW	88-13-037	173-530-910	REP-P	88-09-054
173-336-020	NEW	88-15-038	173-501-090	AMD-P	88-09-054	173-530-910	REP	88-13-037
173-336-030	NEW-P	88-11-072	173-501-090	AMD	88-13-037	173-530-920	REP-P	88-09-054
173-336-030	NEW	88-15-038	173-501-095	NEW-P	88-09-054	173-530-920	REP	88-13-037
173-338-010	NEW-P	88-11-073	173-501-095	NEW	88-13-037	173-530-930	REP-P	88-09-054
173-338-010	NEW	88-15-037	173-501-100	AMD-P	88-09-054	173-530-930	REP	88-13-037
173-338-020	NEW-P	88-11-073	173-501-100	AMD	88-13-037	173-530-940	REP-P	88-09-054
173-338-020	NEW	88-15-037	173-507-020	AMD-P	88-09-054	173-530-940	REP	88-13-037
173-338-030	NEW-P	88-11-073	173-507-020	AMD	88-13-037	173-530-950	REP-P	88-09-054
173-338-030	NEW	88-15-037	173-507-070	AMD-P	88-09-054	173-530-950	REP	88-13-037
173-338-040	NEW-P	88-11-073	173-507-070	AMD	88-13-037	173-530-960	REP-P	88-09-054
173-338-040	NEW	88-15-037	173-507-075	NEW-P	88-09-054	173-530-960	REP	88-13-037
173-338-050	NEW-P	88-11-073	173-507-075	NEW	88-13-037	173-531A-080	NEW-P	88-09-054
173-338-050	NEW	88-15-037	173-507-080	AMD-P	88-09-054	173-531A-080	NEW	88-13-037
173-340-010	NEW-P	88-07-105	173-507-080	AMD	88-13-037	173-531A-090	NEW-P	88-09-054
173-340-010	NEW-E	88-07-106	173-508-070	AMD-P	88-09-054	173-531A-090	NEW	88-13-037
173-340-010	NEW-C	88-10-055	173-508-070	AMD	88-13-037	173-532-090	NEW-P	88-09-054
173-340-010	NEW	88-13-036	173-508-090	AMD-P	88-09-054	173-532-090	NEW	88-13-037
173-340-010	NEW-E	88-13-085	173-508-090	AMD	88-13-037	173-532-100	NEW-P	88-09-054
173-340-020	NEW-P	88-07-105	173-508-095	NEW-P	88-09-054	173-532-100	NEW	88-13-037
173-340-020	NEW-E	88-07-106	173-508-095	NEW	88-13-037	173-532-110	NEW-P	88-09-054
173-340-020	NEW-C	88-10-055	173-508-100	AMD-P	88-09-054	173-532-110	NEW	88-13-037
173-340-020	NEW	88-13-036	173-508-100	AMD	88-13-037	173-545-090	AMD-P	88-09-054
173-340-020	NEW-E	88-13-085	173-509-030	AMD-P	88-09-054	173-545-090	AMD	88-13-037
173-340-030	NEW-P	88-07-105	173-509-030	AMD	88-13-037	173-545-095	NEW-P	88-09-054
173-340-030	NEW-E	88-07-106	173-509-080	AMD-P	88-09-054	173-545-095	NEW	88-13-037
173-340-030	NEW-C	88-10-055	173-509-080	AMD	88-13-037	173-545-100	AMD-P	88-09-054
173-340-030	NEW	88-13-036	173-509-085	NEW-P	88-09-054	173-545-100	AMD	88-13-037
173-340-030	NEW-E	88-13-085	173-509-085	NEW	88-13-037	173-548-080	NEW-P	88-09-054
173-340-040	NEW-P	88-07-105	173-509-090	AMD-P	88-09-054	173-548-080	NEW	88-13-037
173-340-040	NEW-E	88-07-106	173-509-090	AMD	88-13-037	173-548-090	NEW-P	88-09-054
173-340-040	NEW-C	88-10-055	173-510-030	AMD-P	88-09-054	173-548-090	NEW	88-13-037
173-340-040	NEW	88-13-036	173-510-030	AMD	88-13-037	173-548-100	NEW-P	88-09-054
173-340-040	NEW-E	88-13-085	173-510-090	AMD-P	88-09-054	173-548-100	NEW	88-13-037
173-340-050	NEW-P	88-07-105	173-510-090	AMD	88-13-037	173-549-090	AMD-P	88-09-054
173-340-050	NEW-E	88-07-106	173-510-095	NEW-P	88-09-054	173-549-090	AMD	88-13-037
173-340-050	NEW-C	88-10-055	173-510-095	NEW	88-13-037	173-549-095	NEW-P	88-09-054
173-340-050	NEW	88-13-036	173-510-100	AMD-P	88-09-054	173-549-095	NEW	88-13-037
173-340-050	NEW-E	88-13-085	173-510-100	AMD	88-13-037	173-549-100	AMD-P	88-09-054
173-341-010	NEW-P	88-17-115	173-511-090	AMD-P	88-09-054	173-549-100	AMD	88-13-037
173-341-020	NEW-P	88-17-115	173-511-090	AMD	88-13-037	173-555-080	NEW-P	88-09-054

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-555-080	NEW	88-13-037	174-107-110	REP-E	88-17-068	174-107-400	REP	88-17-069
173-555-090	NEW-P	88-09-054	174-107-110	REP	88-17-069	174-107-450	REP-P	88-14-101
173-555-090	NEW	88-13-037	174-107-120	REP-P	88-14-101	174-107-450	REP-P	88-14-102
173-555-100	NEW-P	88-09-054	174-107-120	REP-P	88-14-102	174-107-450	REP-E	88-17-068
173-555-100	NEW	88-13-037	174-107-120	REP-E	88-17-068	174-107-450	REP	88-17-069
173-559-080	NEW-P	88-09-054	174-107-120	REP	88-17-069	174-107-460	REP-P	88-14-101
173-559-080	NEW	88-13-037	174-107-130	REP-P	88-14-101	174-107-460	REP-P	88-14-102
173-559-090	NEW-P	88-09-054	174-107-130	REP-P	88-14-102	174-107-460	REP-E	88-17-068
173-559-090	NEW	88-13-037	174-107-130	REP-E	88-17-068	174-107-460	REP	88-17-069
173-559-100	NEW-P	88-09-054	174-107-130	REP	88-17-069	174-107-470	REP-P	88-14-101
173-559-100	NEW	88-13-037	174-107-140	REP-P	88-14-101	174-107-470	REP-P	88-14-102
173-563-050	AMD-P	88-09-054	174-107-140	REP-P	88-14-102	174-107-470	REP-E	88-17-068
173-563-050	AMD	88-13-037	174-107-140	REP-E	88-17-068	174-107-470	REP	88-17-069
173-563-070	AMD-P	88-09-054	174-107-140	REP	88-17-069	174-107-500	REP-P	88-14-101
173-563-070	AMD	88-13-037	174-107-150	REP-P	88-14-101	174-107-500	REP-P	88-14-102
173-563-075	NEW-P	88-09-054	174-107-150	REP-P	88-14-102	174-107-500	REP-E	88-17-068
173-563-075	NEW	88-13-037	174-107-150	REP-E	88-17-068	174-107-500	REP	88-17-069
173-563-080	AMD-P	88-09-054	174-107-150	REP	88-17-069	174-107-510	REP-P	88-14-101
173-563-080	AMD	88-13-037	174-107-160	REP-P	88-14-101	174-107-510	REP-P	88-14-102
173-563-090	AMD-P	88-09-054	174-107-160	REP-P	88-14-102	174-107-510	REP-E	88-17-068
173-563-090	AMD	88-13-037	174-107-160	REP-E	88-17-068	174-107-510	REP	88-17-069
173-590-090	AMD-P	88-09-054	174-107-160	REP	88-17-069	174-107-520	REP-P	88-14-101
173-590-090	AMD	88-13-037	174-107-170	REP-P	88-14-101	174-107-520	REP-P	88-14-102
173-590-110	AMD-P	88-09-054	174-107-170	REP-P	88-14-102	174-107-520	REP-E	88-17-068
173-590-110	AMD	88-13-037	174-107-170	REP-E	88-17-068	174-107-520	REP	88-17-069
173-590-140	AMD-P	88-09-054	174-107-170	REP	88-17-069	174-107-530	REP-P	88-14-101
173-590-140	AMD	88-13-037	174-107-180	REP-P	88-14-101	174-107-530	REP-P	88-14-102
173-590-180	AMD-P	88-09-054	174-107-180	REP-P	88-14-102	174-107-530	REP-E	88-17-068
173-590-180	AMD	88-13-037	174-107-180	REP-E	88-17-068	174-107-530	REP	88-17-069
173-590-190	NEW-P	88-09-054	174-107-180	REP	88-17-069	174-107-540	REP-P	88-14-101
173-590-190	NEW	88-13-037	174-107-190	REP-P	88-14-101	174-107-540	REP-P	88-14-102
173-591-060	AMD-P	88-09-054	174-107-190	REP-P	88-14-102	174-107-540	REP-E	88-17-068
173-591-060	AMD	88-13-037	174-107-190	REP-E	88-17-068	174-107-540	REP	88-17-069
173-591-070	AMD-P	88-09-054	174-107-190	REP	88-17-069	174-107-550	REP-P	88-14-101
173-591-070	AMD	88-13-037	174-107-200	REP-P	88-14-101	174-107-550	REP-P	88-14-102
173-591-115	NEW-P	88-09-054	174-107-200	REP-P	88-14-102	174-107-550	REP-E	88-17-068
173-591-115	NEW	88-13-037	174-107-200	REP-E	88-17-068	174-107-550	REP	88-17-069
173-591-120	AMD-P	88-09-054	174-107-200	REP	88-17-069	174-116-020	AMD-P	88-16-088
173-591-120	AMD	88-13-037	174-107-210	REP-P	88-14-101	174-116-040	AMD-P	88-16-088
173-592-060	AMD-P	88-09-054	174-107-210	REP-P	88-14-102	174-116-043	AMD-P	88-16-088
173-592-060	AMD	88-13-037	174-107-210	REP-E	88-17-068	174-116-045	REP-P	88-16-088
173-592-070	AMD-P	88-09-054	174-107-210	REP	88-17-069	174-116-119	AMD-P	88-16-088
173-592-070	AMD	88-13-037	174-107-220	REP-P	88-14-101	174-120-010	NEW-P	88-14-102
173-592-110	AMD-P	88-09-054	174-107-220	REP-P	88-14-102	174-120-010	NEW-E	88-17-068
173-592-110	AMD	88-13-037	174-107-220	REP-E	88-17-068	174-120-010	NEW	88-17-069
173-592-115	NEW-P	88-09-054	174-107-220	REP	88-17-069	174-120-020	NEW-P	88-14-102
173-592-115	NEW	88-13-037	174-107-360	REP-P	88-14-101	174-120-020	NEW-E	88-17-068
173-596-010	REP-P	88-09-054	174-107-360	REP-P	88-14-102	174-120-020	NEW	88-17-069
173-596-010	REP	88-13-037	174-107-360	REP-E	88-17-068	174-120-030	NEW-P	88-14-102
173-596-015	REP-P	88-09-054	174-107-360	REP	88-17-069	174-120-030	NEW-E	88-17-068
173-596-015	REP	88-13-037	174-107-370	REP-P	88-14-101	174-120-030	NEW	88-17-069
173-596-020	REP-P	88-09-054	174-107-370	REP-P	88-14-102	174-120-040	NEW-P	88-14-102
173-596-020	REP	88-13-037	174-107-370	REP-E	88-17-068	174-120-040	NEW-E	88-17-068
173-596-025	REP-P	88-09-054	174-107-370	REP	88-17-069	174-120-040	NEW	88-17-069
173-596-025	REP	88-13-037	174-107-380	REP-P	88-14-101	174-120-050	NEW-P	88-14-102
173-596-030	REP-P	88-09-054	174-107-380	REP-P	88-14-102	174-120-050	NEW-E	88-17-068
173-596-030	REP	88-13-037	174-107-380	REP-E	88-17-068	174-120-050	NEW	88-17-069
173-596-035	REP-P	88-09-054	174-107-380	REP	88-17-069	174-120-060	NEW-P	88-14-102
173-596-035	REP	88-13-037	174-107-400	REP-P	88-14-101	174-120-060	NEW-E	88-17-068
173-596-040	REP-P	88-09-054	174-107-400	REP-P	88-14-102	174-120-060	NEW	88-17-069
173-596-040	REP	88-13-037	174-107-400	REP-E	88-17-068	174-120-070	NEW-P	88-14-102
173-596-045	REP-P	88-09-054	174-107-400	REP	88-17-069	174-120-070	NEW-E	88-17-068
173-596-045	REP	88-13-037	174-107-410	REP-P	88-14-101	174-120-070	NEW	88-17-069
173-596-050	REP-P	88-09-054	174-107-410	REP-P	88-14-102	174-120-080	NEW-P	88-14-102
173-596-050	REP	88-13-037	174-107-410	REP-E	88-17-068	174-120-080	NEW-E	88-17-068
173-596-055	REP-P	88-09-054	174-107-410	REP	88-17-069	174-120-080	NEW	88-17-069
173-596-055	REP	88-13-037	174-107-420	REP-P	88-14-101	174-120-090	NEW-P	88-14-102
173-596-060	REP-P	88-09-054	174-107-420	REP-P	88-14-102	174-120-090	NEW	88-17-069
173-596-060	REP	88-13-037	174-107-420	REP-E	88-17-068	174-120-090	NEW-E	88-17-068
173-596-065	REP-P	88-09-054	174-107-420	REP	88-17-069	174-124-020	REP-P	88-14-101
174-107-100	REP-P	88-14-101	174-107-430	REP-P	88-14-101	174-124-020	REP-P	88-14-102
174-107-100	REP-P	88-14-102	174-107-430	REP-P	88-14-102	174-124-020	REP-E	88-17-068
174-107-100	REP-E	88-17-068	174-107-430	REP-E	88-17-068	174-124-020	REP	88-17-069
174-107-100	REP	88-17-069	174-107-440	REP	88-17-069	174-124-030	REP-P	88-14-101
174-107-110	REP-P	88-14-101	174-107-440	REP-P	88-14-101	174-124-030	REP-P	88-14-102
174-107-110	REP-P	88-14-102	174-107-440	REP-P	88-14-102	174-124-030	REP-E	88-17-068
				REP-E	88-17-068		REP	88-17-069

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174-124-040	REP-P	88-14-101	180-78-130	NEW	88-07-002	180-79-155	REP	88-05-047
174-124-040	REP-P	88-14-102	180-78-140	NEW	88-07-002	180-79-160	REP	88-05-047
174-124-040	REP-E	88-17-068	180-78-145	NEW	88-07-002	180-79-170	REP	88-05-047
174-124-040	REP	88-17-069	180-78-150	NEW	88-07-002	180-79-175	REP	88-05-047
174-124-050	REP-P	88-14-101	180-78-155	NEW	88-07-002	180-79-180	REP-E	88-12-014
174-124-050	REP-P	88-14-102	180-78-160	NEW	88-07-002	180-79-180	REP-P	88-17-037
174-124-050	REP-E	88-17-068	180-78-160	AMD-E	88-12-015	180-79-185	REP	88-05-047
174-124-050	REP	88-17-069	180-78-160	AMD-P	88-17-038	180-79-190	REP	88-05-047
174-124-120	REP-P	88-14-101	180-78-165	NEW	88-07-002	180-79-195	REP	88-05-047
174-124-120	REP-P	88-14-102	180-78-170	NEW	88-07-002	180-79-200	REP	88-05-047
174-124-120	REP-E	88-17-068	180-78-175	NEW	88-07-002	180-79-205	REP	88-05-047
174-124-120	REP	88-17-069	180-78-180	NEW	88-07-002	180-79-210	REP	88-05-047
174-130-010	NEW-P	88-14-101	180-78-185	NEW	88-07-002	180-79-215	REP	88-05-047
174-130-020	NEW-P	88-14-101	180-78-190	NEW	88-07-002	180-79-230	AMD	88-05-047
174-130-030	NEW-P	88-14-101	180-78-193	AMD	88-07-002	180-79-245	AMD	88-05-047
174-130-040	NEW-P	88-14-101	180-78-194	AMD	88-07-002	180-79-250	REP	88-05-047
174-130-050	NEW-P	88-14-101	180-78-199	AMD	88-07-002	180-80-205	REP	88-05-048
174-130-060	NEW-P	88-14-101	180-78-205	NEW	88-07-002	180-80-210	REP	88-05-048
174-130-070	NEW-P	88-14-101	180-78-210	NEW	88-07-002	180-80-215	REP	88-05-048
174-130-080	NEW-P	88-14-101	180-78-215	NEW	88-07-002	180-80-280	REP	88-05-048
174-130-090	NEW-P	88-14-101	180-78-220	NEW	88-07-002	180-80-285	REP	88-05-048
174-136-300	NEW-P	88-14-103	180-78-225	NEW	88-07-002	180-80-290	REP	88-05-048
174-136-300	NEW-E	88-17-070	180-78-230	NEW	88-07-002	180-80-295	REP	88-05-048
174-136-300	NEW	88-17-071	180-78-235	NEW	88-07-002	180-80-300	REP	88-05-048
174-136-310	NEW-P	88-14-103	180-78-240	NEW	88-07-002	180-80-301	REP	88-05-048
174-136-310	NEW-E	88-17-070	180-78-245	NEW	88-07-002	180-80-302	REP	88-05-048
174-136-310	NEW	88-17-071	180-78-250	NEW	88-07-002	180-80-303	REP	88-05-048
174-136-320	NEW-P	88-14-103	180-78-255	NEW	88-07-002	180-80-312	REP	88-05-048
174-136-320	NEW-E	88-17-070	180-78-260	NEW	88-07-002	180-80-530	REP	88-05-048
174-136-320	NEW	88-17-071	180-78-265	NEW	88-07-002	180-80-705	REP	88-05-048
174-136-330	NEW-P	88-14-103	180-78-270	NEW	88-07-002	180-84-015	REP	88-05-049
174-136-330	NEW-E	88-17-070	180-78-275	NEW	88-07-002	180-84-020	REP	88-05-049
174-136-330	NEW	88-17-071	180-78-280	NEW	88-07-002	180-84-025	REP	88-05-049
180-16-223	AMD-P	88-05-024	180-78-285	NEW	88-07-002	180-84-050	REP	88-05-049
180-16-223	AMD-P	88-05-050	180-78-290	NEW	88-07-002	180-84-055	REP	88-05-049
180-16-223	AMD	88-08-045	180-78-295	NEW	88-07-002	180-84-060	REP	88-05-049
180-57-050	AMD-P	88-08-072	180-78-300	NEW	88-07-002	180-84-075	REP	88-05-049
180-57-050	AMD	88-13-026	180-78-305	NEW	88-07-002	180-84-080	REP	88-05-049
180-75-085	AMD-P	88-08-073	180-78-310	NEW	88-07-002	180-84-090	REP	88-05-049
180-75-085	AMD	88-13-009	180-78-315	NEW	88-07-002	180-110-010	NEW	88-06-002
180-78	AMD-C	88-03-025	180-78-320	NEW	88-07-002	180-110-015	NEW	88-06-002
180-78	AMD	88-07-002	180-78-325	NEW	88-07-002	180-110-017	NEW	88-06-002
180-78-007	NEW	88-07-002	180-79-007	AMD-E	88-05-045	180-110-020	NEW	88-06-002
180-78-008	NEW	88-07-002	180-79-007	AMD-P	88-05-051	180-110-030	NEW	88-06-002
180-78-010	AMD	88-07-002	180-79-007	AMD	88-08-046	180-110-035	NEW	88-06-002
180-78-026	NEW	88-07-002	180-79-010	AMD	88-05-047	180-110-040	NEW	88-06-002
180-78-027	REP	88-07-002	180-79-013	REP	88-05-047	180-110-045	NEW	88-06-002
180-78-028	NEW	88-07-002	180-79-014	REP	88-05-047	180-110-050	NEW	88-06-002
180-78-029	NEW	88-07-002	180-79-045	AMD	88-05-047	180-110-052	NEW	88-06-002
180-78-030	REP	88-07-002	180-79-049	NEW	88-05-047	180-110-053	NEW	88-06-002
180-78-033	NEW	88-07-002	180-79-060	AMD	88-05-047	180-110-055	NEW	88-06-002
180-78-035	REP	88-07-002	180-79-062	NEW	88-05-047	180-110-060	NEW	88-06-002
180-78-036	NEW	88-07-002	180-79-063	NEW	88-05-047	180-110-065	NEW	88-06-002
180-78-037	NEW	88-07-002	180-79-065	AMD	88-05-047	180-115-005	NEW-E	88-05-046
180-78-040	REP	88-07-002	180-79-080	AMD	88-05-047	180-115-005	NEW-P	88-05-052
180-78-047	NEW	88-07-002	180-79-086	AMD	88-05-047	180-115-005	NEW	88-08-044
180-78-050	REP	88-07-002	180-79-100	REP	88-05-047	180-115-010	NEW-E	88-05-046
180-78-055	REP	88-07-002	180-79-115	AMD	88-05-047	180-115-010	NEW-P	88-05-052
180-78-057	AMD	88-07-002	180-79-115	AMD-E	88-12-013	180-115-010	NEW	88-08-044
180-78-060	AMD	88-07-002	180-79-115	AMD-P	88-17-039	180-115-015	NEW-E	88-05-046
180-78-063	NEW	88-07-002	180-79-116	NEW-E	88-05-045	180-115-015	NEW-P	88-05-052
180-78-065	NEW	88-07-002	180-79-116	NEW-P	88-05-051	180-115-015	NEW	88-08-044
180-78-068	NEW	88-07-002	180-79-116	NEW	88-08-046	180-115-020	NEW-E	88-05-046
180-78-070	NEW	88-07-002	180-79-117	NEW	88-05-047	180-115-020	NEW-P	88-05-052
180-78-073	NEW	88-07-002	180-79-120	AMD	88-05-047	180-115-020	NEW	88-08-044
180-78-074	NEW	88-07-002	180-79-122	NEW	88-05-047	180-115-025	NEW-E	88-05-046
180-78-075	NEW	88-07-002	180-79-125	AMD	88-05-047	180-115-025	NEW-P	88-05-052
180-78-080	NEW	88-07-002	180-79-127	NEW	88-05-047	180-115-025	NEW	88-08-044
180-78-085	NEW	88-07-002	180-79-129	NEW-E	88-05-045	180-115-030	NEW-E	88-05-046
180-78-090	NEW	88-07-002	180-79-129	NEW-P	88-05-051	180-115-030	NEW-P	88-05-052
180-78-095	NEW	88-07-002	180-79-129	NEW	88-08-046	180-115-030	NEW	88-08-044
180-78-100	NEW	88-07-002	180-79-130	REP	88-05-047	180-115-035	NEW-E	88-05-046
180-78-105	NEW	88-07-002	180-79-131	NEW	88-05-047	180-115-035	NEW-P	88-05-052
180-78-110	NEW	88-07-002	180-79-135	REP	88-05-047	180-115-035	NEW	88-08-044
180-78-115	NEW	88-07-002	180-79-136	NEW	88-05-047	180-115-040	NEW-E	88-05-046
180-78-120	NEW	88-07-002	180-79-140	NEW	88-05-047	180-115-040	NEW-P	88-05-052
180-78-125	NEW	88-07-002	180-79-150	REP	88-05-047	180-115-040	NEW	88-08-044

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180-115-045	NEW-P	88-05-052	192-42-020	NEW	88-12-051	204-50-040	AMD-P	88-11-015
180-115-045	NEW	88-08-044	192-42-030	NEW-P	88-07-110	204-50-040	AMD	88-15-050
180-115-050	NEW-E	88-05-046	192-42-030	NEW	88-12-051	204-50-050	AMD-P	88-11-015
180-115-050	NEW-P	88-05-052	192-42-040	NEW-P	88-07-110	204-50-050	AMD	88-15-050
180-115-050	NEW	88-08-044	192-42-040	NEW	88-12-051	204-74-010	AMD-P	88-11-016
180-115-055	NEW-E	88-05-046	192-42-050	NEW-P	88-07-110	204-74-010	AMD	88-15-051
180-115-055	NEW-P	88-05-052	192-42-050	NEW	88-12-051	204-74-040	AMD-P	88-11-016
180-115-055	NEW	88-08-044	192-42-060	NEW-P	88-07-110	204-74-040	AMD	88-15-051
180-115-060	NEW-E	88-05-046	192-42-060	NEW	88-12-051	204-80-010	AMD-P	88-11-017
180-115-060	NEW-P	88-05-052	192-42-070	NEW-P	88-07-110	204-80-010	AMD	88-15-054
180-115-060	NEW	88-08-044	192-42-070	NEW	88-12-051	204-80-060	NEW-P	88-11-017
180-115-065	NEW-E	88-05-046	192-42-080	NEW-P	88-07-110	204-80-060	NEW	88-15-054
180-115-065	NEW-P	88-05-052	192-42-080	NEW	88-12-051	204-88-010	AMD-P	88-11-018
180-115-065	NEW	88-08-044	192-44-010	NEW-P	88-11-091	204-88-010	AMD	88-15-053
180-115-070	NEW-E	88-05-046	192-44-020	NEW-P	88-11-091	204-88-030	AMD-P	88-11-018
180-115-070	NEW-P	88-05-052	192-44-030	NEW-P	88-11-091	204-88-030	AMD	88-15-053
180-115-070	NEW	88-08-044	192-44-040	NEW-P	88-11-091	204-88-070	AMD-P	88-11-018
180-115-075	NEW-E	88-05-046	192-44-050	NEW-P	88-11-091	204-88-070	AMD	88-15-053
180-115-075	NEW-P	88-05-052	192-44-060	NEW-P	88-11-091	204-91-010	REP-P	88-13-058
180-115-075	NEW	88-08-044	192-44-070	NEW-P	88-11-091	204-91-010	REP-W	88-16-021
180-115-080	NEW-E	88-05-046	192-44-080	NEW-P	88-11-091	204-91-020	REP-P	88-13-058
180-115-080	NEW-P	88-05-052	192-44-090	NEW-P	88-11-091	204-91-020	REP-W	88-16-021
180-115-080	NEW	88-08-044	192-44-100	NEW-P	88-11-091	204-91-030	REP-P	88-13-058
180-115-085	NEW-E	88-05-046	192-44-110	NEW-P	88-11-091	204-91-030	REP-W	88-16-021
180-115-085	NEW-P	88-05-052	192-44-120	NEW-P	88-11-091	204-91-040	REP-P	88-13-058
180-115-085	NEW	88-08-044	192-44-130	NEW-P	88-11-091	204-91-040	REP-W	88-16-021
180-115-090	NEW-E	88-05-046	192-44-140	NEW-P	88-11-091	204-91-050	REP-P	88-13-058
180-115-090	NEW-P	88-05-052	192-44-150	NEW-P	88-11-091	204-91-050	REP-W	88-16-021
180-115-090	NEW	88-08-044	192-44-160	NEW-P	88-11-091	204-91-060	REP-P	88-13-058
180-115-095	NEW-E	88-05-046	192-44-170	NEW-P	88-11-091	204-91-060	REP-W	88-16-021
180-115-095	NEW-P	88-05-052	192-44-180	NEW-P	88-11-091	204-91-070	REP-P	88-13-058
180-115-095	NEW	88-08-044	192-44-190	NEW-P	88-11-091	204-91-070	REP-W	88-16-021
180-115-100	NEW-E	88-05-046	196-04-025	NEW-E	88-05-064	204-91-080	REP-P	88-13-058
180-115-100	NEW-P	88-05-052	196-04-025	NEW-P	88-07-094	204-91-080	REP-W	88-16-021
180-115-100	NEW	88-08-044	196-04-025	NEW	88-12-044	204-91-100	REP-P	88-13-058
180-115-105	NEW-E	88-05-046	196-04-030	AMD-E	88-05-064	204-91-100	REP-W	88-16-021
180-115-105	NEW-P	88-05-052	196-04-030	AMD-P	88-07-094	204-91-110	REP-P	88-13-058
180-115-105	NEW	88-08-044	196-04-030	AMD	88-12-044	204-91-110	REP-W	88-16-021
182-12-115	AMD-P	88-09-058	196-12-010	AMD-E	88-05-064	204-91-120	REP-P	88-13-058
182-12-115	AMD	88-12-034	196-12-010	AMD-P	88-07-094	204-91-120	REP-W	88-16-021
182-12-115	AMD-P	88-16-050	196-12-010	AMD	88-12-044	204-91-130	REP-P	88-13-058
182-12-115	AMD-E	88-16-051	196-12-085	AMD-E	88-05-064	204-91-130	REP-W	88-16-021
182-12-115	AMD-C	88-17-021	196-12-085	AMD-P	88-07-094	204-91-140	REP-P	88-13-058
182-12-115	AMD-E	88-18-037	196-12-085	AMD	88-12-044	204-91-140	REP-W	88-16-021
182-12-120	REP-P	88-09-058	196-16-007	AMD-E	88-05-064	204-91-150	REP-P	88-13-058
182-12-120	REP	88-12-034	196-16-007	AMD-P	88-07-094	204-91-150	REP-W	88-16-021
182-12-127	AMD-P	88-16-050	196-16-007	AMD	88-12-044	204-91-160	REP-P	88-13-058
182-12-127	AMD-C	88-17-021	196-20-010	AMD-E	88-05-064	204-91-160	REP-W	88-16-021
182-12-165	AMD-P	88-09-058	196-20-010	AMD-P	88-07-094	204-91-170	REP-P	88-13-058
182-12-165	AMD	88-12-034	196-20-010	AMD	88-12-044	204-91-170	REP-W	88-16-021
182-12-210	AMD-P	88-16-050	204-08-020	AMD	88-03-031	204-91-180	REP-P	88-13-058
182-12-210	AMD-C	88-17-021	204-08-030	AMD	88-03-031	204-91-180	REP-W	88-16-021
192-12-019	AMD-P	88-13-127	204-08-040	AMD	88-03-031	204-91-190	REP-P	88-13-058
192-12-019	AMD	88-16-077	204-08-050	AMD	88-03-031	204-91-190	REP-W	88-16-021
192-12-205	NEW-P	88-13-126	204-29-010	NEW-E	88-14-022	204-91-200	REP-P	88-13-058
192-16-057	NEW-P	88-07-108	204-36-010	AMD-P	88-11-012	204-91-200	REP-W	88-16-021
192-16-057	NEW	88-10-020	204-36-010	AMD	88-15-052	204-91A-010	NEW-P	88-13-058
192-16-061	NEW	88-05-034	204-36-020	AMD-P	88-11-012	204-91A-010	NEW-W	88-16-021
192-16-065	NEW-E	88-07-107	204-36-020	AMD	88-15-052	204-91A-020	NEW-P	88-13-058
192-16-065	NEW-P	88-07-108	204-36-030	AMD-P	88-11-012	204-91A-020	NEW-W	88-16-021
192-16-065	NEW	88-10-020	204-36-030	AMD	88-15-052	204-91A-030	NEW-P	88-13-058
192-18-012	NEW-P	88-13-072	204-36-040	AMD-P	88-11-012	204-91A-030	NEW-W	88-16-021
192-18-012	NEW-E	88-13-073	204-36-040	AMD	88-15-052	204-91A-041	NEW-P	88-13-058
192-18-012	NEW	88-16-076	204-36-050	AMD-P	88-11-012	204-91A-041	NEW-W	88-16-021
192-28-105	AMD-P	88-07-109	204-36-050	AMD	88-15-052	204-91A-051	NEW-P	88-13-058
192-28-105	AMD	88-10-021	204-36-060	AMD-P	88-11-012	204-91A-051	NEW-W	88-16-021
192-28-110	AMD-P	88-07-109	204-36-060	AMD	88-15-052	204-91A-081	NEW-P	88-13-058
192-28-110	AMD	88-10-021	204-36-070	AMD-P	88-11-012	204-91A-081	NEW-W	88-16-021
192-28-120	AMD-P	88-07-109	204-36-070	AMD	88-15-052	204-91A-100	NEW-P	88-13-058
192-28-120	AMD	88-10-021	204-38-010	AMD-P	88-11-013	204-91A-100	NEW-W	88-16-021
192-28-130	NEW-P	88-07-109	204-38-010	AMD	88-15-055	204-91A-110	NEW-P	88-13-058
192-28-130	NEW	88-10-021	204-38-050	AMD-P	88-11-013	204-91A-110	NEW-W	88-16-021
192-42-005	NEW-P	88-07-110	204-38-050	AMD	88-15-055	204-91A-120	NEW-P	88-13-058
192-42-005	NEW	88-12-051	204-40-010	AMD-P	88-11-014	204-91A-120	NEW-W	88-16-021
192-42-010	NEW-P	88-07-110	204-40-010	AMD	88-15-049	204-91A-130	NEW-P	88-13-058
192-42-010	NEW	88-12-051	204-40-030	AMD-P	88-11-014	204-91A-130	NEW-W	88-16-021

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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220-57A-17500A	NEW-E	88-14-033	230-20-605	AMD-P	88-03-024	232-28-214	REP	88-13-090
220-57A-17500A	REP-E	88-14-134	230-20-605	AMD	88-07-059	232-28-217	NEW-P	88-08-083
220-57A-17500B	NEW-E	88-14-134	230-20-610	AMD-P	88-03-024	232-28-217	NEW	88-13-090
220-57A-17500B	REP-E	88-18-042	230-20-610	AMD	88-07-059	232-28-21701	NEW-E	88-18-070
220-57A-180	AMD-P	88-03-075	230-20-615	NEW-P	88-03-024	232-28-21701	REP-E	88-18-088
220-57A-180	AMD	88-10-013	230-20-615	NEW	88-07-059	232-28-21702	NEW-E	88-18-088
220-57A-18000A	NEW-E	88-16-075	230-20-630	AMD-P	88-03-024	232-28-411	REP-P	88-14-120
220-57A-18000A	REP-E	88-18-042	230-20-630	AMD	88-07-059	232-28-411	REP	88-17-088
220-57A-18300A	NEW-E	88-16-029	230-20-699	NEW-P	88-03-024	232-28-412	NEW-P	88-14-120
220-69-238	NEW-E	88-02-048	230-20-699	NEW-P	88-05-029	232-28-412	NEW	88-17-088
220-69-238	NEW	88-05-002	230-20-699	NEW	88-09-021	232-28-510	REP-P	88-14-119
220-69-245	AMD	88-05-002	230-25-110	AMD-P	88-15-018	232-28-510	REP	88-17-089
220-77-10000A	NEW-E	88-12-009	230-25-120	AMD-P	88-15-018	232-28-511	NEW-P	88-14-119
222-12-090	AMD-P	88-12-033	230-25-150	NEW-P	88-15-018	232-28-511	NEW	88-17-089
222-16-010	AMD-P	88-12-033	230-25-160	NEW-P	88-15-018	232-28-61520	NEW-E	88-03-032
222-16-050	AMD-P	88-12-033	230-25-250	AMD-P	88-15-018	232-28-616	REP	88-07-065
222-20-030	AMD-P	88-12-033	230-30-015	AMD-P	88-03-024	232-28-61618	NEW-E	88-03-023
222-30-010	AMD-P	88-12-033	230-30-015	AMD-P	88-09-020	232-28-61619	NEW-E	88-06-032
222-30-020	AMD-P	88-12-033	230-30-015	AMD	88-13-060	232-28-61620	NEW-E	88-06-033
222-34-050	AMD-P	88-12-033	230-30-018	AMD-P	88-03-024	232-28-61621	NEW-E	88-08-004
222-38-020	AMD-P	88-12-033	230-30-018	AMD-P	88-09-020	232-28-61622	NEW-E	88-08-005
222-50-020	AMD-P	88-12-033	230-30-018	AMD	88-13-060	232-28-61623	NEW-E	88-08-006
230-02-125	AMD-P	88-13-062	230-30-072	NEW-P	88-03-024	232-28-617	NEW	88-07-065
230-02-125	AMD-P	88-15-018	230-30-072	NEW-P	88-09-020	232-28-61701	NEW-E	88-10-010
230-02-280	NEW-P	88-03-024	230-30-072	NEW	88-13-060	232-28-61702	NEW-E	88-11-005
230-02-280	NEW-P	88-09-020	230-30-300	NEW-P	88-03-024	232-28-61703	NEW-P	88-14-123
230-02-280	NEW	88-13-060	230-30-300	NEW	88-07-059	232-28-61703	NEW-E	88-16-038
230-02-290	NEW-P	88-03-024	230-40-010	AMD-P	88-15-018	232-28-61703	NEW	88-17-028
230-02-290	NEW-P	88-09-020	230-40-030	AMD-P	88-13-062	232-28-61704	NEW-E	88-14-021
230-02-290	NEW	88-13-060	230-40-030	AMD-P	88-15-018	232-28-61705	NEW-E	88-16-039
230-04-065	AMD-P	88-09-020	230-40-030	AMD-P	88-17-049	232-28-61706	NEW-P	88-14-122
230-04-065	AMD	88-13-060	230-40-055	AMD-P	88-13-062	232-28-61706	NEW	88-17-027
230-04-190	AMD-P	88-09-020	230-40-055	AMD-P	88-15-018	232-28-61707	NEW-E	88-16-007
230-04-190	AMD	88-13-060	230-40-055	AMD-P	88-17-049	232-28-61708	NEW-E	88-17-031
230-04-197	REP-P	88-03-024	230-40-120	AMD-P	88-13-062	232-28-709	REP	88-06-006
230-04-197	REP	88-07-059	230-40-200	AMD-P	88-13-062	232-28-710	NEW	88-06-006
230-04-199	AMD-P	88-13-062	230-46-020	AMD-E	88-13-061	232-28-711	NEW-P	88-05-065
230-04-199	AMD	88-17-050	230-46-020	AMD-P	88-13-100	232-28-711	NEW-W	88-07-093
230-04-201	AMD-P	88-07-061	230-46-020	AMD	88-17-050	232-28-809	REP-P	88-06-065
230-04-201	AMD-P	88-09-020	230-46-070	NEW-E	88-13-061	232-28-809	REP	88-13-035
230-04-201	AMD	88-11-071	230-46-070	NEW-P	88-13-100	232-28-810	NEW-P	88-06-065
230-04-201	AMD	88-13-060	230-46-070	NEW	88-17-050	232-28-810	NEW	88-13-035
230-04-260	AMD-P	88-09-020	232-12-014	AMD	88-05-032	232-32-040	AMD-P	88-14-121
230-04-260	AMD-P	88-11-070	232-12-019	AMD-P	88-14-122	232-32-040	AMD	88-17-030
230-04-260	AMD	88-15-019	232-12-019	AMD-W	88-17-020	248-18-001	AMD-P	88-13-101
230-04-455	AMD-P	88-13-062	232-12-024	AMD-P	88-08-085	248-18-001	AMD	88-18-021
230-04-455	AMD	88-17-050	232-12-024	AMD	88-13-091	248-18-440	AMD-P	88-13-101
230-08-010	AMD-P	88-03-024	232-12-026	NEW-P	88-16-093	248-18-440	AMD	88-18-021
230-08-010	AMD-P	88-09-020	232-12-04507	NEW-E	88-05-022	248-18-445	NEW-P	88-13-102
230-08-010	AMD	88-13-060	232-12-054	AMD-P	88-08-084	248-18-445	NEW	88-18-020
230-08-017	NEW-P	88-03-024	232-12-054	AMD	88-13-012	248-18-655	AMD-P	88-12-032
230-08-017	NEW-P	88-09-020	232-12-083	NEW-P	88-16-094	248-18-655	AMD	88-16-086
230-08-017	NEW	88-13-060	232-12-085	REP-P	88-16-094	248-18-718	AMD-P	88-12-032
230-08-025	AMD-P	88-03-024	232-12-154	AMD	88-07-065	248-18-718	AMD	88-16-086
230-08-025	AMD-P	88-09-020	232-12-181	REP-P	88-14-115	248-18-99902	AMD-P	88-12-032
230-08-025	AMD	88-13-060	232-12-181	REP-W	88-17-017	248-18-99902	AMD	88-16-086
230-08-130	AMD-P	88-03-024	232-12-182	REP-P	88-14-116	248-19-220	AMD-P	88-11-057
230-08-130	AMD-P	88-09-020	232-12-182	REP-W	88-17-018	248-19-220	AMD	88-15-021
230-08-130	AMD	88-13-060	232-12-183	NEW-P	88-14-117	248-19-328	AMD	88-04-047
230-08-170	REP-P	88-03-024	232-12-183	NEW-W	88-17-019	248-19-373	AMD	88-04-047
230-08-170	REP	88-13-117	232-12-269	NEW-P	88-16-095	248-19-440	AMD-P	88-07-121
230-08-260	AMD-P	88-11-070	232-12-274	REP	88-05-031	248-25	AMD-P	88-12-029
230-08-260	AMD	88-15-019	232-12-275	NEW-P	88-06-064	248-25	AMD	88-17-022
230-20-010	AMD-P	88-13-062	232-12-275	NEW	88-09-036	248-25-001	AMD-P	88-12-029
230-20-010	AMD	88-17-050	232-12-276	NEW	88-05-031	248-25-001	AMD	88-17-022
230-20-064	AMD-P	88-03-024	232-12-827	NEW-P	88-08-086	248-25-002	AMD-P	88-12-029
230-20-064	AMD-E	88-05-038	232-12-827	NEW	88-11-051	248-25-002	AMD	88-17-022
230-20-064	AMD	88-07-059	232-12-827	AMD-P	88-14-124	248-25-010	AMD-P	88-12-029
230-20-100	AMD-P	88-13-062	232-12-827	AMD-E	88-16-008	248-25-010	AMD	88-17-022
230-20-100	AMD	88-17-050	232-12-827	AMD	88-17-029	248-25-020	AMD-P	88-12-029
230-20-240	AMD-P	88-13-062	232-28-110	REP-P	88-14-118	248-25-020	AMD	88-17-022
230-20-240	AMD	88-17-050	232-28-110	REP-W	88-17-087	248-25-030	AMD-P	88-12-029
230-20-241	NEW-P	88-13-062	232-28-213	REP-P	88-08-083	248-25-030	AMD	88-17-022
230-20-241	NEW	88-17-050	232-28-213	REP	88-13-090	248-25-035	NEW-P	88-12-029
230-20-325	AMD-P	88-03-024	232-28-21301	REP-P	88-08-083	248-25-035	NEW	88-17-022
230-20-325	AMD	88-07-059	232-28-21301	REP	88-13-090	248-25-040	AMD-P	88-12-029

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
248-25-040	AMD	88-17-022	248-63-060	REP	88-10-027	248-97-150	NEW-P	88-10-005
248-25-045	NEW-P	88-12-029	248-63-065	NEW-P	88-06-092	248-97-150	NEW	88-13-125
248-25-045	NEW	88-17-022	248-63-065	NEW	88-10-027	248-97-160	NEW-P	88-10-005
248-25-050	AMD-P	88-12-029	248-63-070	REP-P	88-06-092	248-97-160	NEW	88-13-125
248-25-050	AMD	88-17-022	248-63-070	REP	88-10-027	248-97-170	NEW-P	88-10-005
248-25-060	AMD-P	88-12-029	248-63-075	NEW-P	88-06-092	248-97-170	NEW	88-13-125
248-25-060	AMD	88-17-022	248-63-075	NEW	88-10-027	248-100-011	AMD-P	88-03-022
248-25-070	AMD-P	88-12-029	248-63-080	REP-P	88-06-092	248-100-011	AMD	88-07-063
248-25-070	AMD	88-17-022	248-63-080	REP	88-10-027	248-100-011	AMD-E	88-09-053
248-25-100	AMD-P	88-12-029	248-63-085	NEW-P	88-06-092	248-100-011	AMD-P	88-13-103
248-25-100	AMD	88-17-022	248-63-085	NEW	88-10-027	248-100-011	AMD-E	88-13-109
248-25-120	AMD-P	88-12-029	248-63-090	REP-P	88-06-092	248-100-011	AMD	88-17-057
248-25-120	AMD	88-17-022	248-63-090	REP	88-10-027	248-100-016	AMD-P	88-13-103
248-40-040	AMD-P	88-10-044	248-63-095	NEW-P	88-06-092	248-100-016	AMD-E	88-13-109
248-40-040	AMD	88-13-080	248-63-095	NEW	88-10-027	248-100-016	AMD	88-17-057
248-40-040	AMD-E	88-15-047	248-63-100	REP-P	88-06-092	248-100-016	AMD-P	88-18-102
248-40-050	AMD-P	88-10-044	248-63-100	REP	88-10-027	248-100-025	REP-P	88-03-022
248-40-050	AMD	88-13-080	248-63-105	NEW-P	88-06-092	248-100-025	REP	88-07-063
248-40-070	REP-P	88-16-108	248-63-105	NEW	88-10-027	248-100-026	NEW-P	88-03-022
248-54-005	AMD	88-05-057	248-63-110	REP-P	88-06-092	248-100-026	NEW	88-07-063
248-54-015	AMD	88-05-057	248-63-110	REP	88-10-027	248-100-036	NEW-P	88-03-022
248-54-025	AMD	88-05-057	248-63-115	NEW-P	88-06-092	248-100-036	NEW	88-07-063
248-54-035	AMD	88-05-057	248-63-115	NEW	88-10-027	248-100-036	AMD-P	88-18-102
248-54-045	AMD	88-05-057	248-63-120	REP-P	88-06-092	248-100-050	REP-P	88-03-022
248-54-055	AMD	88-05-057	248-63-120	REP	88-10-027	248-100-050	REP	88-07-063
248-54-065	AMD	88-05-057	248-63-125	NEW-P	88-06-092	248-100-071	AMD-P	88-18-102
248-54-085	REP	88-05-057	248-63-125	NEW	88-10-027	248-100-076	AMD-P	88-18-102
248-54-086	NEW	88-05-057	248-63-130	REP-P	88-06-092	248-100-163	REP-P	88-03-022
248-54-095	REP	88-05-057	248-63-130	REP	88-10-027	248-100-163	REP	88-07-063
248-54-096	NEW	88-05-057	248-63-135	NEW-P	88-06-092	248-100-164	REP-P	88-03-022
248-54-097	NEW	88-05-057	248-63-135	NEW	88-10-027	248-100-164	REP	88-07-063
248-54-105	AMD	88-05-057	248-63-140	REP-P	88-06-092	248-100-166	NEW-P	88-03-022
248-54-115	REP	88-05-057	248-63-140	REP	88-10-027	248-100-166	NEW	88-07-063
248-54-125	AMD	88-05-057	248-63-145	NEW-P	88-06-092	248-100-171	NEW-P	88-03-022
248-54-131	NEW	88-05-057	248-63-145	NEW	88-10-027	248-100-171	NEW	88-07-063
248-54-135	AMD	88-05-057	248-63-150	REP-P	88-06-092	248-100-176	NEW-P	88-03-022
248-54-145	AMD	88-05-057	248-63-150	REP	88-10-027	248-100-176	NEW	88-07-063
248-54-155	AMD	88-05-057	248-63-155	NEW-P	88-06-092	248-100-181	NEW-P	88-03-022
248-54-165	AMD	88-05-057	248-63-155	NEW	88-10-027	248-100-181	NEW	88-07-063
248-54-175	AMD	88-05-057	248-63-160	REP-P	88-06-092	248-100-186	NEW-P	88-03-022
248-54-185	AMD	88-05-057	248-63-160	REP	88-10-027	248-100-186	NEW	88-07-063
248-54-194	NEW	88-05-057	248-63-165	NEW-P	88-06-092	248-100-191	NEW-P	88-03-022
248-54-195	REP	88-05-057	248-63-165	NEW	88-10-027	248-100-191	NEW	88-07-063
248-54-196	NEW	88-05-057	248-63-170	REP-P	88-06-092	248-100-196	NEW-P	88-03-022
248-54-201	NEW	88-05-057	248-63-170	REP	88-10-027	248-100-196	NEW	88-07-063
248-54-205	AMD	88-05-057	248-63-175	NEW-P	88-06-092	248-100-201	NEW-P	88-03-022
248-54-215	AMD	88-05-057	248-63-175	NEW	88-10-027	248-100-201	NEW	88-07-063
248-54-225	AMD	88-05-057	248-63-180	REP-P	88-06-092	248-100-206	AMD-P	88-14-079
248-54-235	AMD	88-05-057	248-63-180	REP	88-10-027	248-100-206	AMD	88-17-056
248-54-255	AMD	88-05-057	248-97-010	NEW-P	88-10-005	248-100-206	AMD-P	88-18-103
248-54-265	AMD	88-05-057	248-97-010	NEW	88-13-125	248-100-207	NEW-E	88-09-053
248-54-275	REP	88-05-057	248-97-020	NEW-P	88-10-005	248-100-207	NEW-P	88-13-104
248-54-285	AMD	88-05-057	248-97-020	NEW	88-13-125	248-100-207	NEW-E	88-13-108
248-54-291	NEW	88-05-057	248-97-030	NEW-P	88-10-005	248-100-207	NEW	88-17-058
248-63	AMD-P	88-06-092	248-97-030	NEW	88-13-125	248-100-208	NEW-E	88-09-053
248-63	AMD	88-10-027	248-97-040	NEW-P	88-10-005	248-100-208	NEW-P	88-13-104
248-63-001	AMD-P	88-06-092	248-97-040	NEW	88-13-125	248-100-208	NEW-E	88-13-108
248-63-001	AMD	88-10-027	248-97-050	NEW-P	88-10-005	248-100-208	NEW	88-17-058
248-63-010	AMD-P	88-06-092	248-97-050	NEW	88-13-125	248-100-209	NEW-P	88-13-104
248-63-010	AMD	88-10-027	248-97-060	NEW-P	88-10-005	248-100-209	NEW-E	88-13-108
248-63-020	REP-P	88-06-092	248-97-060	NEW	88-13-125	248-100-209	NEW	88-17-058
248-63-020	REP	88-10-027	248-97-070	NEW-P	88-10-005	248-100-209	AMD-P	88-18-102
248-63-025	NEW-P	88-06-092	248-97-070	NEW	88-13-125	248-100-231	AMD-P	88-03-022
248-63-025	NEW	88-10-027	248-97-080	NEW-P	88-10-005	248-100-231	AMD	88-07-063
248-63-030	REP-P	88-06-092	248-97-080	NEW	88-13-125	248-100-236	AMD-P	88-03-022
248-63-030	REP	88-10-027	248-97-090	NEW-P	88-10-005	248-100-236	AMD	88-07-063
248-63-035	NEW-P	88-06-092	248-97-090	NEW	88-13-125	248-100-440	REP-P	88-03-022
248-63-035	NEW	88-10-027	248-97-100	NEW-P	88-10-005	248-100-440	REP	88-07-063
248-63-040	REP-P	88-06-092	248-97-100	NEW	88-13-125	248-100-450	REP-P	88-03-022
248-63-040	REP	88-10-027	248-97-110	NEW-P	88-10-005	248-100-450	REP	88-07-063
248-63-045	NEW-P	88-06-092	248-97-110	NEW	88-13-125	248-100-452	REP-P	88-03-022
248-63-045	NEW	88-10-027	248-97-120	NEW-P	88-10-005	248-100-452	REP	88-07-063
248-63-050	REP-P	88-06-092	248-97-120	NEW	88-13-125	248-124-010	AMD-P	88-16-108
248-63-050	REP	88-10-027	248-97-130	NEW-P	88-10-005	248-124-015	NEW-P	88-16-108
248-63-055	NEW-P	88-06-092	248-97-130	NEW	88-13-125	248-124-160	NEW-P	88-16-107
248-63-055	NEW	88-10-027	248-97-140	NEW-P	88-10-005	248-172-101	NEW	88-04-090
248-63-060	REP-P	88-06-092	248-97-140	NEW	88-13-125	248-172-201	NEW	88-04-090

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248-172-202	NEW	88-04-090	251-01-057	AMD	88-13-019	251-14-052	AMD-C	88-06-062
248-172-203	NEW	88-04-090	251-01-255	REP-P	88-02-071	251-14-052	AMD-P	88-06-075
248-172-204	NEW	88-04-090	251-01-255	AMD-P	88-13-115	251-14-052	AMD-C	88-13-112
248-172-205	NEW	88-04-090	251-01-255	AMD	88-17-108	251-14-052	AMD	88-18-018
248-172-206	NEW	88-04-090	251-01-258	NEW-P	88-02-072	251-14-054	AMD-P	88-02-072
248-172-301	NEW	88-04-090	251-01-258	NEW-C	88-06-062	251-14-054	AMD-C	88-06-062
248-172-302	NEW	88-04-090	251-01-258	NEW-P	88-06-075	251-14-054	AMD-P	88-06-075
248-172-303	NEW	88-04-090	251-01-258	NEW-C	88-13-112	251-14-056	AMD-P	88-04-069
248-172-304	NEW	88-04-090	251-01-258	NEW	88-18-018	251-14-056	AMD	88-08-018
248-172-401	NEW	88-04-090	251-01-367	NEW-P	88-02-072	251-14-058	AMD-P	88-02-072
248-172-402	NEW	88-04-090	251-01-367	NEW-C	88-06-062	251-14-058	AMD-C	88-06-062
250-20-021	AMD-P	88-06-089	251-01-367	NEW-P	88-06-075	251-14-058	AMD-P	88-06-075
250-20-021	AMD	88-10-001	251-01-367	NEW-C	88-13-112	251-14-058	AMD-C	88-13-112
250-20-031	AMD-P	88-06-089	251-01-367	NEW	88-18-018	251-14-058	AMD	88-18-018
250-20-031	AMD	88-10-001	251-01-445	REP-P	88-02-072	251-17-140	REP-P	88-09-057
250-40-030	AMD-P	88-06-090	251-01-445	AMD-P	88-06-075	251-17-140	REP	88-13-018
250-40-030	AMD	88-10-002	251-01-445	AMD-C	88-13-112	251-17-170	AMD-P	88-08-021
250-40-040	AMD-P	88-06-090	251-01-445	AMD	88-18-018	251-22-110	AMD-P	88-09-056
250-40-040	AMD	88-10-002	251-01-450	REP-P	88-02-072	251-22-110	AMD	88-13-019
250-40-050	AMD-P	88-06-090	251-01-455	REP-P	88-02-072	251-22-110	AMD-P	88-13-114
250-40-050	AMD	88-10-002	251-01-455	REP-P	88-06-075	251-22-110	AMD	88-17-008
250-60-020	AMD-P	88-06-091	251-01-455	REP-C	88-13-112	251-22-115	REP-P	88-09-056
250-60-020	AMD	88-10-003	251-01-455	REP	88-18-018	251-22-115	REP	88-13-019
250-60-030	AMD-P	88-06-091	251-04-040	AMD-P	88-12-052	260-16-090	NEW	88-06-017
250-60-030	AMD	88-10-003	251-04-040	AMD	88-15-023	260-20-170	AMD	88-06-017
250-60-040	AMD-P	88-06-091	251-08-100	AMD-P	88-12-052	260-34-010	NEW-P	88-06-052
250-60-040	AMD	88-10-003	251-08-100	AMD	88-15-023	260-34-010	NEW	88-09-033
250-60-050	AMD-P	88-06-091	251-10-030	AMD-P	88-17-107	260-34-020	NEW-P	88-06-052
250-60-050	AMD	88-10-003	251-10-035	AMD-P	88-17-107	260-34-020	NEW	88-09-033
250-60-060	AMD-P	88-06-091	251-10-105	REP-P	88-17-107	260-34-030	NEW-P	88-06-052
250-60-060	AMD	88-10-003	251-10-108	REP-P	88-17-107	260-34-030	NEW	88-09-033
250-60-070	AMD-P	88-06-091	251-10-110	REP-P	88-17-107	260-34-040	NEW-P	88-06-052
250-60-070	AMD	88-10-003	251-10-111	REP-P	88-17-107	260-34-040	NEW	88-09-033
250-60-080	AMD-P	88-06-091	251-10-120	REP-P	88-17-107	260-34-050	NEW-P	88-06-052
250-60-080	AMD	88-10-003	251-10-130	REP-P	88-17-107	260-34-050	NEW	88-09-033
250-60-090	AMD-P	88-06-091	251-10-140	REP-P	88-17-107	260-34-060	NEW-P	88-06-052
250-60-090	AMD	88-10-003	251-10-150	REP-P	88-17-107	260-34-060	NEW	88-09-033
250-60-100	AMD-P	88-06-091	251-10-160	REP-P	88-17-107	260-34-070	NEW-P	88-06-052
250-60-100	AMD	88-10-003	251-10-170	AMD-P	88-02-072	260-34-070	NEW	88-09-033
250-60-110	AMD-P	88-06-091	251-10-170	AMD-C	88-06-062	260-34-080	NEW-P	88-06-052
250-60-110	AMD	88-10-003	251-10-170	AMD-P	88-06-075	260-34-080	NEW	88-09-033
250-60-120	AMD-P	88-06-091	251-10-170	AMD-C	88-13-112	260-34-090	NEW-P	88-06-052
250-60-120	AMD	88-10-003	251-10-170	REP-P	88-17-107	260-34-090	NEW	88-09-033
250-65-010	NEW	88-03-008	251-10-170	AMD	88-18-018	260-34-100	NEW-P	88-06-052
250-65-020	NEW	88-03-008	251-10-180	REP-P	88-17-107	260-34-100	NEW	88-09-033
250-65-030	NEW	88-03-008	251-10-190	REP-P	88-17-107	260-34-110	NEW-P	88-06-052
250-65-040	NEW	88-03-008	251-10-195	REP-P	88-17-107	260-34-110	NEW-P	88-13-011
250-65-050	NEW	88-03-008	251-11-010	NEW-P	88-17-107	260-34-110	NEW	88-17-075
250-65-060	NEW	88-03-008	251-11-020	NEW-P	88-17-107	260-34-120	NEW-P	88-06-052
250-66-010	NEW-P	88-11-074	251-11-030	NEW-P	88-17-107	260-34-120	NEW-P	88-13-011
250-66-010	NEW	88-14-088	251-11-040	NEW-P	88-17-107	260-34-120	NEW	88-17-075
250-66-020	NEW-P	88-11-074	251-11-050	NEW-P	88-17-107	260-34-130	NEW-P	88-06-052
250-66-020	NEW	88-14-088	251-11-060	NEW-P	88-17-107	260-34-130	NEW-P	88-13-011
250-66-030	NEW-P	88-11-074	251-11-070	NEW-P	88-17-107	260-34-130	NEW	88-17-075
250-66-030	NEW	88-14-088	251-11-080	NEW-P	88-17-107	260-34-140	NEW-P	88-06-052
250-66-040	NEW-P	88-11-074	251-11-090	NEW-P	88-17-107	260-34-140	NEW-P	88-13-011
250-66-040	NEW	88-14-088	251-11-100	NEW-P	88-17-107	260-34-140	NEW	88-17-075
250-66-050	NEW-P	88-11-074	251-11-110	NEW-P	88-17-107	260-34-150	NEW-P	88-06-052
250-66-050	NEW	88-14-088	251-11-120	NEW-P	88-17-107	260-34-150	NEW-P	88-13-011
250-66-060	NEW-P	88-11-074	251-11-130	NEW-P	88-17-107	260-34-150	NEW	88-17-075
250-66-060	NEW	88-14-088	251-12-075	AMD-P	88-17-106	260-34-160	NEW-P	88-06-052
250-67-010	NEW-P	88-11-075	251-12-080	AMD-P	88-06-063	260-34-160	NEW-P	88-13-011
250-67-010	NEW	88-14-089	251-12-081	NEW-P	88-06-063	260-34-160	NEW	88-17-075
250-67-020	NEW-P	88-11-075	251-12-101	NEW-P	88-17-106	260-34-170	NEW-P	88-06-052
250-67-020	NEW	88-14-089	251-12-102	NEW-P	88-17-106	260-34-170	NEW-P	88-13-011
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250-67-040	NEW-P	88-11-075	251-12-270	AMD-P	88-06-063	260-34-180	NEW	88-09-033
250-67-040	NEW	88-14-089	251-12-290	AMD-P	88-06-063	260-70-010	AMD-P	88-13-011
250-67-050	NEW-P	88-11-075	251-12-600	AMD-P	88-17-106	260-70-090	AMD-P	88-13-011
250-67-050	NEW	88-14-089	251-14-020	AMD-P	88-02-072	261-40-020	AMD-P	88-10-047
250-67-060	NEW-P	88-11-075	251-14-020	AMD-C	88-06-062	261-40-020	AMD-E	88-13-043
250-67-060	NEW	88-14-089	251-14-020	AMD-P	88-06-075	261-40-020	AMD	88-13-044
251-01-018	NEW-P	88-02-072	251-14-020	AMD-C	88-13-112	261-40-150	REVIEW	88-03-065
251-01-028	NEW-P	88-09-057	251-14-020	AMD	88-18-018	261-40-150	AMD-E	88-08-013
251-01-028	NEW	88-13-018	251-14-030	AMD-P	88-02-072	261-40-150	AMD-P	88-08-052
251-01-057	AMD-P	88-09-056	251-14-052	AMD-P	88-02-072	261-40-150	AMD	88-11-033

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261-40-150	AMD-P	88-13-132	275-38-585	AMD-P	88-07-122	275-38-880	AMD	88-12-087
261-40-150	AMD-C	88-16-042	275-38-585	AMD	88-12-087	275-38-886	AMD-P	88-07-122
261-40-150	AMD	88-17-054	275-38-586	NEW-P	88-07-122	275-38-886	AMD	88-12-087
261-40-170	AMD-P	88-13-053	275-38-586	NEW	88-12-087	275-38-887	NEW-P	88-07-122
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261-40-190	NEW	88-13-044	275-38-600	AMD	88-12-087	275-38-888	NEW-P	88-07-122
261-50-035	NEW-P	88-13-052	275-38-605	AMD-P	88-07-122	275-38-888	NEW	88-12-087
261-50-035	NEW	88-16-043	275-38-605	AMD	88-12-087	275-38-889	NEW-P	88-07-122
261-50-040	AMD-P	88-13-052	275-38-610	AMD-P	88-07-122	275-38-889	NEW	88-12-087
261-50-040	AMD	88-16-043	275-38-610	AMD	88-12-087	275-38-890	AMD-P	88-07-122
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261-50-050	AMD	88-16-043	275-38-615	AMD	88-12-087	275-38-892	AMD-P	88-07-122
261-50-060	AMD-P	88-13-052	275-38-620	AMD-P	88-07-122	275-38-892	AMD	88-12-087
261-50-060	AMD	88-16-043	275-38-620	AMD	88-12-087	275-38-900	AMD-P	88-07-122
261-50-090	AMD-P	88-13-052	275-38-650	AMD-P	88-07-122	275-38-900	AMD	88-12-087
261-50-090	AMD	88-16-043	275-38-650	AMD	88-12-087	275-38-903	NEW-P	88-07-122
275-16-030	AMD-P	88-18-051	275-38-655	AMD-P	88-07-122	275-38-903	NEW	88-12-087
275-16-030	AMD-E	88-18-061	275-38-655	AMD	88-12-087	275-38-905	REP-P	88-07-122
275-27-220	AMD	88-05-004	275-38-660	AMD-P	88-07-122	275-38-905	REP	88-12-087
275-27-223	NEW	88-05-004	275-38-660	AMD	88-12-087	275-38-906	NEW-P	88-07-122
275-27-400	AMD	88-05-004	275-38-667	AMD-P	88-07-122	275-38-906	NEW	88-12-087
275-30-010	NEW-P	88-17-124	275-38-667	AMD	88-12-087	275-38-925	AMD-P	88-07-122
275-30-020	NEW-P	88-17-124	275-38-680	AMD-P	88-07-122	275-38-925	AMD	88-12-087
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275-30-080	NEW-P	88-17-124	275-38-695	AMD-P	88-07-122	275-38-955	AMD	88-12-087
275-35-020	AMD-P	88-09-038	275-38-695	AMD	88-12-087	275-38-960	AMD-P	88-07-122
275-35-020	AMD	88-13-028	275-38-700	AMD-P	88-07-122	275-38-960	AMD	88-12-087
275-35-030	AMD-P	88-09-038	275-38-700	AMD	88-12-087	275-110-050	AMD-P	88-12-090
275-35-030	AMD	88-13-028	275-38-705	AMD-P	88-07-122	275-110-050	AMD	88-15-012
275-35-040	AMD-P	88-09-038	275-38-705	AMD	88-12-087	275-110-060	AMD-P	88-12-090
275-35-040	AMD	88-13-028	275-38-706	NEW-P	88-07-122	275-110-060	AMD	88-15-012
275-35-050	AMD-P	88-09-038	275-38-706	NEW	88-12-087	275-110-070	AMD-P	88-12-090
275-35-050	AMD	88-13-028	275-38-715	AMD-P	88-07-122	275-110-070	AMD	88-15-012
275-35-060	AMD-P	88-09-038	275-38-715	AMD	88-12-087	275-110-080	AMD-P	88-12-090
275-35-060	AMD	88-13-028	275-38-720	AMD-P	88-07-122	275-110-080	AMD	88-15-012
275-35-070	AMD-P	88-09-038	275-38-720	AMD	88-12-087	284-12-080	AMD-P	88-15-036
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275-35-080	AMD-P	88-09-038	275-38-725	AMD	88-12-087	284-30-800	NEW-P	88-07-073
275-35-080	AMD	88-13-028	275-38-735	REP-P	88-07-122	284-30-800	NEW	88-11-056
275-35-090	REP-P	88-09-038	275-38-735	REP	88-12-087	284-32-140	AMD	88-05-001
275-35-090	REP	88-13-028	275-38-745	AMD-P	88-07-122	284-44-450	NEW-P	88-13-123
275-35-100	AMD-P	88-09-038	275-38-745	AMD	88-12-087	284-44-450	NEW	88-16-065
275-35-100	AMD	88-13-028	275-38-750	AMD-P	88-07-122	284-46-100	NEW-P	88-13-123
275-38-001	AMD-P	88-07-122	275-38-750	AMD	88-12-087	284-46-100	NEW	88-16-065
275-38-001	AMD	88-12-087	275-38-770	AMD-P	88-07-122	284-50-260	NEW-P	88-13-123
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275-38-540	AMD	88-12-087	275-38-812	AMD-P	88-07-122	284-91-027	NEW	88-08-010
275-38-545	AMD-P	88-07-122	275-38-812	AMD	88-12-087	296-13	AMD-P	88-11-085
275-38-545	AMD	88-12-087	275-38-815	AMD-P	88-07-122	296-13	AMD	88-16-002
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275-38-546	NEW	88-12-087	275-38-820	AMD-P	88-07-122	296-13-001	AMD	88-16-002
275-38-550	AMD-P	88-07-122	275-38-820	AMD	88-12-087	296-13-010	AMD-P	88-11-085
275-38-550	AMD	88-12-087	275-38-840	AMD-P	88-07-122	296-13-010	AMD	88-16-002
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275-38-555	AMD	88-12-087	275-38-845	AMD-P	88-07-122	296-13-020	AMD	88-16-002
275-38-560	AMD-P	88-07-122	275-38-845	AMD	88-12-087	296-13-035	AMD-P	88-11-085
275-38-560	AMD	88-12-087	275-38-846	AMD-P	88-07-122	296-13-035	AMD	88-16-002
275-38-565	AMD-P	88-07-122	275-38-846	AMD	88-12-087	296-13-040	AMD-P	88-11-085
275-38-565	AMD	88-12-087	275-38-860	AMD-P	88-07-122	296-13-040	AMD	88-16-002
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275-38-570	AMD	88-12-087	275-38-869	AMD-P	88-07-122	296-13-045	REP	88-16-002
275-38-575	REP-P	88-07-122	275-38-869	AMD	88-12-087	296-13-050	AMD-P	88-11-085

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296-24-20730	NEW-P 88-18-071	296-54-99011	REP-P 88-18-071	296-62-05405	AMD-P 88-09-074
296-24-21701	AMD-P 88-09-074	296-54-99012	REP-P 88-18-071	296-62-05405	AMD 88-14-108
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296-24-21707	AMD-P 88-06-073	296-56-60001	AMD 88-14-108	296-62-05407	AMD 88-14-108
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296-24-23001	AMD-P 88-18-071	296-56-60081	AMD 88-14-108	296-62-05409	AMD 88-14-108
296-24-24017	AMD-P 88-18-071	296-56-60249	AMD-P 88-09-074	296-62-05411	AMD-P 88-09-074
296-24-24519	AMD-P 88-18-071	296-56-60249	AMD 88-14-108	296-62-05411	AMD 88-14-108
296-24-31501	AMD-P 88-18-071	296-59-001	NEW-P 88-09-074	296-62-05411	AMD-P 88-09-074
296-24-31503	AMD-P 88-18-071	296-59-001	NEW 88-14-108	296-62-05413	AMD 88-14-108
296-24-31505	AMD-P 88-18-071	296-59-003	NEW-P 88-09-074	296-62-05415	AMD-P 88-09-074
296-24-33001	AMD-P 88-18-071	296-59-003	NEW 88-14-108	296-62-05415	AMD-W 88-14-141
296-24-33005	AMD-P 88-18-071	296-59-005	NEW-P 88-09-074	296-62-05417	AMD-P 88-09-074
296-24-37001	AMD-P 88-18-071	296-59-005	NEW 88-14-108	296-62-05417	AMD 88-14-108
296-24-40501	AMD-P 88-18-071	296-59-007	NEW-P 88-09-074	296-62-05421	AMD-P 88-09-074
296-24-47501	AMD-P 88-18-071	296-59-007	NEW 88-14-108	296-62-05421	AMD 88-14-108
296-24-47505	AMD-P 88-18-071	296-59-010	NEW-P 88-09-074	296-62-05423	AMD-P 88-09-074
296-24-47507	AMD-P 88-18-071	296-59-010	NEW 88-14-108	296-62-05423	AMD 88-14-108
296-24-47513	AMD-P 88-18-071	296-59-015	NEW-P 88-09-074	296-62-05425	AMD-P 88-09-074
296-24-51009	AMD-P 88-18-071	296-59-015	NEW 88-14-108	296-62-05425	AMD 88-14-108
296-24-51013	AMD-P 88-18-071	296-59-020	NEW-P 88-09-074	296-62-07113	AMD-P 88-09-074
296-24-55001	AMD-P 88-18-071	296-59-020	NEW 88-14-108	296-62-07113	AMD 88-14-108
296-24-56513	AMD-P 88-18-071	296-59-025	NEW-P 88-09-074	296-62-07115	AMD-P 88-09-074
296-24-58503	AMD-P 88-18-071	296-59-025	NEW 88-14-108	296-62-07115	AMD 88-14-108
296-24-58513	AMD-P 88-09-074	296-59-027	NEW-P 88-09-074	296-62-07336	NEW-P 88-06-073
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296-24-605	REP 88-11-021	296-59-035	NEW 88-14-108	296-62-07338	NEW 88-11-021
296-24-63399	AMD-P 88-09-074	296-59-040	NEW-P 88-09-074	296-62-07338	NEW 88-11-021
296-24-63399	AMD 88-14-108	296-59-040	NEW 88-14-108	296-62-07339	NEW-P 88-06-073
296-24-68001	AMD-P 88-18-071	296-59-040	NEW 88-14-108	296-62-07339	NEW 88-11-021
296-24-68203	AMD-P 88-06-073	296-59-050	NEW-P 88-09-074	296-62-07340	NEW-P 88-06-073
296-24-68203	AMD 88-11-021	296-59-050	NEW 88-14-108	296-62-07340	NEW 88-11-021
296-24-68203	AMD 88-11-021	296-59-055	NEW-P 88-09-074	296-62-07341	REP-P 88-06-073
296-24-78009	AMD-P 88-06-073	296-59-055	NEW 88-14-108	296-62-07341	REP 88-11-021
296-24-78009	AMD 88-11-021	296-59-060	NEW-P 88-09-074	296-62-07342	NEW-P 88-06-073
296-24-82513	AMD-P 88-18-071	296-59-060	NEW 88-14-108	296-62-07342	NEW 88-11-021
296-24-82515	AMD-P 88-18-071	296-59-065	NEW-P 88-09-074	296-62-07343	NEW-P 88-06-073
296-24-82517	AMD-P 88-18-071	296-59-065	NEW 88-14-108	296-62-07343	NEW 88-11-021
296-24-82519	AMD-P 88-18-071	296-59-070	NEW-P 88-09-074	296-62-07344	NEW-P 88-06-073
296-24-95601	AMD-P 88-18-071	296-59-070	NEW 88-14-108	296-62-07344	NEW 88-11-021
296-27-15501	AMD-P 88-09-074	296-59-075	NEW-P 88-09-074	296-62-07345	REP-P 88-06-073
296-27-15501	AMD 88-14-108	296-59-075	NEW 88-14-108	296-62-07345	REP 88-11-021
296-45-65025	REP-P 88-06-073	296-59-080	NEW-P 88-09-074	296-62-07346	NEW-P 88-06-073
296-45-65025	REP 88-11-021	296-59-080	NEW 88-14-108	296-62-07346	NEW 88-11-021
296-45-65026	NEW-P 88-06-073	296-59-085	NEW-P 88-09-074	296-62-07355	AMD-P 88-18-071
296-45-65026	NEW 88-11-021	296-59-085	NEW 88-14-108	296-62-07359	AMD-P 88-18-071
296-45-65037	AMD-P 88-06-073	296-59-090	NEW-P 88-09-074	296-62-07361	AMD-P 88-18-071
296-45-65037	AMD 88-11-021	296-59-090	NEW 88-14-108	296-62-07363	AMD-P 88-18-071
296-46-316	AMD-P 88-11-086	296-59-095	NEW-P 88-09-074	296-62-07365	AMD-P 88-18-071
296-46-316	AMD-E 88-11-087	296-59-095	NEW 88-14-108	296-62-07367	AMD-P 88-18-071
296-46-316	AMD 88-15-063	296-59-100	NEW-P 88-09-074	296-62-07373	AMD-P 88-18-071
296-46-420	AMD-P 88-11-086	296-59-100	NEW 88-14-108	296-62-07379	AMD-P 88-18-071
296-46-420	AMD-E 88-11-087	296-59-102	NEW-P 88-09-074	296-62-07383	AMD-P 88-09-074
296-46-420	AMD 88-15-063	296-59-102	NEW 88-14-108	296-62-07383	AMD 88-14-108
296-52-401	AMD-P 88-18-071	296-59-103	NEW-P 88-09-074	296-62-07385	AMD-P 88-09-074
296-52-419	NEW-P 88-18-071	296-59-103	NEW 88-14-108	296-62-07385	AMD 88-14-108
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296-52-423	NEW-P 88-18-071	296-59-105	NEW 88-14-108	296-62-07387	AMD 88-14-108
296-52-425	AMD-P 88-18-071	296-59-107	NEW-P 88-09-074	296-62-07389	AMD-P 88-09-074
296-52-429	AMD-P 88-18-071	296-59-107	NEW 88-14-108	296-62-07389	AMD 88-14-108
296-52-433	AMD-P 88-18-071	296-59-109	NEW-P 88-09-074	296-62-07515	AMD-P 88-09-074
296-52-437	AMD-P 88-18-071	296-59-109	NEW 88-14-108	296-62-07515	AMD 88-14-108
296-52-441	AMD-P 88-18-071	296-59-115	NEW-P 88-09-074	296-62-07521	AMD-P 88-09-074
296-52-445	AMD-P 88-18-071	296-59-115	NEW 88-14-108	296-62-07521	AMD 88-14-108
296-52-449	AMD-P 88-18-071	296-59-120	NEW-P 88-09-074	296-62-07523	NEW-P 88-09-074
296-52-487	NEW-P 88-18-071	296-59-120	NEW 88-14-108	296-62-07523	NEW-W 88-14-141
296-52-489	AMD-P 88-18-071	296-59-125	NEW-P 88-09-074	296-62-07523	NEW-E 88-16-044
296-54-45001	AMD-P 88-18-071	296-59-125	NEW 88-14-108	296-62-07525	NEW-P 88-16-092
296-54-501	AMD-P 88-18-071	296-59-130	NEW-P 88-09-074	296-62-07525	NEW-P 88-09-074
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296-62-07527	NEW-W 88-14-141	296-62-3080	NEW-P 88-09-074	296-99-095	NEW-P 88-18-071
296-62-07527	NEW-E 88-16-044	296-62-3080	NEW-W 88-14-141	296-116-020	AMD-C 88-05-016
296-62-07527	NEW-P 88-16-092	296-62-3080	NEW-E 88-16-044	296-116-020	AMD 88-09-025
296-62-07529	NEW-P 88-09-074	296-62-3080	NEW-P 88-16-092	296-116-030	AMD-C 88-05-017
296-62-07529	NEW-W 88-14-141	296-62-3090	NEW-P 88-09-074	296-116-030	AMD 88-09-026
296-62-07529	NEW-E 88-16-044	296-62-3090	NEW-W 88-14-141	296-116-070	AMD-P 88-10-036
296-62-07529	NEW-P 88-16-092	296-62-3090	NEW-E 88-16-044	296-116-070	AMD 88-14-063
296-62-07531	NEW-P 88-09-074	296-62-3090	NEW-P 88-16-092	296-116-080	AMD-C 88-06-066
296-62-07531	NEW-W 88-14-141	296-62-3100	NEW-P 88-09-074	296-116-080	AMD 88-10-037
296-62-07531	NEW-E 88-16-044	296-62-3100	NEW-W 88-14-141	296-116-083	NEW-P 88-06-067
296-62-07531	NEW-P 88-16-092	296-62-3100	NEW-E 88-16-044	296-116-083	NEW 88-10-038
296-62-07533	NEW-P 88-09-074	296-62-3100	NEW-P 88-16-092	296-116-120	AMD-C 88-05-018
296-62-07533	NEW-W 88-14-141	296-62-3110	NEW-P 88-09-074	296-116-120	AMD 88-09-027
296-62-07533	NEW-E 88-16-044	296-62-3110	NEW-W 88-14-141	296-116-185	AMD 88-05-043
296-62-07533	NEW-P 88-16-092	296-62-3110	NEW-E 88-16-044	296-116-300	AMD 88-05-039
296-62-07540	NEW-P 88-09-074	296-62-3110	NEW-P 88-16-092	296-116-320	REP-P 88-06-068
296-62-07540	NEW-W 88-14-141	296-62-3120	NEW-P 88-09-074	296-116-320	REP 88-10-039
296-62-07540	NEW-E 88-16-044	296-62-3120	NEW-W 88-14-141	296-116-360	NEW-C 88-05-019
296-62-07540	NEW-P 88-16-092	296-62-3120	NEW-E 88-16-044	296-116-360	NEW 88-09-015
296-62-07542	NEW-P 88-09-074	296-62-3120	NEW-P 88-16-092	296-116-370	NEW-P 88-06-069
296-62-07542	NEW-W 88-14-141	296-62-3130	NEW-P 88-09-074	296-116-370	NEW-C 88-10-035
296-62-07542	NEW-E 88-16-044	296-62-3130	NEW-W 88-14-141	296-116-370	NEW 88-14-062
296-62-07542	NEW-P 88-16-092	296-62-3130	NEW-E 88-16-044	296-116-400	NEW-C 88-05-020
296-62-07544	NEW-P 88-09-074	296-62-3130	NEW-P 88-16-092	296-116-400	NEW 88-09-016
296-62-07544	NEW-W 88-14-141	296-62-3140	NEW-P 88-09-074	296-116-410	NEW-C 88-05-021
296-62-07544	NEW-E 88-16-044	296-62-3140	NEW-W 88-14-141	296-116-410	NEW 88-09-017
296-62-07544	NEW-P 88-16-092	296-62-3140	NEW-E 88-16-044	296-116-420	NEW-P 88-06-070
296-62-07546	NEW-P 88-09-074	296-62-3140	NEW-P 88-16-092	296-116-420	NEW 88-10-040
296-62-07546	NEW-W 88-14-141	296-62-3150	NEW-P 88-09-074	296-127-010	AMD-P 88-16-090
296-62-07546	NEW-E 88-16-044	296-62-3150	NEW-W 88-14-141	296-127-011	AMD-P 88-16-090
296-62-07546	NEW-P 88-16-092	296-62-3150	NEW-E 88-16-044	296-127-013	NEW-P 88-16-090
296-62-07548	NEW-P 88-09-074	296-62-3150	NEW-P 88-16-092	296-127-014	NEW-P 88-16-090
296-62-07548	NEW-W 88-14-141	296-62-3152	NEW-P 88-09-074	296-127-015	NEW-P 88-16-090
296-62-07548	NEW-E 88-16-044	296-62-3152	NEW-W 88-14-141	296-127-016	NEW-P 88-16-090
296-62-07548	NEW-P 88-16-092	296-62-3152	NEW-E 88-16-044	296-127-019	NEW-P 88-16-090
296-62-07550	NEW-P 88-09-074	296-62-3152	NEW-P 88-16-092	296-127-022	NEW-E 88-13-045
296-62-07550	NEW-W 88-14-141	296-62-3160	NEW-P 88-09-074	296-127-022	NEW-P 88-14-106
296-62-07550	NEW-E 88-16-044	296-62-3160	NEW-W 88-14-141	296-127-022	NEW-E 88-16-013
296-62-07550	NEW-P 88-16-092	296-62-3160	NEW-E 88-16-044	296-127-022	NEW-C 88-18-008
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296-62-14541	AMD 88-14-108	296-62-3170	NEW-P 88-09-074	296-127-025	NEW-P 88-16-090
296-62-14601	REP-P 88-18-071	296-62-3170	NEW-W 88-14-141	296-127-026	NEW-P 88-16-090
296-62-14605	REP-P 88-18-071	296-62-3170	NEW-E 88-16-044	296-127-040	AMD-P 88-16-090
296-62-14607	REP-P 88-18-071	296-62-3170	NEW-P 88-16-092	296-127-045	AMD-P 88-16-090
296-62-20009	AMD-P 88-18-071	296-62-3180	NEW-P 88-09-074	296-130-010	NEW-P 88-14-105
296-62-300	NEW-P 88-09-074	296-62-3180	NEW-W 88-14-141	296-130-010	NEW-C 88-18-007
296-62-300	NEW-W 88-14-141	296-62-3180	NEW-E 88-16-044	296-130-010	NEW 88-18-044
296-62-300	NEW-E 88-16-044	296-62-3180	NEW-P 88-16-092	296-130-010	NEW-E 88-18-045
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296-62-3010	NEW-W 88-14-141	296-62-3190	NEW-E 88-16-044	296-130-020	NEW 88-18-044
296-62-3010	NEW-E 88-16-044	296-62-3190	NEW-P 88-16-092	296-130-020	NEW-E 88-18-045
296-62-3010	NEW-P 88-16-092	296-78-56505	AMD-P 88-18-071	296-130-030	NEW-P 88-14-105
296-62-3020	NEW-P 88-09-074	296-81-007	AMD-P 88-13-128	296-130-030	NEW-C 88-18-007
296-62-3020	NEW-W 88-14-141	296-81-008	AMD-P 88-04-053	296-130-030	NEW 88-18-044
296-62-3020	NEW-E 88-16-044	296-81-008	AMD 88-07-101	296-130-030	NEW-E 88-18-045
296-62-3020	NEW-P 88-16-092	296-81-277	NEW-P 88-18-101	296-130-035	NEW-E 88-18-045
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296-62-3030	NEW-E 88-16-044	296-99-010	NEW-P 88-18-071	296-130-040	NEW 88-18-044
296-62-3030	NEW-P 88-16-092	296-99-015	NEW-P 88-18-071	296-130-040	NEW-E 88-18-045
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296-62-3040	NEW-W 88-14-141	296-99-025	NEW-P 88-18-071	296-130-050	NEW-C 88-18-007
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296-62-3050	NEW-W 88-14-141	296-99-045	NEW-P 88-18-071	296-130-060	NEW-C 88-18-007
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296-62-3060	NEW-P 88-09-074	296-99-060	NEW-P 88-18-071	296-130-065	NEW-P 88-14-105
296-62-3060	NEW-W 88-14-141	296-99-065	NEW-P 88-18-071	296-130-065	NEW-E 88-18-045
296-62-3060	NEW-E 88-16-044	296-99-070	NEW-P 88-18-071	296-130-070	NEW-P 88-14-105
296-62-3060	NEW-P 88-16-092	296-99-075	NEW-P 88-18-071	296-130-070	NEW-C 88-18-007
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296-130-080	NEW-P 88-14-105	296-305-06305	REP 88-14-108	304-12-290	AMD-E 88-07-086
296-130-080	NEW-C 88-18-007	296-305-06307	REP-P 88-09-074	304-12-290	AMD 88-07-087
296-130-080	NEW 88-18-044	296-305-06307	REP 88-14-108	308-04-001	AMD-E 88-15-062
296-130-080	NEW-E 88-18-045	296-305-06309	REP-P 88-09-074	308-04-001	AMD-P 88-16-098
296-130-500	NEW-P 88-14-105	296-305-06309	REP 88-14-108	308-08-700	NEW-P 88-15-040
296-130-500	NEW-C 88-18-007	296-305-06311	REP-P 88-09-074	308-11-050	AMD-P 88-15-081
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296-130-500	NEW-E 88-18-045	296-305-06313	REP-P 88-09-074	308-12-031	AMD 88-17-085
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296-150B-220	AMD-P 88-14-104	296-305-064	NEW-P 88-09-074	308-12-050	AMD 88-09-066
296-150B-225	AMD-P 88-14-104	296-305-064	NEW 88-14-108	308-13-020	AMD-P 88-02-069
296-150B-245	AMD-P 88-14-104	296-305-06505	AMD-P 88-09-074	308-13-020	AMD 88-05-025
296-155-160	AMD-P 88-09-074	296-305-06505	AMD 88-14-108	308-13-025	AMD-P 88-12-041
296-155-160	AMD 88-14-108	296-305-06507	AMD-P 88-09-074	308-13-025	AMD 88-15-041
296-155-265	AMD-P 88-18-071	296-305-06507	AMD 88-14-108	308-13-032	AMD-P 88-06-059
296-155-270	AMD-P 88-18-071	296-305-06509	AMD-P 88-09-074	308-13-032	AMD 88-12-018
296-155-405	AMD-P 88-18-071	296-305-06509	AMD 88-14-108	308-13-150	AMD 88-04-027
296-155-425	REP-P 88-06-073	296-305-07001	AMD-P 88-09-074	308-20-010	AMD-P 88-13-130
296-155-425	REP 88-11-021	296-305-07001	AMD 88-14-108	308-20-020	AMD-P 88-13-130
296-155-426	NEW-P 88-06-073	296-305-07003	AMD-P 88-09-074	308-20-030	AMD-P 88-13-130
296-155-426	NEW 88-11-021	296-305-07003	AMD 88-14-108	308-20-040	AMD-P 88-13-130
296-155-428	NEW-P 88-06-073	296-305-100	AMD-P 88-09-074	308-20-050	AMD-P 88-13-130
296-155-428	NEW 88-11-021	296-305-100	AMD 88-14-108	308-20-060	AMD-P 88-13-130
296-155-429	NEW-P 88-06-073	296-305-9901	REP-P 88-09-074	308-20-070	AMD-P 88-13-130
296-155-429	NEW 88-11-021	296-305-9901	REP 88-14-108	308-20-080	AMD-P 88-13-130
296-155-430	REP-P 88-06-073	296-305-9902	REP-P 88-09-074	308-20-090	AMD-P 88-13-130
296-155-430	REP 88-11-021	296-305-9902	REP 88-14-108	308-20-100	AMD-P 88-13-130
296-155-432	NEW-P 88-06-073	296-305-9903	REP-P 88-09-074	308-20-105	AMD-P 88-13-130
296-155-432	NEW 88-11-021	296-305-9903	REP 88-14-108	308-20-107	NEW-P 88-13-130
296-155-434	NEW-P 88-06-073	296-305-9904	REP-P 88-09-074	308-20-109	NEW-P 88-13-130
296-155-434	NEW 88-11-021	296-305-9904	REP 88-14-108	308-20-110	AMD-P 88-13-130
296-155-435	REP-P 88-06-073	296-305-9905	REP-P 88-09-074	308-20-120	AMD-P 88-13-130
296-155-435	REP 88-11-021	296-305-9905	REP 88-14-108	308-20-130	AMD-P 88-13-130
296-155-437	NEW-P 88-06-073	296-305-9906	REP-P 88-09-074	308-20-140	AMD-P 88-13-130
296-155-437	NEW 88-11-021	296-305-9906	REP 88-14-108	308-20-150	AMD-P 88-13-130
296-155-440	REP-P 88-06-073	296-306-010	AMD-P 88-09-074	308-20-155	NEW-P 88-13-130
296-155-440	REP 88-11-021	296-306-010	AMD 88-14-108	308-20-171	AMD-P 88-13-130
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296-155-444	NEW 88-11-021	296-306-090	AMD 88-14-108	308-25-090	NEW-P 88-15-043
296-155-447	NEW-P 88-06-073	296-306-320	AMD-P 88-18-071	308-25-100	NEW-P 88-15-043
296-155-447	NEW 88-11-021	296-400-045	AMD 88-06-037	308-25-110	NEW-P 88-15-043
296-155-449	NEW-P 88-06-073	296-401-030	AMD-P 88-11-085	308-25-120	NEW-P 88-15-043
296-155-449	NEW 88-11-021	296-401-030	AMD 88-16-002	308-25-130	NEW-P 88-15-043
296-155-450	REP-P 88-06-073	296-401-080	AMD-P 88-11-085	308-25-140	NEW-P 88-15-043
296-155-450	REP 88-11-021	296-401-080	AMD 88-16-002	308-25-150	NEW-P 88-15-043
296-155-452	NEW-P 88-06-073	296-401-085	NEW-P 88-11-085	308-25-160	NEW-P 88-15-043
296-155-452	NEW 88-11-021	296-401-085	NEW 88-16-002	308-25-300	NEW-P 88-17-103
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296-155-455	REP 88-11-021	296-401-087	NEW 88-16-002	308-26-065	NEW-P 88-15-043
296-155-456	NEW-P 88-06-073	296-401-090	AMD-P 88-11-085	308-26-075	NEW-P 88-15-043
296-155-456	NEW 88-11-021	296-401-090	AMD 88-16-002	308-26-085	NEW-P 88-15-043
296-155-459	NEW-P 88-06-073	296-401-100	AMD-P 88-11-085	308-26-095	NEW-P 88-15-043
296-155-459	NEW 88-11-021	296-401-100	AMD 88-16-002	308-26-105	NEW-P 88-15-043
296-155-462	NEW-P 88-06-073	296-401-120	AMD-P 88-11-085	308-26-115	NEW-P 88-15-043
296-155-462	NEW 88-11-021	296-401-120	AMD 88-16-002	308-26-125	NEW-P 88-15-043
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296-304-06013	AMD-P 88-09-074	296-401-170	AMD 88-16-002	308-26-200	NEW-P 88-17-103
296-304-06013	AMD 88-14-108	296-401-180	AMD-P 88-11-085	308-31-010	AMD-P 88-08-075
296-305-007	AMD-P 88-09-074	296-401-180	AMD 88-16-002	308-31-010	AMD 88-11-034
296-305-007	AMD 88-14-108	296-402-030	AMD-P 88-11-085	308-31-015	REP-P 88-08-075
296-305-060	AMD-P 88-09-074	296-402-030	AMD 88-16-002	308-31-015	REP 88-11-034
296-305-060	AMD 88-14-108	296-402-140	AMD-P 88-11-085	308-31-056	NEW-P 88-08-075
296-305-06003	AMD-P 88-09-074	296-402-140	AMD 88-16-002	308-34-010	REP-P 88-15-080
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296-305-06005	AMD 88-14-108	296-402-190	AMD-P 88-11-085	308-34-020	REP-C 88-17-096
296-305-06011	AMD-P 88-09-074	296-402-190	AMD 88-16-002	308-34-030	REP-P 88-15-080
296-305-06011	AMD 88-14-108	296-402-200	NEW-P 88-11-085	308-34-030	REP-C 88-17-096
296-305-063	AMD-P 88-09-074	296-402-200	NEW 88-16-002	308-34-040	REP-P 88-15-080
296-305-063	AMD 88-14-108	296-403-010	AMD-P 88-11-085	308-34-040	REP-C 88-17-096
296-305-06301	REP-P 88-09-074	296-403-010	AMD 88-16-002	308-34-050	REP-P 88-15-080
296-305-06301	REP 88-14-108	296-403-070	AMD-P 88-11-085	308-34-050	REP-C 88-17-096
296-305-06303	REP-P 88-09-074	296-403-070	AMD 88-16-002	308-34-060	REP-P 88-15-080
296-305-06303	REP 88-14-108	304-12-290	AMD-E 88-02-046	308-34-060	REP-C 88-17-096

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308-34-070	REP-C	88-17-096	308-48-140	AMD	88-13-010	308-53-100	AMD-P	88-03-071
308-34-080	REP-P	88-15-080	308-48-790	AMD-P	88-08-037	308-53-100	AMD	88-07-047
308-34-080	REP-C	88-17-096	308-48-790	AMD	88-13-010	308-53-120	AMD-P	88-03-071
308-34-090	REP-P	88-15-080	308-49-140	AMD-P	88-08-037	308-53-120	AMD	88-07-047
308-34-090	REP-C	88-17-096	308-49-140	AMD	88-13-010	308-53-145	AMD-P	88-03-071
308-34-110	NEW-P	88-11-090	308-49-170	AMD-P	88-08-037	308-53-145	AMD	88-07-047
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308-34-110	AMD-P	88-15-079	308-51	AMD-P	88-06-034	308-53-170	AMD	88-07-047
308-34-110	AMD-E	88-16-019	308-51	AMD	88-11-011	308-53-200	AMD-P	88-14-039
308-34-110	AMD-C	88-17-097	308-51-010	AMD-P	88-06-034	308-54-170	AMD-P	88-10-056
308-34-120	NEW-P	88-11-090	308-51-010	AMD	88-11-011	308-55-035	NEW-P	88-15-043
308-34-120	NEW	88-14-009	308-51-020	REP-P	88-06-034	308-55-045	NEW-P	88-15-043
308-34-130	NEW-P	88-11-090	308-51-020	REP	88-11-011	308-55-055	NEW-P	88-15-043
308-34-130	NEW	88-14-009	308-51-021	NEW-P	88-16-069	308-55-065	NEW-P	88-15-043
308-34-140	NEW-P	88-11-090	308-51-040	REP-P	88-06-034	308-55-075	NEW-P	88-15-043
308-34-140	NEW	88-14-009	308-51-040	REP	88-11-011	308-55-085	NEW-P	88-15-043
308-34-150	NEW-P	88-11-090	308-51-050	AMD-P	88-06-034	308-55-095	NEW-P	88-15-043
308-34-150	NEW	88-14-009	308-51-050	AMD	88-11-011	308-55-105	NEW-P	88-15-043
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308-34-170	NEW-P	88-11-090	308-51-070	AMD-P	88-06-034	308-56A-125	AMD-P	88-11-023
308-34-170	NEW	88-14-009	308-51-070	REP-P	88-11-055	308-56A-275	AMD-P	88-11-023
308-34-170	AMD-P	88-15-039	308-51-070	REP	88-14-097	308-56A-285	AMD-P	88-11-023
308-34-170	AMD-E	88-15-042	308-51-080	REP-P	88-06-034	308-56A-465	AMD-P	88-11-023
308-34-170	AMD-P	88-16-099	308-51-080	REP	88-11-011	308-58-020	AMD-P	88-11-023
308-34-170	AMD-E	88-16-105	308-51-100	AMD-P	88-06-034	308-58-030	AMD-P	88-11-023
308-34-180	NEW-P	88-11-090	308-51-100	AMD	88-11-011	308-61-026	AMD-E	88-04-026
308-34-180	NEW	88-14-009	308-51-110	AMD-P	88-06-034	308-61-026	AMD	88-06-025
308-34-190	NEW-P	88-11-090	308-51-110	AMD	88-11-011	308-61-050	REP-E	88-04-026
308-34-190	NEW	88-14-009	308-51-125	AMD-P	88-06-034	308-61-050	REP	88-06-025
308-34-310	NEW-P	88-15-080	308-51-125	AMD	88-11-011	308-61-108	AMD-E	88-04-026
308-34-310	NEW-C	88-17-096	308-51-140	AMD-P	88-06-034	308-61-108	AMD	88-06-025
308-34-320	NEW-P	88-15-080	308-51-140	AMD	88-11-011	308-61-135	AMD-E	88-04-026
308-34-320	NEW-C	88-17-096	308-51-140	AMD-P	88-16-069	308-61-135	AMD	88-06-025
308-34-330	NEW-P	88-15-080	308-51-150	REP-P	88-06-034	308-61-158	AMD-E	88-04-026
308-34-330	NEW-C	88-17-096	308-51-150	REP	88-11-011	308-61-158	AMD	88-06-025
308-34-410	NEW-P	88-15-080	308-51-210	AMD-P	88-18-081	308-61-175	AMD-E	88-04-026
308-34-410	NEW-C	88-17-096	308-51-220	NEW-P	88-06-034	308-61-175	AMD	88-06-025
308-34-420	NEW-P	88-15-080	308-51-220	NEW	88-11-011	308-61-210	AMD-E	88-04-026
308-34-420	NEW-C	88-17-096	308-51-230	NEW-P	88-15-043	308-61-210	AMD	88-06-025
308-34-430	NEW-P	88-15-080	308-51-240	NEW-P	88-15-043	308-61-240	AMD-E	88-04-026
308-34-430	NEW-C	88-17-096	308-51-240	NEW-P	88-15-043	308-61-240	AMD	88-06-025
308-34-440	NEW-P	88-15-080	308-51-260	NEW-P	88-15-043	308-61-260	AMD-E	88-04-026
308-34-440	NEW-C	88-17-096	308-51-270	NEW-P	88-15-043	308-61-260	AMD	88-06-025
308-34-450	NEW-P	88-15-080	308-51-280	NEW-P	88-15-043	308-61-330	AMD-E	88-04-026
308-34-450	NEW-C	88-17-096	308-51-290	NEW-P	88-15-043	308-61-330	AMD	88-06-025
308-34-460	NEW-P	88-15-080	308-51-300	NEW-P	88-15-043	308-61-430	AMD-E	88-04-026
308-34-460	NEW-C	88-17-096	308-51-310	NEW-P	88-15-043	308-61-430	AMD	88-06-025
308-34-470	NEW-E	88-15-002	308-51-320	NEW-P	88-17-103	308-72-502	NEW-P	88-04-029
308-34-470	NEW-P	88-15-080	308-51A-010	NEW-P	88-08-088	308-72-502	NEW	88-07-095
308-34-470	NEW-C	88-17-096	308-51A-010	NEW	88-13-038	308-72-504	NEW-P	88-04-029
308-34-480	NEW-P	88-15-080	308-51A-020	NEW-P	88-08-088	308-72-504	NEW	88-07-095
308-34-480	NEW-C	88-17-096	308-51A-020	NEW	88-13-038	308-72-506	NEW-P	88-04-029
308-37-190	AMD-P	88-17-042	308-51A-030	NEW-P	88-08-088	308-72-506	NEW	88-07-095
308-40-030	REP-P	88-09-067	308-51A-030	NEW	88-13-038	308-72-508	NEW-P	88-04-029
308-40-030	REP	88-13-131	308-51A-040	NEW-P	88-08-088	308-72-508	NEW	88-07-095
308-40-101	AMD-P	88-09-067	308-51A-040	NEW	88-13-038	308-72-512	NEW-P	88-04-029
308-40-101	AMD	88-13-131	308-51A-050	NEW-P	88-08-088	308-72-512	NEW	88-07-095
308-40-102	AMD-P	88-09-067	308-51A-050	NEW	88-13-038	308-72-540	AMD-P	88-04-029
308-40-102	AMD	88-13-131	308-51A-060	NEW-P	88-08-088	308-72-540	AMD	88-07-095
308-40-103	AMD-P	88-09-067	308-51A-060	NEW	88-13-038	308-90-010	REP-E	88-03-001
308-40-103	AMD	88-13-131	308-52-138	AMD	88-06-008	308-90-010	REP	88-03-038
308-40-105	AMD-P	88-09-067	308-52-139	AMD	88-06-008	308-90-020	REP-E	88-03-001
308-40-105	AMD	88-13-131	308-52-139	AMD-P	88-16-018	308-90-020	REP	88-03-038
308-42-010	AMD-P	88-17-104	308-52-139	AMD-E	88-16-020	308-90-030	AMD-E	88-03-001
308-42-015	NEW-P	88-03-033	308-52-140	AMD	88-06-008	308-90-030	AMD	88-03-038
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308-42-090	NEW-P	88-17-104	308-52-148	NEW	88-06-008	308-90-040	AMD	88-03-038
308-42-120	AMD-P	88-17-104	308-52-149	NEW	88-06-008	308-90-050	REP-E	88-03-001
308-42-123	NEW-P	88-17-104	308-52-600	NEW-P	88-16-018	308-90-050	REP	88-03-038
308-48-030	AMD	88-08-015	308-52-600	NEW-E	88-16-020	308-90-060	AMD-E	88-03-001
308-48-030	AMD-E	88-08-016	308-52-610	NEW-P	88-16-018	308-90-060	AMD	88-03-038
308-48-031	NEW	88-08-015	308-52-610	NEW-E	88-16-020	308-90-070	AMD-E	88-03-001
308-48-031	NEW-E	88-08-016	308-53-010	AMD-P	88-03-071	308-90-070	AMD	88-03-038
308-48-085	AMD	88-08-015	308-53-010	AMD	88-07-047	308-90-080	AMD-E	88-03-001
308-48-085	AMD-E	88-08-016	308-53-030	AMD-P	88-03-071	308-90-080	AMD	88-03-038

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308-90-090	AMD	88-03-038	308-115-220	NEW	88-12-040	308-120-510	REP	88-16-034
308-90-110	AMD-E	88-03-001	308-115-220	AMD-P	88-17-051	308-120-511	REP-P	88-12-042
308-90-110	AMD	88-03-038	308-115-230	NEW-P	88-08-035	308-120-511	REP	88-16-034
308-90-120	NEW-E	88-03-001	308-115-230	NEW	88-12-040	308-120-512	REP-P	88-12-042
308-90-120	NEW	88-03-038	308-115-240	NEW-P	88-08-035	308-120-512	REP	88-16-034
308-90-130	NEW-E	88-03-001	308-115-240	NEW	88-12-040	308-120-513	REP-P	88-12-042
308-90-130	NEW	88-03-038	308-115-250	NEW-P	88-08-035	308-120-513	REP	88-16-034
308-90-140	NEW-E	88-03-001	308-115-250	NEW	88-12-040	308-120-514	REP-P	88-12-042
308-90-140	NEW	88-03-038	308-115-260	NEW-P	88-15-043	308-120-514	REP	88-16-034
308-90-150	NEW-E	88-03-001	308-115-270	NEW-P	88-15-043	308-120-515	REP-P	88-12-042
308-90-150	NEW	88-03-038	308-115-280	NEW-P	88-15-043	308-120-515	REP	88-16-034
308-90-160	NEW-E	88-03-001	308-115-290	NEW-P	88-15-043	308-120-516	REP-P	88-12-042
308-90-160	NEW	88-03-038	308-115-310	NEW-P	88-15-043	308-120-516	REP	88-16-034
308-91-010	AMD-E	88-03-030	308-115-320	NEW-P	88-15-043	308-120-517	REP-P	88-12-042
308-91-010	AMD-P	88-03-067	308-115-330	NEW-P	88-15-043	308-120-517	REP	88-16-034
308-91-010	AMD	88-06-061	308-115-340	NEW-P	88-15-043	308-120-518	REP-P	88-12-042
308-91-020	REP-E	88-03-030	308-115-350	NEW-P	88-15-043	308-120-518	REP	88-16-034
308-91-020	REP-P	88-03-067	308-115-500	NEW-P	88-17-103	308-120-519	REP-P	88-12-042
308-91-020	REP	88-06-061	308-117-030	AMD-P	88-04-077	308-120-519	REP	88-16-034
308-91-030	AMD-E	88-03-030	308-117-030	AMD	88-08-034	308-120-520	REP-P	88-12-042
308-91-030	AMD-P	88-03-067	308-117-030	AMD-P	88-13-094	308-120-520	REP	88-16-034
308-91-030	AMD	88-06-061	308-117-030	AMD	88-18-005	308-120-521	REP-P	88-12-042
308-91-040	AMD-E	88-03-030	308-117-040	AMD-P	88-13-094	308-120-521	REP	88-16-034
308-91-040	AMD-P	88-03-067	308-117-040	AMD	88-18-005	308-120-522	REP-P	88-12-042
308-91-040	AMD	88-06-061	308-117-050	AMD-P	88-13-094	308-120-522	REP	88-16-034
308-91-050	AMD-E	88-03-030	308-117-050	AMD	88-18-005	308-120-525	NEW-P	88-12-042
308-91-050	AMD-P	88-03-067	308-117-080	AMD	88-05-011	308-120-525	NEW	88-16-034
308-91-050	AMD	88-06-061	308-117-090	AMD-P	88-13-094	308-120-530	NEW-P	88-12-042
308-91-060	AMD-E	88-03-030	308-117-090	AMD	88-18-005	308-120-530	NEW	88-16-034
308-91-060	AMD-P	88-03-067	308-117-095	NEW-P	88-13-094	308-120-535	NEW-P	88-12-042
308-91-060	AMD	88-06-061	308-117-095	NEW	88-18-005	308-120-535	NEW	88-16-034
308-91-070	AMD-E	88-03-030	308-117-100	AMD-P	88-13-094	308-120-540	NEW-P	88-12-042
308-91-070	AMD-P	88-03-067	308-117-100	AMD	88-18-005	308-120-540	NEW	88-16-034
308-91-070	AMD	88-06-061	308-117-105	NEW-P	88-13-094	308-120-545	NEW-P	88-12-042
308-91-080	AMD-E	88-03-030	308-117-105	NEW	88-18-005	308-120-545	NEW	88-16-034
308-91-080	AMD-P	88-03-067	308-117-410	NEW-P	88-13-094	308-120-550	NEW-P	88-12-042
308-91-080	AMD	88-06-061	308-117-410	NEW	88-18-005	308-120-550	NEW	88-16-034
308-91-090	AMD-E	88-03-030	308-117-420	NEW-P	88-13-094	308-120-555	NEW-P	88-12-042
308-91-090	AMD-P	88-03-067	308-117-420	NEW	88-18-005	308-120-555	NEW	88-16-034
308-91-090	AMD	88-06-061	308-117-500	AMD-P	88-15-039	308-120-560	NEW-P	88-12-042
308-91-100	REP-E	88-03-030	308-117-500	AMD-E	88-15-042	308-120-560	NEW	88-16-034
308-91-100	REP-P	88-03-067	308-117-500	AMD-P	88-15-099	308-120-565	NEW-P	88-12-042
308-91-100	REP	88-06-061	308-117-500	AMD-E	88-16-105	308-120-565	NEW	88-16-034
308-91-110	REP-E	88-03-030	308-120-100	AMD-P	88-12-042	308-120-570	NEW-P	88-12-042
308-91-110	REP-P	88-03-067	308-120-100	AMD	88-16-034	308-120-570	NEW	88-16-034
308-91-110	REP	88-06-061	308-120-163	AMD-P	88-12-042	308-120-575	NEW-P	88-12-042
308-91-120	NEW-E	88-03-030	308-120-163	AMD	88-16-034	308-120-575	NEW	88-16-034
308-91-120	NEW-P	88-03-067	308-120-164	AMD-P	88-12-042	308-121-070	NEW-P	88-15-039
308-91-120	NEW	88-06-061	308-120-164	AMD	88-16-034	308-121-070	NEW-E	88-15-042
308-91-130	NEW-E	88-03-030	308-120-170	AMD-P	88-12-042	308-121-070	NEW-P	88-15-098
308-91-130	NEW-P	88-03-067	308-120-170	AMD	88-16-034	308-121-070	NEW-P	88-16-099
308-91-130	NEW	88-06-061	308-120-180	AMD-P	88-12-042	308-121-070	NEW-E	88-16-105
308-91-140	NEW-E	88-03-030	308-120-180	AMD	88-16-034	308-122-200	AMD-P	88-06-007
308-91-140	NEW-P	88-03-067	308-120-185	AMD-P	88-12-042	308-122-200	AMD	88-09-029
308-91-140	NEW	88-06-061	308-120-185	AMD	88-16-034	308-122-215	AMD-P	88-06-007
308-91-150	NEW-E	88-03-030	308-120-186	AMD	88-05-010	308-122-215	AMD	88-09-029
308-91-150	NEW-P	88-03-067	308-120-275	AMD-P	88-15-039	308-122-235	NEW-P	88-06-007
308-91-150	NEW	88-06-061	308-120-275	AMD-E	88-15-042	308-122-235	NEW	88-09-029
308-91-160	NEW-E	88-03-030	308-120-275	AMD-P	88-15-098	308-122-640	AMD-P	88-06-007
308-91-160	NEW-P	88-03-067	308-120-275	AMD-P	88-16-099	308-122-640	AMD	88-09-029
308-91-160	NEW	88-06-061	308-120-275	AMD-E	88-16-105	308-122-720	NEW-P	88-06-007
308-91-170	NEW-E	88-03-030	308-120-335	AMD	88-07-049	308-122-720	NEW	88-09-029
308-91-170	NEW-P	88-03-067	308-120-338	NEW-P	88-12-042	308-124A-020	AMD-P	88-16-109
308-91-170	NEW	88-06-061	308-120-338	NEW	88-16-034	308-124A-025	AMD-P	88-16-109
308-96A-065	AMD-P	88-07-116	308-120-360	AMD-P	88-12-042	308-124A-100	REP-P	88-16-097
308-96A-065	AMD	88-12-043	308-120-360	AMD	88-18-082	308-124A-110	AMD-P	88-16-097
308-96A-066	NEW-P	88-07-116	308-120-505	AMD-P	88-12-042	308-124A-115	REP-P	88-16-097
308-96A-450	NEW-E	88-14-038	308-120-505	AMD	88-16-034	308-124A-120	AMD-P	88-16-109
308-96A-450	NEW-P	88-14-111	308-120-506	AMD-P	88-12-042	308-124A-130	AMD-P	88-02-051
308-96A-460	NEW-E	88-14-038	308-120-506	AMD	88-16-034	308-124A-130	AMD	88-06-039
308-96A-460	NEW-P	88-14-111	308-120-507	REP-P	88-12-042	308-124A-200	AMD-P	88-16-097
308-96A-470	NEW-E	88-14-038	308-120-507	REP	88-16-034	308-124A-420	AMD-P	88-16-097
308-96A-470	NEW-P	88-14-111	308-120-508	REP-P	88-12-042	308-124A-425	NEW-P	88-16-097
308-96A-480	NEW-E	88-14-038	308-120-508	REP	88-16-034	308-124A-430	AMD-P	88-16-109
308-96A-480	NEW-P	88-14-111	308-120-509	REP-P	88-12-042	308-124A-440	AMD-P	88-16-109
308-115-065	NEW-P	88-17-051	308-120-509	REP	88-16-034	308-124B-010	REP-E	88-02-050

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308-124B-010	REP	88-06-039	308-138A-020	AMD	88-09-030	308-180-260	AMD-P	88-11-026
308-124B-130	AMD-E	88-02-050	308-138A-020	AMD-P	88-11-088	308-180-260	AMD	88-15-030
308-124B-130	AMD-P	88-02-051	308-138A-020	AMD	88-14-113	308-180-270	NEW-P	88-02-061
308-124B-130	AMD	88-06-039	308-138A-025	AMD-P	88-03-035	308-180-270	NEW	88-07-031
308-124B-150	NEW-E	88-02-050	308-138A-025	AMD	88-09-030	308-180-280	NEW-P	88-02-061
308-124B-150	NEW-P	88-02-051	308-138A-030	NEW-P	88-17-098	308-180-280	NEW	88-07-031
308-124B-150	NEW	88-06-039	308-138B-110	AMD-P	88-17-098	308-180-290	NEW-P	88-15-043
308-124D-040	AMD-P	88-16-097	308-140-010	REP-P	88-11-027	308-180-300	NEW-P	88-15-043
308-124E-011	REP-P	88-02-049	308-140-010	REP	88-15-031	308-180-310	NEW-P	88-15-043
308-124E-011	REP	88-06-040	308-140-020	REP-P	88-11-027	308-180-320	NEW-P	88-15-043
308-124E-012	NEW-P	88-02-049	308-140-020	REP	88-15-031	308-180-330	NEW-P	88-15-043
308-124E-012	NEW	88-06-040	308-140-030	REP-P	88-11-027	308-180-340	NEW-P	88-15-043
308-124E-013	NEW-P	88-02-049	308-140-030	REP	88-15-031	308-180-350	NEW-P	88-15-043
308-124E-013	NEW	88-06-040	308-140-040	REP-P	88-11-027	308-180-360	NEW-P	88-15-043
308-124E-013	AMD-E	88-10-057	308-140-040	REP	88-15-031	308-180-370	NEW-P	88-15-043
308-124E-013	AMD-P	88-11-089	308-140-070	REP-P	88-11-027	308-180-400	NEW-P	88-17-103
308-124E-013	AMD-P	88-16-097	308-140-070	REP	88-15-031	308-183-010	NEW-P	88-15-043
308-124E-013	AMD	88-16-102	308-140-100	REP-P	88-11-027	308-183-020	NEW-P	88-15-043
308-124E-013	AMD-E	88-17-003	308-140-100	REP	88-15-031	308-183-030	NEW-P	88-15-043
308-124E-014	NEW-P	88-02-049	308-140-250	REP-P	88-11-027	308-183-040	NEW-P	88-15-043
308-124E-014	NEW	88-06-040	308-140-250	REP	88-15-031	308-183-050	NEW-P	88-15-043
308-127-150	REP	88-15-017	308-140-270	REP-P	88-11-027	308-183-060	NEW-P	88-15-043
308-127-155	NEW	88-15-017	308-140-270	REP	88-15-031	308-183-070	NEW-P	88-15-043
308-128A-010	AMD-P	88-08-087	308-140-300	REP-P	88-11-027	308-183-080	NEW-P	88-15-043
308-128A-020	AMD-P	88-08-087	308-140-300	REP	88-15-031	308-183-090	NEW-P	88-16-071
308-128A-030	AMD-P	88-08-087	308-150-013	AMD-P	88-05-041	308-183-100	NEW-P	88-16-071
308-128A-040	AMD-P	88-08-087	308-150-013	AMD	88-08-033	308-183-110	NEW-P	88-16-071
308-128B-010	AMD-P	88-08-087	308-151-080	AMD-P	88-05-041	308-183-120	NEW-P	88-16-071
308-128B-020	AMD-P	88-08-087	308-151-080	AMD	88-08-033	308-183-130	NEW-P	88-16-071
308-128B-030	AMD-P	88-08-087	308-151-090	AMD-P	88-05-041	308-183-140	NEW-P	88-16-071
308-128B-040	REP-P	88-08-087	308-151-090	AMD	88-08-033	308-183-150	NEW-P	88-16-071
308-128B-050	AMD-P	88-08-087	308-153-020	AMD-P	88-05-041	308-183-160	NEW-P	88-16-071
308-128B-060	AMD-P	88-08-087	308-153-020	AMD	88-08-033	308-183-170	NEW-P	88-16-071
308-128B-090	NEW-P	88-08-087	308-153-030	AMD-P	88-05-041	308-183-180	NEW-P	88-16-071
308-128C-010	REP-P	88-08-087	308-153-030	AMD	88-08-033	308-183-200	NEW-P	88-17-103
308-128C-040	AMD-P	88-08-087	308-156-060	AMD-P	88-05-041	308-190-030	NEW-P	88-05-059
308-128C-050	AMD-P	88-08-087	308-156-060	AMD	88-08-033	308-190-030	NEW	88-11-024
308-128D-010	AMD-P	88-08-087	308-156-090	AMD-P	88-05-041	308-190-040	NEW-P	88-05-059
308-128D-020	AMD-P	88-08-087	308-156-090	AMD	88-08-033	308-190-040	NEW	88-11-024
308-128D-020	AMD-P	88-18-084	308-156-100	AMD-P	88-05-041	308-190-050	NEW-P	88-05-059
308-128D-030	AMD-P	88-08-087	308-156-100	AMD	88-08-033	308-190-050	NEW	88-11-024
308-128D-040	AMD-P	88-08-087	308-171-010	AMD-P	88-05-061	308-190-060	NEW-P	88-15-043
308-128D-040	AMD-P	88-18-084	308-171-010	AMD	88-09-031	308-190-070	NEW-P	88-15-043
308-128D-060	AMD-P	88-08-087	308-171-020	AMD-P	88-05-061	308-190-080	NEW-P	88-15-043
308-128D-060	AMD-P	88-18-084	308-171-020	AMD	88-09-031	308-190-090	NEW-P	88-15-043
308-128D-070	AMD-P	88-08-087	308-171-103	AMD-P	88-09-048	308-190-100	NEW-P	88-15-043
308-128D-080	NEW-P	88-08-087	308-173-010	NEW-P	88-15-043	308-190-110	NEW-P	88-15-043
308-128E-010	REP-P	88-08-087	308-173-020	NEW-P	88-15-043	308-190-120	NEW-P	88-15-043
308-128E-010	REP-P	88-18-084	308-173-030	NEW-P	88-15-043	308-190-130	NEW-P	88-15-043
308-128E-011	NEW-P	88-08-087	308-173-040	NEW-P	88-15-043	308-190-140	NEW-P	88-15-043
308-128E-011	NEW-P	88-18-084	308-173-050	NEW-P	88-15-043	308-190-200	NEW-P	88-17-103
308-128F-010	AMD-P	88-08-087	308-173-060	NEW-P	88-15-043	308-195-020	NEW-P	88-03-034
308-128F-020	AMD-P	88-08-087	308-173-070	NEW-P	88-15-043	308-195-020	NEW	88-10-015
308-128F-030	REP-P	88-08-087	308-173-080	NEW-P	88-15-043	308-195-030	NEW-P	88-03-034
308-128F-040	AMD-P	88-08-087	308-173-090	NEW-P	88-15-043	308-195-030	NEW	88-10-015
308-128F-050	AMD-P	88-08-087	308-173-100	NEW-P	88-17-103	308-195-040	NEW-P	88-03-034
308-128F-070	AMD-P	88-08-087	308-175-080	REP-P	88-14-094	308-195-040	NEW	88-10-015
308-130-320	NEW-P	88-15-043	308-175-080	REP	88-17-043	308-195-050	NEW-P	88-03-034
308-130-330	NEW-P	88-15-043	308-175-200	NEW-P	88-17-102	308-195-050	NEW	88-10-015
308-130-340	NEW-P	88-15-043	308-177-010	NEW-P	88-15-043	308-195-060	NEW-P	88-03-034
308-130-350	NEW-P	88-15-043	308-177-020	NEW-P	88-15-043	308-195-060	NEW	88-10-015
308-130-360	NEW-P	88-15-043	308-177-030	NEW-P	88-15-043	308-195-070	NEW-P	88-03-034
308-130-370	NEW-P	88-15-043	308-177-040	NEW-P	88-15-043	308-195-070	NEW	88-10-015
308-130-380	NEW-P	88-15-043	308-177-050	NEW-P	88-15-043	308-195-080	NEW-P	88-03-034
308-130-390	NEW-P	88-15-043	308-177-060	NEW-P	88-15-043	308-195-080	NEW	88-10-015
308-130-400	NEW-P	88-15-043	308-177-070	NEW-P	88-15-043	308-195-090	NEW-P	88-03-034
308-130-410	NEW-P	88-17-103	308-177-080	NEW-P	88-15-043	308-195-090	NEW	88-10-015
308-138-055	AMD-P	88-03-035	308-177-090	NEW-P	88-15-043	308-195-100	NEW-P	88-03-034
308-138-055	AMD	88-09-030	308-177-100	NEW-P	88-17-103	308-195-100	NEW	88-10-015
308-138-055	AMD-P	88-11-088	308-180-120	AMD-P	88-02-061	308-195-110	NEW-P	88-03-034
308-138-055	AMD	88-14-113	308-180-120	AMD	88-07-031	308-195-110	NEW-P	88-14-006
308-138-320	AMD-P	88-03-035	308-180-210	AMD-P	88-02-061	308-195-110	NEW-E	88-14-008
308-138-320	AMD	88-09-030	308-180-210	AMD	88-07-031	308-195-110	NEW	88-17-099
308-138-340	NEW-P	88-11-088	308-180-220	AMD-P	88-02-061	308-195-120	NEW-P	88-15-043
308-138-340	NEW	88-14-113	308-180-220	AMD	88-07-031	308-195-130	NEW-P	88-15-043
308-138-340	AMD-P	88-17-098	308-180-250	AMD-P	88-02-061	308-195-140	NEW-P	88-15-043

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308-195-160	NEW-P	88-15-043	308-310-050	NEW-P	88-18-080	314-36-040	AMD	88-07-025
308-195-170	NEW-P	88-15-043	308-400	AMD-E	88-14-044	314-36-050	AMD-P	88-04-087
308-195-180	NEW-P	88-15-043	308-400	AMD-P	88-14-045	314-36-050	AMD	88-07-025
308-195-190	NEW-P	88-15-043	308-400-010	AMD-E	88-14-044	314-36-060	AMD-P	88-04-087
308-195-200	NEW-P	88-17-103	308-400-010	AMD-P	88-14-045	314-36-060	AMD	88-07-025
308-210-010	NEW-P	88-05-060	308-400-020	AMD-E	88-14-044	314-36-070	AMD-P	88-04-087
308-210-010	NEW	88-11-025	308-400-020	AMD-P	88-14-045	314-36-070	AMD	88-07-025
308-210-020	NEW-P	88-05-060	308-400-025	REP-E	88-14-044	314-36-080	AMD-P	88-04-087
308-210-020	NEW	88-11-025	308-400-025	REP-P	88-14-045	314-36-080	AMD	88-07-025
308-210-030	NEW-P	88-05-060	308-400-030	AMD-E	88-14-044	314-36-090	AMD-P	88-04-087
308-210-030	NEW	88-11-025	308-400-030	AMD-P	88-14-045	314-36-090	AMD	88-07-025
308-210-040	NEW-P	88-05-060	308-400-044	REP-E	88-14-044	314-36-100	AMD-P	88-04-087
308-210-040	NEW	88-11-025	308-400-044	REP-P	88-14-045	314-36-100	AMD	88-07-025
308-210-050	NEW-P	88-05-060	308-400-047	AMD-E	88-14-044	314-36-110	AMD-P	88-04-087
308-210-050	NEW	88-11-025	308-400-047	AMD-P	88-14-045	314-36-110	AMD	88-07-025
308-210-060	NEW-P	88-05-060	308-400-048	AMD-E	88-14-044	314-36-120	REP-P	88-04-087
308-210-060	NEW	88-11-025	308-400-048	AMD-P	88-14-045	314-36-120	REP	88-07-025
308-210-080	NEW-P	88-15-043	308-400-050	REP-E	88-14-044	314-36-130	AMD-P	88-04-087
308-210-090	NEW-P	88-15-043	308-400-050	REP-P	88-14-045	314-36-130	AMD	88-07-025
308-210-100	NEW-P	88-15-043	308-400-052	AMD-E	88-14-044	314-40-040	AMD-P	88-04-083
308-210-110	NEW-P	88-15-043	308-400-052	AMD-P	88-14-045	314-40-040	AMD	88-07-060
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308-210-140	NEW-P	88-15-043	308-400-059	AMD-E	88-14-044	314-52-114	AMD-P	88-04-060
308-210-150	NEW-P	88-15-043	308-400-059	AMD-P	88-14-045	314-52-114	AMD-E	88-04-061
308-210-160	NEW-P	88-15-043	308-400-080	REP-E	88-14-044	314-52-114	AMD	88-07-026
308-210-200	NEW-P	88-17-103	308-400-080	REP-P	88-14-045	314-60-030	AMD-P	88-13-067
308-220-010	NEW-P	88-05-062	308-400-095	AMD-E	88-14-044	314-60-030	AMD	88-16-026
308-220-010	NEW	88-11-079	308-400-095	AMD-P	88-14-045	314-64-030	AMD-P	88-11-084
308-220-020	NEW-P	88-05-062	308-400-120	NEW-E	88-14-044	314-64-030	AMD	88-14-001
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308-220-030	NEW-P	88-05-062	308-410-010	NEW	88-03-037	314-64-050	AMD	88-14-001
308-220-030	NEW	88-11-079	308-410-020	NEW	88-03-037	314-70-020	AMD-P	88-13-065
308-220-040	NEW-P	88-05-062	308-410-030	NEW	88-03-037	314-70-020	AMD	88-16-040
308-220-040	NEW	88-11-079	308-410-040	NEW	88-03-037	315-06-090	AMD-P	88-13-122
308-220-050	NEW-P	88-05-062	308-410-050	NEW	88-03-037	315-06-090	AMD	88-17-024
308-220-050	NEW	88-11-079	308-410-060	NEW	88-03-037	315-10-030	AMD-P	88-13-122
308-220-060	NEW	88-11-079	308-410-070	NEW	88-03-037	315-10-030	AMD	88-17-024
308-220-070	NEW-P	88-05-062	314-08-080	AMD-P	88-06-056	315-11-310	NEW-P	88-02-062
308-220-070	NEW	88-11-079	314-08-080	AMD	88-08-057	315-11-310	NEW	88-06-031
308-220-080	NEW-P	88-05-062	314-12-037	NEW-P	88-05-012	315-11-311	NEW-P	88-02-062
308-220-090	NEW-P	88-15-043	314-12-037	NEW-P	88-13-003	315-11-311	NEW	88-06-031
308-220-100	NEW-P	88-15-043	314-12-038	NEW-P	88-06-054	315-11-312	NEW-P	88-02-062
308-220-110	NEW-P	88-15-043	314-12-038	NEW-P	88-13-003	315-11-312	NEW	88-06-031
308-220-120	NEW-P	88-15-043	314-12-040	AMD-P	88-13-066	315-11-320	NEW-P	88-06-049
308-220-130	NEW-P	88-15-043	314-12-040	AMD	88-16-025	315-11-320	NEW	88-09-014
308-220-140	NEW-P	88-15-043	314-12-100	AMD	88-04-028	315-11-321	NEW-P	88-06-049
308-220-150	NEW-P	88-15-043	314-12-145	AMD-E	88-07-076	315-11-321	NEW	88-09-014
308-220-160	NEW-P	88-15-043	314-12-145	AMD-P	88-07-091	315-11-322	NEW-P	88-06-049
308-220-170	NEW-P	88-15-043	314-12-145	AMD-C	88-09-061	315-11-322	NEW	88-09-014
308-220-200	NEW-P	88-17-103	314-12-145	AMD	88-10-049	315-11-330	NEW-P	88-09-069
308-230-010	NEW-P	88-05-063	314-12-170	AMD-P	88-14-036	315-11-330	NEW	88-13-008
308-230-010	NEW	88-11-078	314-12-170	AMD	88-17-023	315-11-331	NEW-P	88-09-069
308-230-020	NEW-P	88-05-063	314-12-175	NEW-P	88-17-113	315-11-331	NEW	88-13-008
308-230-020	NEW	88-11-078	314-16-070	AMD-P	88-17-094	315-11-332	NEW-P	88-09-069
308-230-030	NEW-P	88-05-063	314-16-120	AMD-P	88-17-093	315-11-332	NEW	88-13-008
308-230-030	NEW	88-11-078	314-16-190	AMD-P	88-04-082	315-11-340	NEW-P	88-13-122
308-230-040	NEW-P	88-05-063	314-16-190	AMD	88-07-058	315-11-340	NEW	88-17-024
308-230-040	NEW	88-11-078	314-20-020	AMD-P	88-12-075	315-11-341	NEW-P	88-13-122
308-230-050	NEW-P	88-05-063	314-20-020	AMD	88-14-131	315-11-341	NEW	88-17-024
308-230-050	NEW	88-11-078	314-22-010	NEW-P	88-05-007	315-11-342	NEW-P	88-13-122
308-230-060	NEW-P	88-15-043	314-22-010	NEW	88-07-090	315-11-342	NEW	88-17-024
308-230-070	NEW-P	88-15-043	314-24-040	AMD-P	88-12-074	315-11-350	NEW-P	88-13-122
308-230-080	NEW-P	88-15-043	314-24-040	AMD-C	88-14-130	315-11-350	NEW	88-17-024
308-230-090	NEW-P	88-15-043	314-24-040	AMD	88-17-095	315-11-351	NEW-P	88-13-122
308-230-100	NEW-P	88-15-043	314-24-060	AMD-P	88-08-025	315-11-351	NEW	88-17-024
308-230-110	NEW-P	88-15-043	314-24-060	AMD	88-11-009	315-11-352	NEW-P	88-13-122
308-230-120	NEW-P	88-15-043	314-26-010	AMD-P	88-11-001	315-11-352	NEW	88-17-024
308-230-130	NEW-P	88-15-043	314-26-010	AMD	88-13-118	315-11-360	NEW-P	88-17-116
308-230-140	NEW-P	88-15-043	314-30-010	NEW-P	88-17-112	315-11-361	NEW-P	88-17-116
308-230-200	NEW-P	88-17-103	314-36-010	AMD-P	88-04-087	315-11-362	NEW-P	88-17-116
308-310-010	NEW-P	88-16-032	314-36-010	AMD	88-07-025	315-11-370	NEW-P	88-17-116
308-310-010	NEW-E	88-16-033	314-36-020	AMD-P	88-04-087	315-11-371	NEW-P	88-17-116
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356-15-090	AMD-C 88-11-039	356-42-010	AMD-C 88-15-059	356-47-030	AMD-P 88-14-065
356-15-090	AMD-C 88-13-068	356-42-010	AMD-C 88-18-009	356-47-030	AMD 88-18-096
356-15-090	AMD-C 88-17-025	356-42-020	AMD-C 88-07-043	356-47-045	AMD-P 88-04-068
356-15-100	AMD-P 88-04-033	356-42-020	AMD-P 88-10-029	356-47-045	AMD-P 88-14-065
356-15-110	AMD-P 88-04-033	356-42-020	AMD-C 88-13-054	356-47-045	AMD 88-18-096
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356-18-030	AMD-C 88-09-035	356-42-042	NEW-C 88-07-043	360-08-030	REP-P 88-03-036
356-18-030	AMD-E 88-11-035	356-42-042	NEW-P 88-10-029	360-08-030	REP 88-06-026
356-18-030	AMD 88-11-036	356-42-042	NEW-C 88-13-054	360-08-070	REP-P 88-03-036
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356-18-114	NEW-C 88-07-041	356-42-042	NEW 88-18-010	360-08-080	REP-P 88-03-036
356-18-120	AMD-P 88-04-034	356-42-043	AMD-C 88-07-043	360-08-080	REP 88-06-026
356-18-120	AMD 88-07-046	356-42-043	AMD-C 88-07-044	360-08-090	REP-P 88-03-036
356-18-130	REP-E 88-04-030	356-42-043	AMD-P 88-10-029	360-08-090	REP 88-06-026
356-18-130	REP-P 88-04-065	356-42-043	AMD-P 88-10-030	360-08-100	REP-P 88-03-036
356-18-130	REP 88-07-045	356-42-043	AMD-C 88-13-056	360-08-100	REP 88-06-026
356-18-190	AMD-P 88-04-068	356-42-043	AMD-C 88-13-054	360-08-110	REP-P 88-03-036
356-18-190	AMD-P 88-14-065	356-42-043	AMD-C 88-15-058	360-08-110	REP 88-06-026
356-18-190	REP-P 88-18-094	356-42-043	AMD-C 88-15-059	360-08-120	REP-P 88-03-036
356-26-050	AMD-P 88-04-068	356-42-043	AMD-C 88-18-009	360-08-120	REP 88-06-026
356-26-050	AMD-P 88-14-065	356-42-043	AMD 88-18-010	360-08-130	REP-P 88-03-036
356-26-050	AMD 88-18-096	356-42-045	AMD-C 88-07-043	360-08-130	REP 88-06-026
356-26-060	AMD-P 88-04-031	356-42-045	AMD-C 88-07-044	360-08-140	REP-P 88-03-036
356-26-080	AMD-P 88-04-068	356-42-045	AMD-P 88-10-029	360-08-140	REP 88-06-026
356-26-080	AMD-P 88-14-065	356-42-045	AMD-P 88-10-030	360-08-410	REP-P 88-03-036
356-26-080	AMD 88-18-096	356-42-045	AMD-C 88-13-056	360-08-410	REP 88-06-026
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356-30-015	AMD-P 88-14-065	356-42-045	AMD-C 88-15-059	360-08-440	REP-P 88-03-036
356-30-015	AMD 88-18-096	356-42-045	AMD-C 88-18-009	360-08-440	REP 88-06-026
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356-30-020	REP 88-18-096	356-42-047	AMD-C 88-07-044	360-08-450	REP 88-06-026
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356-30-030	REP-P 88-04-066	356-42-047	AMD-C 88-13-056	360-08-460	REP 88-06-026
356-30-030	REP 88-18-096	356-42-047	AMD-C 88-15-059	360-08-470	REP-P 88-03-036
356-30-040	REP-P 88-04-066	356-42-049	NEW-C 88-07-043	360-08-470	REP 88-06-026
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356-30-050	REP-P 88-04-066	356-42-049	NEW-C 88-13-054	360-08-480	REP 88-06-026
356-30-050	AMD-P 88-18-094	356-42-049	NEW-C 88-15-058	360-08-490	REP-P 88-03-036
356-30-065	AMD-P 88-04-068	356-42-049	NEW 88-18-010	360-08-490	REP 88-06-026
356-30-065	AMD-P 88-14-065	356-42-050	AMD-C 88-07-044	360-08-500	REP-P 88-03-036
356-30-065	AMD 88-18-096	356-42-050	AMD-P 88-10-030	360-08-500	REP 88-06-026
356-30-067	NEW-P 88-04-068	356-42-050	AMD-C 88-13-056	360-08-510	REP-P 88-03-036
356-30-067	NEW-P 88-14-065	356-42-050	AMD-C 88-15-059	360-08-510	REP 88-06-026
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356-30-070	REP 88-18-096	356-42-055	AMD-P 88-10-029	360-10-060	AMD 88-06-060
356-30-080	REP-P 88-04-066	356-42-055	AMD-C 88-13-054	360-13-066	AMD-P 88-07-097
356-30-080	REP 88-18-096	356-42-055	AMD-C 88-15-058	360-13-066	AMD 88-11-007
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356-30-140	AMD 88-18-096	356-42-060	AMD-P 88-10-030	360-16-094	NEW-P 88-11-081
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356-30-145	AMD-P 88-14-065	356-42-060	AMD-C 88-15-059	360-18-010	AMD-P 88-11-082
356-30-145	AMD 88-18-096	356-42-060	AMD-C 88-18-009	360-18-010	AMD 88-14-042
356-30-260	AMD-C 88-03-039	356-42-070	AMD-C 88-07-044	360-18-020	AMD-P 88-03-066
356-30-260	AMD 88-06-001	356-42-070	AMD-P 88-10-030	360-18-020	AMD 88-07-011
356-30-305	AMD-C 88-03-039	356-42-070	AMD-C 88-13-056	360-18-020	AMD-E 88-10-033
356-30-305	AMD 88-06-001	356-42-070	AMD-C 88-15-059	360-18-020	AMD-P 88-11-082
356-30-330	AMD-P 88-04-068	356-42-070	AMD-C 88-18-009	360-18-020	AMD 88-14-042
356-30-330	AMD-P 88-14-065	356-42-082	AMD-C 88-07-043	360-18-025	NEW-P 88-03-066
356-30-330	AMD 88-18-096	356-42-082	AMD-P 88-10-029	360-18-025	NEW 88-07-011
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356-34-020	AMD 88-03-043	356-42-082	AMD-C 88-15-058	360-36-425	AMD-P 88-07-097
356-34-030	AMD 88-03-043	356-42-082	AMD 88-18-010	360-36-425	AMD 88-11-007
356-34-040	AMD 88-03-043	356-42-084	AMD-C 88-07-043	360-38-010	NEW-E 88-10-032
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356-34-050	AMD 88-03-043	356-42-084	AMD-C 88-13-054	360-38-010	NEW 88-14-096
356-34-150	REP-P 88-08-058	356-42-084	AMD-C 88-15-058	360-38-020	NEW-E 88-10-032
356-34-150	REP 88-11-037	356-42-105	NEW-C 88-07-043	360-38-020	NEW-P 88-11-082
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356-34-170	AMD-P 88-08-058	356-42-105	NEW-C 88-13-054	360-38-030	NEW-E 88-10-032
356-34-170	AMD 88-11-037	356-42-105	NEW-C 88-15-058	360-38-030	NEW-P 88-11-082
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360-46-010	AMD-P	88-13-093	365-170-100	AMD	88-18-039	383-07-110	NEW-P	88-12-078
360-46-010	AMD-W	88-14-029	365-180-010	NEW	88-02-042	383-07-110	NEW	88-15-033
360-46-010	AMD-P	88-16-070	365-180-020	NEW	88-02-042	383-07-120	NEW-P	88-12-078
360-46-020	AMD-P	88-11-082	365-180-030	NEW	88-02-042	383-07-120	NEW	88-15-033
360-46-020	AMD-P	88-13-093	365-180-040	NEW	88-02-042	383-07-130	NEW-P	88-12-078
360-46-020	AMD-W	88-14-029	365-180-050	NEW	88-02-042	383-07-130	NEW	88-15-033
360-46-020	AMD-P	88-16-070	365-180-060	NEW	88-02-042	388-11-010	AMD-E	88-14-085
360-46-030	AMD-P	88-11-082	365-180-070	NEW	88-02-042	388-11-010	AMD-P	88-14-138
360-46-030	AMD-P	88-13-093	365-180-080	NEW	88-02-042	388-11-010	AMD	88-18-031
360-46-030	AMD-W	88-14-029	365-180-090	NEW	88-02-042	388-11-011	AMD-E	88-14-085
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360-46-050	AMD-P	88-13-093	372-36-030	AMD-P	88-10-061	388-11-030	AMD	88-18-031
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360-46-060	AMD-P	88-13-093	372-52-010	AMD-P	88-10-061	388-11-040	AMD	88-18-031
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388-40	AMD	88-13-110	388-49-530	AMD	88-16-082	388-77-045	NEW-W	88-08-038
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388-49-470	AMD-P	88-06-081	388-77-015	AMD-P	88-14-081	388-77-365	NEW-W	88-08-038
388-49-470	AMD	88-08-079	388-77-015	AMD-E	88-14-082	388-77-370	NEW-P	88-04-089
388-49-470	AMD-P	88-18-054	388-77-015	AMD	88-18-024	388-77-370	NEW-W	88-08-038
388-49-470	AMD-E	88-18-060	388-77-020	NEW-P	88-04-089	388-77-375	NEW-P	88-04-089
388-49-480	AMD-P	88-12-030	388-77-020	NEW-W	88-08-038	388-77-375	NEW-W	88-08-038
388-49-480	AMD	88-16-081	388-77-025	NEW-P	88-04-089	388-77-500	NEW-P	88-04-089
388-49-500	AMD-P	88-06-082	388-77-025	NEW-W	88-08-038	388-77-500	NEW-W	88-08-038

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388-77-500	NEW-P	88-09-079	388-77-737	NEW-W	88-08-038
388-77-500	NEW	88-12-093	388-77-737	NEW-P	88-09-079
388-77-500	AMD-P	88-14-081	388-77-737	NEW	88-12-093
388-77-500	AMD-E	88-14-082	388-77-740	NEW-P	88-04-089
388-77-500	AMD	88-18-024	388-77-740	NEW-W	88-08-038
388-77-505	NEW-P	88-04-089	388-77-745	NEW-P	88-04-089
388-77-505	NEW-W	88-08-038	388-77-745	NEW-W	88-08-038
388-77-510	NEW-P	88-04-089	388-77-750	NEW-P	88-04-089
388-77-510	NEW-W	88-08-038	388-77-750	NEW-W	88-08-038
388-77-515	NEW-P	88-04-089	388-77-755	NEW-P	88-04-089
388-77-515	NEW-W	88-08-038	388-77-755	NEW-W	88-08-038
388-77-515	NEW-P	88-09-079	388-77-760	NEW-P	88-04-089
388-77-515	NEW	88-12-093	388-77-760	NEW-W	88-08-038
388-77-515	AMD-P	88-14-081	388-77-765	NEW-P	88-04-089
388-77-515	AMD-E	88-14-082	388-77-765	NEW-W	88-08-038
388-77-520	NEW-P	88-04-089	388-77-770	NEW-P	88-04-089
388-77-520	NEW-W	88-08-038	388-77-770	NEW-W	88-08-038
388-77-520	NEW-P	88-09-079	388-77-780	NEW-P	88-04-089
388-77-520	NEW	88-12-093	388-77-780	NEW-W	88-08-038
388-77-525	NEW-P	88-04-089	388-77-810	NEW-P	88-04-089
388-77-525	NEW-W	88-08-038	388-77-810	NEW-W	88-08-038
388-77-525	NEW-P	88-09-079	388-77-810	NEW-P	88-09-079
388-77-525	NEW	88-12-093	388-77-810	NEW	88-12-093
388-77-530	NEW-P	88-04-089	388-77-815	NEW-P	88-04-089
388-77-530	NEW-W	88-08-038	388-77-815	NEW-W	88-08-038
388-77-530	NEW-P	88-14-081	388-77-820	NEW-P	88-04-089
388-77-530	NEW-E	88-14-082	388-77-820	NEW-W	88-08-038
388-77-530	NEW	88-18-024	388-77-820	NEW-P	88-09-079
388-77-545	NEW-P	88-04-089	388-77-820	NEW	88-12-093
388-77-545	NEW-W	88-08-038	388-77-820	AMD-P	88-14-080
388-77-550	NEW-P	88-04-089	388-77-820	AMD-E	88-14-083
388-77-550	NEW-W	88-08-038	388-77-820	AMD	88-18-025
388-77-555	NEW-P	88-04-089	388-77-825	NEW-P	88-04-089
388-77-555	NEW-W	88-08-038	388-77-825	NEW-W	88-08-038
388-77-555	NEW-P	88-09-079	388-77-830	NEW-P	88-04-089
388-77-555	NEW	88-12-093	388-77-830	NEW-W	88-08-038
388-77-560	NEW-P	88-04-089	388-77-835	NEW-P	88-04-089
388-77-560	NEW-W	88-08-038	388-77-835	NEW-W	88-08-038
388-77-600	NEW-P	88-04-089	388-77-870	NEW-P	88-04-089
388-77-600	NEW-W	88-08-038	388-77-870	NEW-W	88-08-038
388-77-600	NEW-P	88-09-079	388-77-880	NEW-P	88-04-089
388-77-600	NEW	88-12-093	388-77-880	NEW-W	88-08-038
388-77-600	AMD-P	88-14-081	388-77-900	NEW-P	88-04-089
388-77-600	AMD-E	88-14-082	388-77-900	NEW-W	88-08-038
388-77-600	AMD	88-18-024	388-77-900	NEW-P	88-09-079
388-77-605	NEW-P	88-04-089	388-77-900	NEW	88-12-093
388-77-605	NEW-W	88-08-038	388-77-900	AMD-P	88-14-081
388-77-605	NEW-P	88-09-079	388-77-900	AMD-E	88-14-082
388-77-605	NEW	88-12-093	388-77-900	AMD	88-18-024
388-77-610	NEW-P	88-04-089	388-77-905	NEW-P	88-04-089
388-77-610	NEW-W	88-08-038	388-77-905	NEW-W	88-08-038
388-77-610	NEW-P	88-09-079	388-77-915	NEW-P	88-04-089
388-77-610	NEW	88-12-093	388-77-915	NEW-W	88-08-038
388-77-610	AMD-P	88-14-081	388-77-920	NEW-P	88-04-089
388-77-610	AMD-E	88-14-082	388-77-920	NEW-W	88-08-038
388-77-610	AMD	88-18-024	388-77-925	NEW-P	88-04-089
388-77-615	NEW-P	88-04-089	388-77-925	NEW-W	88-08-038
388-77-615	NEW-W	88-08-038	388-77-930	NEW-P	88-04-089
388-77-615	NEW-P	88-09-079	388-77-930	NEW-W	88-08-038
388-77-615	NEW	88-12-093	388-77-940	NEW-P	88-04-089
388-77-640	NEW-P	88-04-089	388-77-940	NEW-W	88-08-038
388-77-640	NEW-W	88-08-038	388-77-945	NEW-P	88-04-089
388-77-700	NEW-P	88-04-089	388-77-945	NEW-W	88-08-038
388-77-700	NEW-W	88-08-038	388-77-975	NEW-P	88-04-089
388-77-710	NEW-P	88-04-089	388-77-975	NEW-W	88-08-038
388-77-710	NEW-W	88-08-038	388-78-005	NEW-P	88-06-078
388-77-720	NEW-P	88-04-089	388-78-005	NEW	88-12-088
388-77-720	NEW-W	88-08-038	388-78-010	NEW-P	88-06-078
388-77-725	NEW-P	88-04-089	388-78-010	NEW	88-12-088
388-77-725	NEW-W	88-08-038	388-78-015	NEW-P	88-06-078
388-77-730	NEW-P	88-04-089	388-78-015	NEW	88-12-088
388-77-730	NEW-W	88-08-038	388-78-020	NEW-P	88-06-078
388-77-735	NEW-P	88-04-089	388-78-020	NEW	88-12-088
388-77-735	NEW-W	88-08-038	388-78-100	NEW-P	88-06-078
388-77-735	NEW-P	88-09-079	388-78-100	NEW	88-12-088
388-77-735	NEW	88-12-093	388-78-120	NEW-P	88-06-078
388-77-737	NEW-P	88-04-089	388-78-120	NEW	88-12-088

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388-87-027	AMD-P	88-03-021	391-45-260	NEW-P	88-07-082	392-121-131	REP	88-03-013
388-87-027	AMD	88-06-083	391-45-260	NEW	88-12-056	392-121-133	NEW	88-03-013
388-87-035	AMD-P	88-03-021	391-55-002	AMD-P	88-07-083	392-121-135	REP	88-03-013
388-87-035	AMD	88-06-083	391-55-002	AMD	88-12-055	392-121-136	NEW	88-03-013
388-87-036	NEW-P	88-03-021	391-55-033	REP-P	88-07-083	392-121-140	REP	88-03-013
388-87-036	NEW	88-06-083	391-55-033	REP	88-12-055	392-121-145	REP	88-03-013
388-87-070	AMD	88-04-048	391-55-033	REP-E	88-12-063	392-121-150	REP	88-03-013
388-88-050	AMD	88-04-041	391-55-071	NEW-P	88-07-083	392-121-155	REP	88-03-013
388-88-101	AMD	88-04-041	391-55-071	NEW	88-12-055	392-121-160	REP	88-03-013
388-92-045	AMD-P	88-03-072	391-55-071	NEW-E	88-12-064	392-121-161	NEW	88-03-013
388-92-045	AMD	88-06-087	391-55-400	AMD-P	88-07-083	392-121-165	REP	88-03-013
388-95-360	AMD-P	88-14-051	391-55-400	AMD	88-12-055	392-121-170	REP	88-03-013
388-95-360	AMD-E	88-14-059	391-55-410	AMD-P	88-07-083	392-121-175	REP	88-03-013
388-95-380	AMD-P	88-03-072	391-55-410	AMD	88-12-055	392-121-176	REP	88-03-013
388-95-380	AMD	88-06-087	391-55-415	AMD-P	88-07-083	392-121-177	REP	88-03-013
388-95-400	AMD-P	88-14-051	391-55-415	AMD	88-12-055	392-121-180	REP	88-03-013
388-95-400	AMD-E	88-14-059	391-55-420	AMD-P	88-07-083	392-121-181	NEW	88-03-013
388-95-400	AMD	88-17-062	391-55-420	AMD	88-12-055	392-121-182	NEW	88-03-013
388-96-559	AMD-P	88-13-078	391-55-425	AMD-P	88-07-083	392-121-183	NEW	88-03-013
388-96-559	AMD-E	88-13-079	391-55-425	AMD	88-12-055	392-121-185	REP	88-03-013
388-96-559	AMD	88-16-079	391-55-430	AMD-P	88-07-083	392-121-186	REP	88-03-013
388-96-771	NEW-E	88-03-052	391-55-430	AMD	88-12-055	392-121-190	REP	88-03-013
388-96-771	NEW-P	88-03-053	391-55-435	AMD-P	88-07-083	392-121-195	REP	88-03-013
388-96-771	NEW	88-06-085	391-55-435	AMD	88-12-055	392-121-200	NEW	88-03-013
388-98-005	NEW-E	88-03-051	391-55-440	AMD-P	88-07-083	392-121-205	NEW	88-03-013
388-98-005	NEW-P	88-03-054	391-55-440	AMD	88-12-055	392-121-210	NEW	88-03-013
388-98-005	NEW	88-06-086	391-55-445	AMD-P	88-07-083	392-121-215	NEW	88-03-013
388-98-010	NEW-E	88-03-051	391-55-445	AMD	88-12-055	392-121-220	NEW	88-03-013
388-98-010	NEW-P	88-03-054	391-55-450	AMD-P	88-07-083	392-121-225	NEW	88-03-013
388-98-010	NEW	88-06-086	391-55-450	AMD	88-12-055	392-121-245	NEW	88-03-013
388-98-015	NEW-E	88-03-051	391-55-455	AMD-P	88-07-083	392-121-250	NEW	88-03-013
388-98-015	NEW-P	88-03-054	391-55-455	AMD	88-12-055	392-121-255	NEW	88-03-013
388-98-015	NEW	88-06-086	391-55-505	REP-P	88-07-083	392-121-257	NEW	88-03-013
388-98-020	NEW-E	88-03-051	391-55-505	REP	88-12-055	392-121-260	NEW	88-03-013
388-98-020	NEW-P	88-03-054	391-65-050	AMD-P	88-07-084	392-121-260	AMD-E	88-14-046
388-98-020	NEW	88-06-086	391-65-050	AMD	88-12-057	392-121-265	NEW	88-03-013
388-99-010	AMD-P	88-06-077	391-65-074	REP-P	88-07-084	392-121-267	NEW	88-03-013
388-99-010	AMD	88-09-037	391-65-074	REP	88-12-057	392-121-268	NEW	88-03-013
388-99-020	AMD	88-05-056	391-65-094	REP-P	88-07-084	392-121-270	NEW	88-03-013
390-05-210	AMD-P	88-11-064	391-65-094	REP	88-12-057	392-121-272	NEW	88-03-013
390-05-210	AMD	88-14-064	391-95-010	AMD-P	88-07-085	392-121-280	NEW	88-03-013
390-16-223	NEW-P	88-11-064	391-95-010	AMD	88-12-058	392-121-285	NEW	88-03-013
390-16-223	NEW	88-14-064	391-95-030	AMD-P	88-07-085	392-121-290	NEW	88-03-013
390-16-223	REP-P	88-17-110	391-95-030	AMD	88-12-058	392-121-295	NEW	88-03-013
390-16-223	REP-E	88-17-111	391-95-230	AMD-P	88-07-085	392-121-297	NEW	88-03-013
390-18-040	AMD-P	88-11-064	391-95-230	AMD	88-12-058	392-121-299	NEW	88-03-013
390-18-040	AMD	88-14-064	392-120-001	NEW-P	88-13-075	392-121-400	NEW	88-03-013
390-20-022	NEW-C	88-04-062	392-120-005	NEW-P	88-13-075	392-121-405	NEW	88-03-013
390-20-022	NEW	88-06-019	392-120-010	NEW-P	88-13-075	392-121-415	NEW	88-03-013
390-20-056	NEW-P	88-04-063	392-120-015	NEW-P	88-13-075	392-121-420	NEW	88-03-013
390-20-056	NEW-C	88-09-008	392-120-020	NEW-P	88-13-075	392-121-425	NEW	88-03-013
390-20-105	AMD-P	88-11-064	392-120-025	NEW-P	88-13-075	392-121-430	NEW	88-03-013
390-20-105	AMD	88-14-064	392-121-001	NEW	88-03-013	392-121-440	NEW	88-03-013
390-24-010	AMD-P	88-17-110	392-121-003	NEW	88-03-013	392-121-442	NEW	88-03-013
390-24-200	AMD-P	88-17-110	392-121-007	NEW	88-03-013	392-121-445	NEW	88-03-013
391-08-120	AMD-P	88-07-079	392-121-021	NEW	88-03-013	392-121-460	NEW	88-03-013
391-08-120	AMD	88-12-053	392-121-031	NEW	88-03-013	392-126-003	NEW	88-03-003
391-25-090	AMD-P	88-07-080	392-121-033	NEW	88-03-013	392-127-003	NEW	88-03-004
391-25-090	AMD	88-12-054	392-121-101	REP	88-03-013	392-130-005	NEW	88-04-001
391-25-110	AMD-P	88-07-080	392-121-103	REP	88-03-013	392-130-010	NEW	88-04-001
391-25-110	AMD	88-12-054	392-121-105	REP	88-03-013	392-130-015	NEW	88-04-001
391-25-140	NEW-P	88-07-080	392-121-106	NEW	88-03-013	392-130-020	NEW	88-04-001
391-25-140	NEW	88-12-054	392-121-107	NEW	88-03-013	392-130-025	NEW	88-04-001
391-25-190	AMD-P	88-07-080	392-121-108	NEW	88-03-013	392-130-030	NEW	88-04-001
391-25-190	AMD	88-12-054	392-121-110	REP	88-03-013	392-130-035	NEW	88-04-001
391-25-290	AMD-P	88-07-080	392-121-111	NEW	88-03-013	392-130-040	NEW	88-04-001
391-25-290	AMD	88-12-054	392-121-115	REP	88-03-013	392-130-045	NEW	88-04-001
391-25-390	AMD-P	88-07-080	392-121-120	REP	88-03-013	392-130-050	NEW	88-04-001
391-25-390	AMD	88-12-054	392-121-121	REP	88-03-013	392-130-055	NEW	88-04-001
391-25-470	AMD-P	88-07-080	392-121-122	NEW	88-03-013	392-130-060	NEW	88-04-001
391-25-470	AMD	88-12-054	392-121-123	NEW	88-03-013	392-130-065	NEW	88-04-001
391-35-020	NEW-P	88-07-081	392-121-125	REP	88-03-013	392-130-070	NEW	88-04-001
391-35-020	NEW	88-12-061	392-121-126	REP	88-03-013	392-130-075	NEW	88-04-001
391-35-300	NEW-P	88-07-081	392-121-127	REP	88-03-013	392-130-080	NEW	88-04-001
391-45-013	REP-P	88-07-082	392-121-128	REP	88-03-013	392-130-085	NEW	88-04-001
391-45-013	REP	88-12-056	392-121-129	REP	88-03-013	392-130-090	NEW	88-04-001
391-45-013	REP-E	88-12-062	392-121-130	REP	88-03-013	392-130-095	NEW	88-04-001

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392-164-225	NEW-P 88-07-113	392-164-415	NEW 88-13-089	392-196-070	AMD-E 88-15-027
392-164-225	NEW 88-13-089	392-165-340	AMD-P 88-17-120	392-196-070	AMD 88-18-038
392-164-230	NEW-P 88-07-113	392-165-342	NEW-P 88-17-120	392-196-072	AMD-P 88-15-026
392-164-230	NEW 88-13-089	392-165-345	AMD-P 88-17-120	392-196-072	AMD-E 88-15-027
392-164-235	NEW-P 88-07-113	392-166-210	AMD-P 88-17-119	392-196-072	AMD 88-18-038
392-164-235	NEW 88-13-089	392-168	AMD-P 88-06-094	392-196-075	AMD-P 88-15-026
392-164-240	NEW-P 88-07-113	392-168	AMD 88-09-042	392-196-075	AMD-E 88-15-027
392-164-240	NEW 88-13-089	392-168-005	REP-P 88-06-094	392-196-075	AMD 88-18-038
392-164-245	NEW-P 88-07-113	392-168-005	REP 88-09-042	392-196-080	AMD-P 88-15-026
392-164-245	NEW 88-13-089	392-168-105	NEW-P 88-06-094	392-196-080	AMD-E 88-15-027
392-164-250	NEW-P 88-07-113	392-168-105	NEW 88-09-042	392-196-080	AMD 88-18-038
392-164-250	NEW 88-13-089	392-168-110	NEW-P 88-06-094	392-220-005	NEW-P 88-03-011
392-164-255	NEW-P 88-07-113	392-168-110	NEW 88-09-042	392-220-005	NEW-E 88-03-012
392-164-255	NEW 88-13-089	392-168-115	NEW-P 88-06-094	392-220-010	NEW-P 88-03-011
392-164-260	NEW-P 88-07-113	392-168-115	NEW 88-09-042	392-220-010	NEW-E 88-03-012
392-164-260	NEW 88-13-089	392-168-120	NEW-P 88-06-094	392-220-015	NEW-P 88-03-011
392-164-265	NEW-P 88-07-113	392-168-120	NEW 88-09-042	392-220-015	NEW-E 88-03-012
392-164-265	NEW 88-13-089	392-168-125	NEW-P 88-06-094	392-220-020	NEW-P 88-03-011
392-164-270	NEW-P 88-07-113	392-168-125	NEW 88-09-042	392-220-020	NEW-E 88-03-012
392-164-270	NEW 88-13-089	392-168-130	NEW-P 88-06-094	392-220-025	NEW-P 88-03-011
392-164-275	NEW-P 88-07-113	392-168-130	NEW 88-09-042	392-220-025	NEW-E 88-03-012
392-164-275	NEW 88-13-089	392-168-135	NEW-P 88-06-094	392-220-030	NEW-P 88-03-011
392-164-280	NEW-P 88-07-113	392-168-135	NEW 88-09-042	392-220-030	NEW-E 88-03-012
392-164-280	NEW 88-13-089	392-168-140	NEW-P 88-06-094	392-220-035	NEW-P 88-03-011
392-164-285	NEW-P 88-07-113	392-168-140	NEW 88-09-042	392-220-035	NEW-E 88-03-012
392-164-285	NEW 88-13-089	392-168-145	NEW-P 88-06-094	392-220-040	NEW-P 88-03-011
392-164-290	NEW-P 88-07-113	392-168-145	NEW 88-09-042	392-220-040	NEW-E 88-03-012
392-164-290	NEW 88-13-089	392-168-150	NEW-P 88-06-094	392-220-045	NEW-P 88-03-011
392-164-295	NEW-P 88-07-113	392-168-150	NEW 88-09-042	392-220-045	NEW-E 88-03-012
392-164-295	NEW 88-13-089	392-168-155	NEW-P 88-06-094	392-220-050	NEW-P 88-03-011
392-164-300	NEW-P 88-07-113	392-168-155	NEW 88-09-042	392-220-050	NEW-E 88-03-012
392-164-300	NEW 88-13-089	392-168-160	NEW-P 88-06-094	392-220-055	NEW-P 88-03-011
392-164-305	NEW-P 88-07-113	392-168-160	NEW 88-09-042	392-220-055	NEW-E 88-03-012
392-164-305	NEW 88-13-089	392-168-165	NEW-P 88-06-094	392-220-060	NEW-P 88-03-011
392-164-310	NEW-P 88-07-113	392-168-165	NEW 88-09-042	392-220-060	NEW-E 88-03-012
392-164-310	NEW 88-13-089	392-168-170	NEW-P 88-06-094	392-220-065	NEW-P 88-03-011
392-164-315	NEW-P 88-07-113	392-168-170	NEW 88-09-042	392-220-065	NEW-E 88-03-012
392-164-315	NEW 88-13-089	392-168-175	NEW-P 88-06-094	392-220-070	NEW-P 88-03-011
392-164-320	NEW-P 88-07-113	392-168-175	NEW 88-09-042	392-220-070	NEW-E 88-03-012
392-164-320	NEW 88-13-089	392-168-180	NEW-P 88-06-094	392-220-075	NEW-P 88-03-011
392-164-325	NEW-P 88-07-113	392-168-180	NEW 88-09-042	392-220-075	NEW-E 88-03-012
392-164-325	NEW 88-13-089	392-168-185	NEW-P 88-06-094	392-220-080	NEW-P 88-03-011
392-164-330	NEW-P 88-07-113	392-168-185	NEW 88-09-042	392-220-080	NEW-E 88-03-012
392-164-330	NEW 88-13-089	392-168-190	NEW-P 88-06-094	392-220-085	NEW-P 88-03-011
392-164-335	NEW-P 88-07-113	392-168-190	NEW 88-09-042	392-220-085	NEW-E 88-03-012
392-164-335	NEW 88-13-089	392-171-761	REP-P 88-07-112	392-220-090	NEW-P 88-03-011
392-164-340	NEW-P 88-07-113	392-171-761	AMD-P 88-12-016	392-220-090	NEW-E 88-03-012
392-164-340	NEW 88-13-089	392-171-761	AMD 88-15-020	392-220-095	NEW-P 88-03-011
392-164-345	NEW-P 88-07-113	392-171-766	REP-P 88-07-112	392-220-095	NEW-E 88-03-012
392-164-345	NEW 88-13-089	392-171-766	REP 88-12-017	392-220-100	NEW-P 88-03-011
392-164-350	NEW-P 88-07-113	392-171-771	REP-P 88-07-112	392-220-100	NEW-E 88-03-012
392-164-350	NEW 88-13-089	392-171-771	REP 88-12-017	392-220-105	NEW-P 88-03-011
392-164-355	NEW-P 88-07-113	392-171-776	REP-P 88-07-112	392-220-105	NEW-E 88-03-012
392-164-355	NEW 88-13-089	392-171-776	REP 88-12-017	392-220-110	NEW-P 88-03-011
392-164-360	NEW-P 88-07-113	392-171-781	REP-P 88-07-112	392-220-110	NEW-E 88-03-012
392-164-360	NEW 88-13-089	392-171-781	REP 88-12-017	392-220-115	NEW-P 88-03-011
392-164-365	NEW-P 88-07-113	392-195-010	AMD 88-03-006	392-220-115	NEW-E 88-03-012
392-164-365	NEW 88-13-089	392-195-015	AMD 88-03-006	392-220-120	NEW-P 88-03-011
392-164-370	NEW-P 88-07-113	392-196-020	AMD-P 88-15-026	392-220-120	NEW-E 88-03-012
392-164-370	NEW 88-13-089	392-196-020	AMD-E 88-15-027	392-220-125	NEW-P 88-03-011
392-164-375	NEW-P 88-07-113	392-196-020	AMD 88-18-038	392-220-125	NEW-E 88-03-012
392-164-375	NEW 88-13-089	392-196-045	AMD-P 88-15-026	392-220-130	NEW-P 88-03-011
392-164-380	NEW-P 88-07-113	392-196-045	AMD-E 88-15-027	392-220-130	NEW-E 88-03-012
392-164-380	NEW 88-13-089	392-196-045	AMD 88-18-038	392-220-135	NEW-P 88-03-011
392-164-385	NEW-P 88-07-113	392-196-050	AMD-P 88-15-026	392-220-135	NEW-E 88-03-012
392-164-385	NEW 88-13-089	392-196-050	AMD-E 88-15-027	392-220-140	NEW-P 88-03-011
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392-164-390	NEW 88-13-089	392-196-052	AMD-P 88-15-026	392-220-145	NEW-P 88-03-011
392-164-395	NEW-P 88-07-113	392-196-052	AMD-E 88-15-027	392-220-145	NEW-E 88-03-012
392-164-395	NEW 88-13-089	392-196-052	AMD 88-18-038	392-220-150	NEW-P 88-03-011
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392-164-405	NEW-P 88-07-113	392-196-055	AMD 88-18-038	392-220-155	NEW-E 88-03-012
392-164-405	NEW 88-13-089	392-196-060	AMD-P 88-15-026	392-310-010	NEW-P 88-03-073
392-164-410	NEW-P 88-07-113	392-196-060	AMD-E 88-15-027	392-310-010	NEW-E 88-04-002
392-164-410	NEW 88-13-089	392-196-060	AMD 88-18-038	392-310-010	NEW 88-06-042
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392-310-015	NEW	88-06-042	402-80-040	AMD	88-17-060	434-19-054	NEW-P	88-05-054
392-310-020	NEW-P	88-03-073	402-80-060	AMD-P	88-14-052	434-19-054	NEW	88-09-028
392-310-020	NEW-E	88-04-002	402-80-060	AMD	88-17-060	434-19-055	NEW-P	88-05-054
392-310-020	NEW	88-06-042	402-80-065	NEW-P	88-14-052	434-19-055	NEW	88-09-028
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392-310-025	NEW-E	88-04-002	415-02-090	AMD-P	88-13-121	434-19-056	NEW	88-09-028
392-310-025	NEW	88-06-042	415-02-090	AMD	88-17-053	434-19-059	NEW-P	88-05-054
392-315-005	NEW	88-09-044	415-108-450	NEW	88-11-030	434-19-059	NEW	88-09-028
392-315-010	NEW	88-09-044	415-108-460	NEW	88-11-030	434-19-060	NEW-P	88-05-054
392-315-015	NEW	88-09-044	415-112-330	NEW-P	88-13-120	434-19-060	NEW	88-09-028
392-315-020	NEW	88-09-044	415-112-330	NEW	88-17-052	434-19-061	NEW	88-09-028
392-315-025	NEW	88-09-044	415-112-410	AMD	88-11-031	434-19-065	NEW-P	88-05-054
392-315-030	NEW	88-09-044	415-112-411	NEW	88-11-031	434-19-075	NEW-P	88-05-054
392-315-035	NEW	88-09-044	419-32-070	REP-P	88-11-049	434-19-075	NEW	88-09-028
392-315-040	NEW	88-09-044	419-32-070	REP	88-17-032	434-19-077	NEW-P	88-05-054
392-315-045	NEW	88-09-044	419-32-080	REP-P	88-11-049	434-19-077	NEW	88-09-028
392-315-050	NEW	88-09-044	419-32-080	REP	88-17-032	434-19-078	NEW-P	88-05-054
392-315-055	NEW	88-09-044	419-32-090	REP-P	88-11-049	434-19-078	NEW	88-09-028
392-315-060	NEW	88-09-044	419-32-090	REP	88-17-032	434-19-080	NEW-P	88-05-054
392-315-065	NEW	88-09-044	419-32-100	REP-P	88-11-049	434-19-080	NEW	88-09-028
392-315-070	NEW	88-09-044	419-32-100	REP	88-17-032	434-19-081	NEW-P	88-05-054
392-315-075	NEW	88-09-044	419-32-110	REP-P	88-11-049	434-19-081	NEW	88-09-028
392-315-080	NEW	88-09-044	419-32-110	REP	88-17-032	434-19-082	NEW-P	88-05-054
392-315-085	NEW	88-09-044	419-32-120	REP-P	88-11-049	434-19-082	NEW	88-09-028
392-315-090	NEW	88-09-044	419-32-120	REP	88-17-032	434-19-083	NEW-P	88-05-054
392-315-095	NEW	88-09-044	419-32-130	REP-P	88-11-049	434-19-083	NEW	88-09-028
392-315-100	NEW	88-09-044	419-32-130	REP	88-17-032	434-19-084	NEW-P	88-05-054
392-315-105	NEW	88-09-044	419-32-140	REP-P	88-11-049	434-19-084	NEW	88-09-028
392-315-110	NEW	88-09-044	419-32-140	REP	88-17-032	434-19-086	NEW-P	88-05-054
392-315-115	NEW	88-09-044	419-32-150	REP-P	88-11-049	434-19-086	NEW	88-09-028
392-315-120	NEW	88-09-044	419-32-150	REP	88-17-032	434-19-087	NEW-P	88-05-054
392-315-125	NEW	88-09-044	419-32-160	REP-P	88-11-049	434-19-087	NEW	88-09-028
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392-315-135	NEW	88-09-044	419-32-170	REP-P	88-11-049	434-19-088	NEW	88-09-028
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392-315-145	NEW	88-09-044	419-56-010	NEW	88-02-068	434-19-090	NEW	88-09-028
392-315-150	NEW	88-09-044	419-56-020	NEW	88-02-068	434-19-100	NEW-P	88-05-054
392-315-155	NEW	88-09-044	419-56-030	NEW	88-02-068	434-19-100	NEW	88-09-028
392-315-160	NEW	88-09-044	419-56-040	NEW	88-02-068	434-19-101	NEW-P	88-05-054
392-315-165	NEW	88-09-044	419-56-050	NEW	88-02-068	434-19-101	NEW	88-09-028
399-30-040	AMD-P	88-06-045	419-56-060	NEW	88-02-068	434-19-102	NEW-P	88-05-054
399-30-040	AMD	88-10-009	419-56-070	NEW	88-02-068	434-19-102	NEW	88-09-028
399-30-042	NEW-P	88-13-023	419-56-080	NEW	88-02-068	434-19-105	NEW-P	88-05-054
399-30-042	NEW-E	88-13-024	419-56-090	NEW	88-02-068	434-19-110	NEW-P	88-05-054
399-30-042	NEW	88-17-080	419-60-010	NEW	88-02-067	434-19-110	NEW	88-09-028
400-12	NEW-C	88-04-023	419-60-020	NEW	88-02-067	434-19-113	NEW-P	88-05-054
400-12-100	NEW	88-06-053	419-60-030	NEW	88-02-067	434-19-113	NEW	88-09-028
400-12-110	NEW	88-06-053	419-64-010	NEW-P	88-11-050	434-19-114	NEW-P	88-05-054
400-12-120	NEW	88-06-053	419-64-020	NEW-P	88-11-050	434-19-114	NEW	88-09-028
400-12-200	NEW	88-06-053	419-64-030	NEW-P	88-11-050	434-19-115	NEW-P	88-05-054
400-12-210	NEW	88-06-053	419-64-040	NEW-P	88-11-050	434-19-115	NEW	88-09-028
400-12-220	NEW	88-06-053	434-19-010	NEW-P	88-05-054	434-19-116	NEW-P	88-05-054
400-12-300	NEW	88-06-053	434-19-010	NEW	88-09-028	434-19-118	NEW-P	88-05-054
400-12-310	NEW	88-06-053	434-19-012	NEW-P	88-05-054	434-19-118	NEW	88-09-028
400-12-320	NEW	88-06-053	434-19-012	NEW	88-09-028	434-19-190	NEW-P	88-05-054
400-12-400	NEW	88-06-053	434-19-013	NEW-P	88-05-054	434-19-190	NEW	88-09-028
400-12-410	NEW	88-06-053	434-19-013	NEW	88-09-028	434-19-191	NEW-P	88-05-054
400-12-420	NEW	88-06-053	434-19-014	NEW-P	88-05-054	434-19-191	NEW	88-09-028
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400-12-510	NEW	88-06-053	434-19-015	NEW-P	88-05-054	434-19-192	NEW	88-09-028
400-12-520	NEW	88-06-053	434-19-015	NEW	88-09-028	434-19-193	NEW-P	88-05-054
400-12-530	NEW	88-06-053	434-19-016	NEW-P	88-05-054	434-19-193	NEW	88-09-028
400-12-540	NEW	88-06-053	434-19-016	NEW	88-09-028	434-19-194	NEW-P	88-05-054
400-12-550	NEW	88-06-053	434-19-017	NEW-P	88-05-054	434-19-194	NEW	88-09-028
400-12-560	NEW	88-06-053	434-19-017	NEW	88-09-028	434-19-195	NEW-P	88-05-054
400-12-570	NEW	88-06-053	434-19-018	NEW-P	88-05-054	434-19-195	NEW	88-09-028
400-12-600	NEW	88-06-053	434-19-018	NEW	88-09-028	434-19-230	NEW-P	88-05-054
400-12-610	NEW	88-06-053	434-19-020	NEW-P	88-05-054	434-19-230	NEW	88-09-028
400-12-620	NEW	88-06-053	434-19-020	NEW	88-09-028	434-40-005	NEW	88-03-019
400-12-630	NEW	88-06-053	434-19-050	NEW-P	88-05-054	434-40-010	NEW	88-03-019
400-12-640	NEW	88-06-053	434-19-050	NEW	88-09-028	434-40-020	NEW	88-03-019
400-12-650	NEW	88-06-053	434-19-051	NEW-P	88-05-054	434-40-030	NEW	88-03-019
400-12-660	NEW	88-06-053	434-19-051	NEW	88-09-028	434-40-040	NEW	88-03-019
400-12-700	NEW	88-06-053	434-19-052	NEW-P	88-05-054	434-40-050	NEW	88-03-019
400-12-710	NEW	88-06-053	434-19-052	NEW	88-09-028	434-40-060	NEW	88-03-019
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434-40-100	NEW 88-03-019	458-20-24001	AMD-P 88-14-005	458-30-580	AMD-P 88-13-034
434-40-110	NEW 88-03-019	458-20-24001	AMD 88-17-047	458-30-590	AMD-P 88-03-017
434-40-120	NEW 88-03-019	458-20-24002	AMD-P 88-14-005	458-30-590	AMD 88-07-004
434-40-130	NEW 88-03-019	458-20-24002	AMD 88-17-047	458-40-650	AMD-P 88-10-048
434-40-140	NEW 88-03-019	458-20-244	AMD-E 88-12-023	458-40-650	AMD-E 88-14-031
434-40-150	NEW 88-03-019	458-20-244	AMD-P 88-12-024	458-40-650	AMD 88-14-032
434-40-160	NEW 88-03-019	458-20-244	AMD 88-15-066	458-40-660	AMD-P 88-10-048
434-40-170	NEW 88-03-019	458-20-252	NEW 88-06-028	458-40-660	AMD-E 88-14-031
434-40-180	NEW 88-03-019	458-30-005	REP-P 88-17-118	458-40-660	AMD 88-14-032
434-40-190	NEW 88-03-019	458-30-010	REP-P 88-17-118	458-40-670	AMD-P 88-10-048
434-40-200	NEW 88-03-019	458-30-015	REP-P 88-17-118	458-40-670	AMD-E 88-14-031
434-40-210	NEW 88-03-019	458-30-020	REP-P 88-17-118	458-40-670	AMD 88-14-032
434-40-220	NEW 88-03-019	458-30-025	REP-P 88-17-118	458-50-070	AMD-P 88-12-084
434-40-230	NEW 88-03-019	458-30-030	REP-P 88-17-118	458-50-070	AMD-E 88-12-085
434-40-240	NEW 88-03-019	458-30-045	REP-P 88-17-118	458-50-070	AMD 88-15-016
434-40-250	NEW 88-03-019	458-30-050	REP-P 88-17-118	460-16A-050	AMD 88-03-015
434-40-260	NEW 88-03-019	458-30-055	REP-P 88-17-118	460-16A-100	REP 88-03-015
434-40-270	NEW 88-03-019	458-30-056	REP-P 88-17-118	460-16A-101	NEW 88-03-015
434-40-280	NEW 88-03-019	458-30-057	REP-P 88-17-118	460-16A-102	NEW 88-03-015
434-40-290	NEW 88-03-019	458-30-060	REP-P 88-17-118	460-16A-103	NEW 88-03-015
434-40-300	NEW 88-03-019	458-30-070	REP-P 88-17-118	460-16A-104	NEW 88-03-015
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440-44-062	NEW 88-17-061	458-30-085	REP-P 88-17-118	460-16A-107	REP 88-03-015
440-44-095	AMD-P 88-11-060	458-30-090	REP-P 88-17-118	460-16A-108	AMD 88-03-015
440-44-095	AMD 88-15-011	458-30-095	REP-P 88-17-118	460-16A-109	AMD 88-03-015
446-20-020	AMD-P 88-03-056	458-30-100	REP-P 88-17-118	460-16A-110	AMD 88-03-015
446-20-020	AMD 88-07-066	458-30-105	REP-P 88-17-118	460-16A-126	AMD 88-03-015
446-20-020	AMD-E 88-07-072	458-30-110	REP-P 88-17-118	460-16A-130	REP 88-03-015
446-20-285	NEW-P 88-03-056	458-30-115	REP-P 88-17-118	460-16A-135	REP 88-03-015
446-20-285	NEW 88-07-066	458-30-120	REP-P 88-17-118	460-16A-140	REP 88-03-015
446-20-285	NEW-E 88-07-072	458-30-125	REP-P 88-17-118	460-16A-145	REP 88-03-015
446-20-290	AMD-P 88-03-056	458-30-130	REP-P 88-17-118	460-17A-010	NEW-P 88-12-026
446-20-290	AMD 88-07-066	458-30-135	REP-P 88-17-118	460-17A-010	NEW 88-17-012
446-20-290	AMD-E 88-07-072	458-30-140	REP-P 88-17-118	460-17A-020	NEW-P 88-12-026
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446-20-300	AMD-E 88-07-072	458-30-150	REP-P 88-17-118	460-17A-030	NEW 88-17-012
446-20-310	AMD-P 88-03-056	458-30-155	REP-P 88-17-118	460-17A-040	NEW-P 88-12-026
446-20-310	AMD 88-07-066	458-30-160	REP-P 88-17-118	460-17A-040	NEW 88-17-012
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446-40-020	AMD-P 88-14-023	458-30-205	NEW-P 88-17-118	460-17A-050	NEW 88-17-012
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